

CITY OF JACKSONVILLE



JOSEPH ROGAN
CHAIR

ELLEN SCHMITT
VICE CHAIR

IMANI A. BOYKIN
GEORGE CANDLER
CARLTON DEVOOGHT
J.J. DIXON

DARCY GALNOR
LATONYA LIPSCOMB SMITH
MARY BLAND LOVE

**ETHICS COMMISSION
MEETING MINUTES**

Wednesday, September 30, 2020

Zoom

No Physical Location

The meeting was called to order by Joseph Rogan, Chair of the Ethics Commission, at 4:02 p.m. A quorum was present.

Commission Attendees: Joseph Rogan, LaTonya Lipscomb Smith, Mary Bland Love, Ellen Schmitt, Dr. George Candler, Carlton DeVooght, Darcy Galnor, J.J. Dixon (arrived at 4:07 p.m.) and Imani A. Boykin (arrived at 4:12 p.m.). Other attendees: Carla Miller, Director, Office of Ethics, Compliance and Oversight (“OECO”); Kirby Oberdorfer, Deputy Director, OECO; Cherry Shaw Pollock, Assistant General Counsel, Office of General Counsel (“OGC”); and Sandy Homrighouse, Executive Assistant, OECO.

Public in Attendance: None.

The meeting began with Mr. Rogan leading the attendees in the Pledge of Allegiance and Ms. Miller shared the Ethics Thought.

Minutes Approval:

January 22, 2020 Ethics Commission Meeting minutes: Mr. DeVooght made a motion to approve the minutes. Ms. Schmitt seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a vote of 7-0.

February 10, 2020 Ethics Commission Open Government Committee Meeting minutes: Ms. Smith made a motion to approve the minutes. Ms. Galnor seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a vote of 7-0.

February 25, 2020 Ethics Commission Legislative Committee Meeting minutes: Ms. Love made a motion to approve the minutes. Ms. Schmitt seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a vote of 8-0.

Staff Reports:

OECO: Ms. Miller reported that OECO has been busy and she will send a written staff report to the Ethics Commission. The OECO staff is in the process of conducting ethics training for 200 JEA middle management personnel. The OECO staff trained the JTA Board of Directors as well as conducting other ethics training citywide by Zoom. There is 100% compliance with financial disclosures. Ms. Oberdorfer attended a Harvard leadership webinar and summarized the program. Dr. Candler and Ms. Miller briefly discussed leadership programs. Ms. Miller complimented Ms. Oberdorfer on the conflict opinions she has been working on.

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OGC: Ms. Pollock reported that OGC remains busy.

Committee Report:

Complaints Committee Report: Ms. Schmitt reported the Complaints Committee considered 14 complaints since the Ethics Commission's last meeting. 8 complaints were dismissed, 4 complaints are open, 1 was returned and 1 was referred to another agency.

New Business:

City Council Action on Ethics Commission Budget: Ms. Miller reported the budget process went smoothly, The Ethics Office budget was increased roughly \$30,000 and members of the Budget Committee stated the Ethics Office is the best return on investment in the City. Andrea Myers's position was changed from part-time to full-time. Ms. Miller thanked the administration for supporting the budget increase. Mr. Rogan and Ms. Miller discussed Ms. Myers' position. Mr. Rogan relayed his appreciation that OECO worked for this increase.

Extension of Ethics Director Contract: Ms. Miller's contract expires December 6, 2020 and she is willing to serve another term. The Ethics Commission members and Ms. Miller discussed succession planning. Ms. Miller stated that the Ethics Commission could reappoint her by resolution rather than written contract based on Ms. Miller's discussions with Ms. Pollock and Lawsikia Hodges at OGC and with Employee Services. Ms. Miller referred the Ethics Commission members to the requirement that the Ethics Commission review the ethics director's pay rate annually. Ms. Miller then referred the Ethics Commission members to an email she sent outlining three actions the Ethics Commission may take on this topic. Mr. Rogan spoke in support of reappointing Ms. Miller and noted Ms. Miller's progress on the two suggestions for improvement in his last performance review of Ms. Miller. The Ethics Commission members and Ms. Miller discussed the potential use of a contract for the ethics director's position and continued to discuss succession planning.

Dr. Candler made a motion to approve Ms. Miller's rate of pay of \$93 per hour for the next fiscal year. Ms. Schmitt seconded the motion. No public was present for public participation. There being no further discussion, the motion passed unanimously with a vote of 9-0.

Ms. Miller referred to the draft resolution shown on the screen and circulated by email, which would reappointment Ms. Miller for 3 years. Ms. Miller stated that Ms. Hodges at OGC reviewed the draft resolution. Ms. Pollock suggested a correction to the date in paragraph 4. Mr. DeVooght made a motion to adopt the draft resolution with Ms. Pollock's suggested correction. Dr. Candler seconded the motion. No public was present for public participation. There being no further discussion, the motion passed unanimously with a vote of 9-0.

Ms. Miller explained the potential need for Mr. Rogan to have authority to execute agreements or technical amendments to effect the adopted resolution reappointing Ms. Miller. Dr. Candler made a motion to authorize the Chair to execute any agreements or technical amendments to the resolution needed to effect the resolution. Ms. Smith seconded the motion. No public was present for public participation. There being no further discussion, the motion passed unanimously with a vote of 9-0.

Terms of Members:

Ms. Miller notified the Ethics Commission members that Dr. Candler's term expires at the end of 2020 and he is term limited. City Council President Tommy Hazouri appointed Attorney Kirsten Doolittle.

Ms. Galnor's first term expires at the end of 2020 and she is interested in serving another term. The State Attorney is considering her reappointment.

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Ms. Schmitt's first full term expires at the end of 2020 and she is interested in serving another term. Ms. Miller stated the Ethics Commission can waive the internal operating procedures rule requiring a reappointment to go through the Nominating Committee. Dr. Candler made a motion to waive Internal Operating Rule 7. Ms. Boykin seconded the motion. No public was present for public participation. There being no further discussion, the motion passed unanimously with a vote of 9-0.

The Ethics Commission members discussed their desire to reappoint Ms. Schmitt. Ms. Boykin made a motion to reappoint Ms. Schmitt to a second full term beginning January 1, 2021. Ms. Smith seconded the motion. No public was present for public participation. There being no further discussion, the motion passed unanimously with a vote of 9-0. Mr. Rogan asked Ms. Pollock to prepare legislation.

Election of Officers: Ms. Miller stated she asked all Ethics Commission members whether they were interested in serving as Chair. Ms. Schmitt expressed interest in the Chair position. Mr. Rogan asked if any other Ethics Commission members were interested in the position of Chair. None expressed interest. Ms. Galnor made a motion to elect Ms. Schmitt as Chair for 2021. Ms. Boykin seconded the motion. No public was present for public participation. There being no discussion, the motion passed unanimously with a vote of 9-0.

Ms. Miller said she believes a couple Ethics Commission members might have interest in the Vice Chair position. Mr. Rogan asked if any Ethics Commission members were interested in serving as Vice Chair. Ms. Galnor is considering it. Mr. Rogan asked any members interested in the Vice Chair position to contact Ms. Miller.

Schedule of Ethics Commission Meetings: The Ethics Commission members and staff discussed in detail whether and how to schedule future 2020 Ethics Commission and committee meetings and logistics of meeting in light of COVID-19. Mr. Rogan reminded the members that the Ethics Commission is required to meet quarterly and the Ethics Commission members and staff discussed compliance with that requirement. No future meeting was set during the meeting.

Public Comment:

Mr. Rogan requested public comment. None was given.

Announcements: None.

Adjourn: There being no further business to discuss, the meeting was adjourned at 5:16 p.m.

Sandy Homrighouse

Sandy Homrighouse, Executive Assistant, OECO

10.26.20

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> .