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CITY OF JACKSONVILLE

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*BOARD CERTIFIED CITY, COUNTY
AND LOCAL GOVERNMENT LAW

February 15, 2018

Mr. Sam Mousa, P.E.
Chief Administrative Officer
City of Jacksonville
117 W. Duval Street, Suite 400
Jacksonville, Florida 32202

RE: Investigation Report concerning Complaint filed by Ms. Jeneen Y. Sanders, Executive Assistant to the Council President on February 12, 2018

Dear Mr. Mousa:

Background Information:

At your request, I conducted a complete and thorough investigation of Jeneen Sanders' Complaint which was filed via email (with attachment) to Dr. Cheryl Brown, Council Secretary / Director, on February 12, 2018. Dr. Brown acknowledged receipt via email and attached letter on February 13, 2018 and in doing so included Ms. Sanders, Ms. Anna Brosche, Council President, Ms. Diane Moser, Director of Employee Services, Ms. Charlene Taylor Hill, Executive Director of the Jacksonville Human Rights Commission, and Laura Dyer, Executive Administrator for City Council. This acknowledgement letter indicates that the Complaint was also forwarded to the Equal Employment Opportunity Commission (Miami District Office). Mr. Brian Hughes, Chief of Staff for the Mayor also filed his statement memorializing events, on February 13, 2018. Each piece of correspondence and attachment referenced above is enclosed with this report.

Investigation Process:

The investigation process included interviews of Ms. Sanders, Mr. Brian Hughes, Ms. Alice Newman and Ms. Angie Slayton, a review of the video from the Mayor's Office lobby, and a review of the written statements by Ms. Sanders and Mr. Hughes. Both Ms. Newman (Front Office Manager, Mayor's Office) and Ms. Slayton (Administrative Assistant) are the only known witnesses to the incident. Additionally, I consulted with Ms. Diane Moser, and Ms. Charlene Taylor Hill through the process. I have also reviewed the City's Anti-Harassment Policy and Complaint Procedure (Directive – 0528) to ensure that this investigation was conducted in accordance with that directive.

Conclusion:

The information obtained during my investigation conclusively demonstrates that Mr. Hughes did not in any way violate any federal, state or local law, or City policy during his interaction with Ms. Sanders.

If you have any questions or if I can be of further assistance, please do not hesitate to let me know.

Sincerely,



Sean Granat
Deputy General Counsel
Tort and Employment

Enclosure

cc: Dr. Cheryl Brown, Council Secretary / Director
Ms. Jeneen Y. Sanders, Executive Assistant to the Council President
The Honorable Anna Brosche, Council President
Ms. Diane Moser, Director of Employee Services
Ms. Charlene Taylor Hill, Executive Director of the Jacksonville Human Rights Commission
Ms. Laura Dyer, Executive Administrator for City Council.
Mr. Brian Hughes, Chief of State for the Mayor
Ms. Alice Newman, Front Office Manager, Mayor's Office
Ms. Angela Slayton, Administrative Assistant

Johnson, Camille

From: Russell, Marlene
Sent: Tuesday, February 13, 2018 1:27 PM
To: Johnson, Camille
Subject: FW: Acknowledgement of Complaint J. Sanders Response
Attachments: Acknowledgement of Complaint J. Sanders - Response.pdf; Formal Complaint regarding incident with Mr. Brian Hughes.docx

Thank you,

Marlene Russell, Director Organizational Effectiveness
City of Jacksonville/Office of Mayor Lenny Curry
117 W. Duval Street, 4th Floor
Jacksonville, Florida 32202
(Office) 904.630.7232
(Cell) 904.759.2752

CITY OF JACKSONVILLE

From: Moser, Diane [<mailto:DMoser@coj.net>]
Sent: Tuesday, February 13, 2018 1:20 PM
To: Russell, Marlene
Subject: FW: Acknowledgement of Complaint J. Sanders Response

See attached.

Diane F. Moser
Director of Employee Services
Employee Services Department
117 W. Duval Street, Suite 100
Jacksonville, FL 32202
904-630-2427

CITY OF JACKSONVILLE

This e-mail message and any documents attached to it are confidential and may contain information that is protected from disclosure by various federal and state laws, including the HIPAA privacy rule (45 C.F.R., Part 164). This information is intended to be used solely by the entity or individual to whom this message is addressed. If you are not the intended recipient, be advised that any use, dissemination, forwarding, printing, or copying of this message without the sender's written permission is strictly prohibited and may be unlawful. Accordingly, if you have received this message in error, please notify the sender immediately by return e-mail or call 904-630-1314, and then delete this message.

From: Brown, Cheryl
Sent: Tuesday, February 13, 2018 1:10 PM
To: Sanders, Jeneen; Brosche, Anna; Moser, Diane; Hill, Charlene
Cc: Dyer, Laura
Subject: Acknowledgement of Complaint J. Sanders Response

Mrs. Sanders:

This email correspondence acknowledges receipt of your complaint. Attached is a response providing directive to further action for review by the appropriate personnel and agencies. Additionally, I have attached your document received by my office on

From: Sanders, Jeneen
Sent: Monday, February 12, 2018 3:00 PM
To: Brown, Cheryl
Cc: Brosche, Anna
Subject: Formal Complaint regarding incident with Mr. Brian Hughes.docx

Dr. Brown –

Please see attached. I look forward to your guidance.

Best,

Jeneen Y. Sanders | SECRETARY TO THE COUNCIL PRESIDENT
Council Member, Anna Lopez Brosche- At-Large Group 1
117 W. Duval Street | Jacksonville FL 32202
Phone 904.630.7361 | Fax 904.630.2906
jeneens@coj.net | www.coj.net

Thank you.

Cheryl

Dr. Cheryl L. Brown, Director
Jacksonville City Council
117 West Duval Street, Suite 425
Jacksonville, Florida 32202
CLBrown@coj.net
904.630.1452 (Office)
904.630.2906 (Fax)

“...The best antidote I know for worry is work. The best cure for weariness is the challenge of helping someone who is even more tired. One of the great ironies of life is this: He or she who serves almost always benefits more than he or she who is served.”

— *Gordon B. Hinckley*

*** Please note that under Florida's very broad public records law, email communications to and from city officials are subject to public disclosure. ***

On February 12, 2018 at approximately 1:25 p.m., Mayor Curry's Chief of Staff, Mr. Brian Hughes, accosted me. I was exiting the City Council lobby doors to make a visit to the mayor's office to ask a question of The Honorable Denise Lee. Mr. Hughes exited from the city council offices (the hallway with restrooms.)

Mr. Hughes called out "Hey!" I turned around. Mr. Hughes proceeded to speak in an attacking manner while pointing his finger. "The next time your boss decides to send a letter, she needs to cc this office." I responded by stating that I will get with Council President Brosche regarding his concern, I continued to walk away. As he followed me in to the mayor's office, he continued speaking to me aggressively by saying that any time Council President Brosche decides to mention his office in her correspondence, they need to be cc'd and that Council President Brosche's actions were nothing short of unprofessional. I responded again by stating that I would deliver the message to Council President Brosche; Mr. Hughes walked off.

I feel extremely uncomfortable based on his aggressive tone, facial expressions, and his physical movements. Mr. Hughes spoke with fierce anger, creating a hostile work environment. I do not feel safe and would like to file a complaint.



OFFICE OF THE CITY COUNCIL

CHERYL L. BROWN
DIRECTOR
OFFICE (904) 630-1452
FAX (904) 630-2906
E-MAIL clbrwn@coj.net

117 WEST DUVAL STREET, SUITE 425
4TH FLOOR, CITY HALL
JACKSONVILLE, FLORIDA 32202

February 13, 2018

Ms. Jeneen Sanders
Secretary to the Council President
Jacksonville City Council
117 West Duval Street, Suite 425
Jacksonville, FL 32202

RE: ACKNOWLEDGMENT OF RECEIPT

Dear Ms. Sanders:

This letter acknowledges receipt of your complaint regarding your interaction with Mr. Brian Hughes, Chief of Staff for Mayor Lenny Curry, which occurred on Monday, February 12, 2018.

By copy of this letter, your complaint (attached) is being forwarded to Ms. Diane Moser, Director of Employee Services for the City of Jacksonville, and Charlene Taylor Hill, Jacksonville Human Rights Commission – City of Jacksonville, as well as the Equal Opportunity Employment Commission (EEOC) for the State of Florida. Please note that the EEOC provides access via their web page to a Public Portal which allows a complaint to be filed electronically. If it is your intent to file an official inquiry, please visit the EEOC web page at www.eeoc.gov and select *Filing A Charge* from the left menu.

If you have any questions related to this issue, these agencies may be contacted at:

City of Jacksonville
Employee Services Department
Diane Moser, Director
117 W. Duval Street, Suite 100
Jacksonville, FL 32202
(904) 630-2427
dmoser@coj.net

Equal Employment Opportunity Commission
Miami District Office
Miami Tower
100 SE 2nd Street, Suite 1500
Miami, FL 33131
(800) 669-4000
www.eeoc.gov

If you experience future employment issues that I can assist with, please contact me at (904) 630-1452 or via email at clbrown@coj.net.

Sincerely,



Charlene Taylor Hill
Executive Director
Jacksonville Human Rights Commission
117 West Duval Street
Jacksonville, FL 32202
(904)630 1212 ext 3031
CHARLENE@coj.net

Cheryl L. Brown
Jacksonville City Council
Director/Council Secretary
117 West Duval Street, Suite 425
Jacksonville, FL 32202
(904) 630-1452
CLBrown@coj.net

cc: Honorable Anna Lopez Brosche, President Jacksonville City Council
Ms. Diane Moser, Director of Employee Services, City of Jacksonville
Ms. Charlene Taylor Hill, Jacksonville Human Rights Commission, City of Jacksonville
Equal Employment Opportunity Commission, Miami District Office
File Copy

Attachment

1:55pm 2/13/2018

This is a note to memorialize the events in question:

I had just attended meetings with Council Members to discuss the letter from Council President Brosche to the JEA rejecting JEA's request for a meeting. In these conversations, and during an earlier press inquiry, I had to reply that I had not been provided the letter so I was unable to respond to the specifics of its content. After leaving the Council Members' office area, I was headed back into the Mayor's admin office suite at the same time as Council President's aide Ms. Jeneen Sanders.

Upon entering the Mayor's front office lobby with Ms. Sanders, I communicated to her verbally that I thought it was unprofessional and inappropriate for CP Brosche to create a letter discussing the administration without providing a copy to us. I was uncertain that she had heard me and did not hear any response or see any acknowledgement. I restated the concern and she acknowledged she would relay the message to CP Brosche. That was the sum total of the exchange.

I stated a request in the simplest of terms and continued to my office when the request of one staff member to another was acknowledged. Ms. Alice Newman who staffs the front desk was witness to the exchange. I believe Ms. Newman would be able to speak to the volume of discussion, physical appearances, and character of the tone for the entire exchange.

At no time was I close enough to threaten any type of physical contact or to physically impose upon Ms. Sanders. I don't recall finger pointing and don't think it is something I am known to do, and I cannot address the appearance of my facial expressions or how they would be perceived by an observer. Again, Ms. Alice Newman was present so perhaps she can speak to these claims.

The duration of the conversation lasted the amount of time it takes for a request to be spoken twice and for me to walk from the entrance of the Mayor's lobby to the door that opens to the office space for the Mayor's administrative staff.

While I believe that a reasonable assessment of my conversation could be terse or abrupt, I deny in the strongest possible terms any claim that I was threatening or created an environment that can be defined as hostile. The complaint is without merit and I am happy to provide any additional information required to demonstrate it as such.