

# CITY OF JACKSONVILLE



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## **ETHICS COMMISSION MEETING MINUTES**

Wednesday, July 14, 2021

In-Person Meeting

City Hall, First Floor, Lynwood Roberts Room

Commission Attendees: Ellen Schmitt, J.J. Dixon, Darcy Galnor, Imani Boykin, Dr. Erich Freiberger, Mary Bland Love, Carlton DeVooght and LaTonya Lipscomb Smith. Other attendees: Kirby Oberdorfer, Deputy Director, Office of Ethics, Compliance and Oversight (“OECO”); Cherry Shaw Pollock, Assistant General Counsel, Office of General Counsel (“OGC”); and Sandy Homrighouse, OECO Executive Assistant.

The meeting was called to order by Ellen Schmitt, Chair of the Ethics Commission, at 4:37 p.m. The meeting began with Ms. Schmitt leading the attendees in the Pledge of Allegiance. Ms. Schmitt confirmed a quorum of Ethics Commission members were physically present for the meeting. Ms. Oberdorfer shared the Ethics Thought. Ms. Schmitt explained Ms. Miller’s absence from the meeting.

### Minutes Approval:

May 10, 2021 Ethics Commission meeting minutes: Ms. Pollock recommended an amendment to the minutes to add Mr. Young’s first name, James, to clarify who spoke at the meeting. Ms. Love made a motion to amend and approve the minutes as amended to add Mr. Young’s first name. Ms. Galnor seconded the motion. There being no discussion, the motion to amend and approve the minutes passed unanimously with a vote of 8-0.

May 20, 2021 Legislative Committee meeting minutes: Ms. Smith made a motion to approve the minutes. Dr. Freiberger seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a vote of 8-0.

June 1, 2021 Ad Hoc Nominating Committee meeting minutes: Ms. Galnor made a motion to approve the minutes. Ms. Smith seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a vote of 8-0.

June 1, 2021 Ethics Commission minutes: Ms. Boykin made a motion to approve the minutes. Dr. Freiberger seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a vote of 8-0.

### Staff and Committee Reports:

OECO: Ms. Oberdorfer stated that the Ethics Office budget is currently being prepared for the next fiscal

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year. Ms. Miller and Ms. Oberdorfer met with the Mayor's Budget Review Committee and presented a proposed budget. There will be an increase in contributions to the OECO budget from the independent authorities and Ms. Miller is finalizing the Memorandums of Understanding with the independent authorities that memorialize the contributions. Ms. Oberdorfer will provide specifics to the Ethics Commission after the budget is filed. The OECO budget hearing before the Finance Committee is August 13, 2021. Additionally, the OECO staff provided training to City Council members and staff on June 7, 2021. Ms. Schmitt attended the training and stated it was very engaging. The OECO staff also trained the Council President's Executive Council Assistant on gift processing. The OECO staff has been helping JEA staff with post-training ethics tool kits. Ms. Oberdorfer reported that the Ethics Commission is 100% compliant in filing financial disclosures. The OECO staff has also been assisting with City Council conflict of interest issues and has also been helping OGC revise the Boards and Commissions application for City Council appointees.

OGC: Ms. Pollock advised that General Counsel Jason Gabriel will resign as of August 6, 2021, to return to work in the private sector. Jason Teal, Deputy General Counsel, will serve as Interim General Counsel. Ms. Pollock asked that her presentation to the Ethics Commission regarding a briefing on attending a meeting by phone due to extraordinary circumstances be deferred until the next meeting. Ms. Schmitt granted the deferral.

Complaints Committee: Ms. Galnor advised that the Complaints Committee has not received any additional complaints since the last Ethics Commission meeting and the number of pending complaints remains unchanged.

Legislative Committee: Ms. Boykin advised that the Legislative Committee did not have a report.

#### Old Business:

Ms. Schmitt stated that Employee Services conducted reference and social media checks of Ms. Oberdorfer and there were no issues. An offer letter was signed by Ms. Oberdorfer accepting the Ethics Director position effective October 1, 2021. The City Council Rules Committee will consider Ms. Oberdorfer's appointment as the next Ethics Director on July 20, 2021. City Council is currently scheduled to vote on the appointment on July 27, 2021.

#### New Business:

Ethics Commission members received training on the Sunshine Law, public records and gifts. Ms. Oberdorfer advised the OECO staff recommended that the Internal Operations Committee review the standard for demonstrating extraordinary circumstances to attend a meeting by electronic means under the Sunshine Law and can model the standard upon newly created rules from other City boards that address this issue, such as DIA and the Waterways Commission.

Ms. Oberdorfer then asked the Ethics Commission to provide input on the process to consider the potential reappointment of LaTonya Lipscomb Smith to the Ethics Commission, specifically whether the Commission preferred to appoint a Nominating Committee per the requirement in the Internal Operating Procedures Rule VII or handle it at the Ethics Commission level per prior practice. Ms. Smith's Ethics Commission appointment for her first term ends December 2021. Ms. Smith is eligible and interested in being reappointed to a second term on the Commission. The Commission members opined on their

preference to consider the reappointment of Ms. Smith at the Ethics Commission instead of through a Nominating Committee.

Public Comment:

Ms. Schmitt requested public comment. No public was in attendance.

Announcements and Scheduling of Future Meetings: City Council has requested that the Ethics Commission provide dates of remaining meetings in 2021 so it can reserve the Lynwood Roberts Room for the Commission meetings. Ms. Schmitt asked Ms. Homrighouse to send out emails to poll the Ethics Commission member on future meetings.

Adjourn: There being no further business to discuss, the meeting was adjourned at 5:32 p.m.

*Sandy Homrighouse*

9-9-21

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Sandy Homrighouse, Executive Assistant, OECO

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Date of Approval

This is a summary of the meeting and not a verbatim transcription. A recording of these proceedings is available at <http://www.coj.net/departments/ethics-office/notices,-agendas-minutes> .