

CITY OF JACKSONVILLE

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**ETHICS COMMISSION
MEETING MINUTES**

Monday, May 10, 2021

Hybrid Virtual Via Zoom/In-Person Meeting
Multipurpose Room, Main Library

Commission Attendees: Ellen Schmitt, J.J. Dixon, Darcy Galnor, Joseph Rogan, LaTonya Lipscomb Smith, Carlton DeVooght, Erich Freiburger, Mary Bland Love (in person attendance) and Imani Boykin (attendance via Zoom). 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”); Diane Moser, Director, City of Jacksonville Employee Services and Sandy Homrighouse, Executive Assistant, OECO.

The meeting was called to order by Ellen Schmitt, Chair of the Ethics Commission, at 4:08 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. One member, Ms. Boykin, requested to attend and participate in the meeting via Zoom. Ms. Pollock noted that Florida law allows a board member to attend a meeting by electronic means only if there are extraordinary circumstances, such as an illness, that prohibit the board member from attending the meeting in person. The board must vote that the member has extraordinary circumstances that require attendance by electronic means. Ms. Schmitt then asked Ms. Boykin to explain her extraordinary circumstances for not being able to attend the meeting in person. Ms. Boykin explained she was unable to attend in person due to an unexpected issue with a previously scheduled meeting running later than planned and her inability to arrive at the meeting on time. Mr. Rogan made a motion that Ms. Boykin had extraordinary circumstances and to allow her to attend the meeting via Zoom. Ms. Smith seconded the motion. The motion to allow Ms. Boykin to attend the meeting via Zoom passed with a vote of 8-0. Following confirmation of quorum, Ms. Miller shared the Ethics Thought.

Minutes Approval:

March 26, 2021 Ethics Commission meeting minutes: Mr. DeVooght made a motion to approve the minutes. Ms. Love seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a vote of 9-0.

Staff Reports:

OECO: Ms. Miller stated that the Ethics Office budget is currently being prepared for the next fiscal year. Ms. Miller reported that board members that apply for a position being filled by their board have a conflict of interest between their public duties as a board member and private interest in obtaining the

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position. Board members applying for positions with their board are required by the Jacksonville Ordinance Code to resign from the board.

OGC: No report.

Complaints Committee: Ms. Galnor announced the Complaints Committee will have a shade meeting on May 18. There are 12 cases pending.

Ms. Oberdorfer excused herself and left the meeting.

Old Business: Succession Planning for the Director of OECO

Background: Ms. Miller reported on the history of OECO.

Process: Ms. Moser provided guidance regarding succession planning for the Director of OECO.

Nominating Committee Report: Ms. Dixon, Chair of the Ad Hoc Nominating Committee, reported that the Committee met and voted to recommend that the full Ethics Commission convene a search for the Director of OECO position and seek guidance from Employee Services regarding the search process.

Discussion: Mr. DeVooght made a motion to interview Ms. Oberdorfer for the Director of OCEO position. Dr. Freiburger seconded the motion. The Ethics Commission next discussed the process for hiring a new Director for OECO. Ms. Boykin expressed her position that the Ethics Commission conduct an external search for the Ethics Director position to allow an opportunity for a broader pool of candidates and avoid the impression that the selection of the new Director was narrow and pre-determined. Mr. DeVooght opined regarding his personal experience in hiring candidates and conducting searches. He stated hiring an external candidate is not cost effective and has not worked well in his experience. He supports hiring internally in part because of the limited number of qualified candidates with ethics experience. He also expressed that the previous Ethics Commissions performed a search when hiring Ms. Oberdorfer and have already completed the search process. Ms. Miller referred to the job description for the Executive Director of OECO. Ms. Moser referred to the Executive Director Hiring Procedures-Internal Candidates. Ms. Schmitt requested public comment. Mr. Nooney recommended the Ethics Commission consider external candidates for the Director of OECO position. Ms. Barnum advised the Ethics Commission should consider the most qualified candidate. Mr. James Young, a previous Ethics Commission Chair, stated the Deputy Director position was created to ascend to the Ethics Director position and encouraged the Ethics Commission to support Ms. Oberdorfer as Ethics Director. Mr. Scott recommended the Ethics Commission consider external candidates for the Director of OECO position. The motion to interview Ms. Oberdorfer passed with a vote of 8-1.

Dr. Freiburger suggested a change to Item #1 of the Executive Director Hiring Procedures-Internal Candidates distributed by Ms. Moser. Mr. Rogan made a motion to adopt the procedures with Dr. Freiburger's change. Mr. DeVooght seconded the motion. Ms. Schmitt requested public comment. Mr. Nooney supported the change to Item #1. Ms. Barnum expressed the importance of the Ethics Commission's role in holding City officials and employees accountable. Mr. Scott agreed with Mr. Nooney and Ms. Barnum and supports ethics. The motion to adopt the Executive Director Hiring

Procedures-Internal Candidates to include the change requested by Dr. Freiburger passed with a vote of 9-0.

Ms. Oberdorfer rejoined the meeting.

New Business: Ms. Miller briefly reviewed the supplement to the Boards and Commissions training manual that addresses special areas of the Ethics Commission duties.

Public Comment:

Ms. Schmitt requested public comment. Mr. Nooney shared his opinion that the public is being limited to providing input and comment during public meetings in the City. Ms. Barnum requested clarification of the Ethics Commission's responsibility to address City-related issues. Mr. Scott addressed various concerns regarding City government.

Announcements and Scheduling of Future Meetings: Ms. Schmitt asked Ms. Homrighouse to schedule an Ad Hoc Nominating Committee meeting and Ethics Commission meeting to interview Ms. Oberdorfer for the OECO Director position.

Adjourn: There being no further business to discuss, the meeting was adjourned at 5:41 p.m.

Sandy Homrighouse

7-14-21

Sandy Homrighouse, Executive Assistant, OECO

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> .