

ETHICS COMMISSION
MINUTES
February 23, 2009

The Ethics Commission meeting was held at the Florida Coastal School of Law and convened at 3:32 p.m.

Attendees: Gene Filbert, Chair; Kirby Oberdorfer, Vice Chair; Braxton Gillam; Helen Ludwig; Pat Plumlee; Pat Sher; Scott Shine; Mary Swart and Jay Williams

Other in attendance: Carla Miller, Ethics Officer; Cindy Laquidara, Office of General Counsel; Jon Phillips, Office of General Counsel and Susan Stewart, Ethics Coordinator

The Chair called the meeting to order and opened with the Pledge of Allegiance.

The Ethics thought was given by Carla Miller, followed by an explanation of the structure of the Ethics Commission and Ethics Office. Each commissioner introduced themselves and who appointed them.

C. Peter Goplerud III, Dean and Professor of Law, Florida Coastal School of Law, welcomed the members and made a few brief remarks.

A motion was made and seconded to adopt the minutes from the January 12 meeting, as drafted with the following revisions:

Mr. Plumlee offered an amendment to change the wording "It was pointed out" to "Johns Phillips stated" and another amendment was offered to include the language offered by Ms. Goller, following that paragraph. The minutes as amended, were approved.

Sub-Committee Reports

The Chair reported that a presentation was made for a delegation from Mozambique.

Ethics Officer Miller reported the financial and gift disclosure certification has been met. Also, she is summarizing Chapter 602 for a training pamphlet for city employees. Finally, the annual hotline report has been sent out relating to cases from last year.

Jon Phillips, OGC, stated Steve Rohan from OGC are working on summarizing the topic index of the state ethics website.

The Chair reviewed the committees and those expressing interest to serve on those committees and that Pat Sher and Carla Miller are working on a special project relating to the Internal Operating Procedures of the Ethics Commission.

Legislative Committee Chairman, Braxton Gillam, reported the subcommittee would like to offer a motion to schedule a strategic planning meeting. This meeting will be to talk about issues relating to code revisions and the power and responsibilities of the Commission. We will invite the director of the Miami-Dade Ethics Commission to address the group.

The Ethics Officer will find out availability of the guest speaker and the Ethics Coordinator will poll the members. The motion was made, seconded and approved.

Hotline committee Chair, Mr. Plumlee reported to the Commission they reviewed three cases. One case was referred back to the Ethics Officer and Inspector General to resolve various issues. The subcommittee brought their recommendations to the committee on 2008-13 and 2008-25, for final action. A motion was made, seconded and approved to close the two cases.

Compliance Committee had no report.

New business: A motion was made to move the issue of public record complaints to the Legislative Subcommittee. It was seconded and approved.

A motion was made and seconded to move the two letters to the Legislative Subcommittee (Marvin Edwards, Folio and Gray Thomas, Esq.): 5 in favor and 3 opposed, 1 abstained. The measure was approved.

Ms. Laquidara offered to have the Office of General Counsel make a presentation to the subcommittee or commission and answer questions.

Ms. Swart inquired about the Leslie Goller letter if it were new business, information or complaint. The Ethics Officer stated that it will be treated as a complaint made directly to the Ethics Commission (not a hotline case) and that she and Jon Phillips are working on a procedure to dovetail this type of complaint into the Hotline procedures.

Jon Phillips stated he felt this is an old complaint that it was a closed issue.

The Chair stated the letter for Ms. Goller is a complaint, and will be processed through the Hotline subcommittee. This will allow it to be investigated, which will determine if it has already been addressed.

The Chairman stated that the two letters in the complaint and complaint will be referred to the legislative subcommittees and both subcommittees will report back to the full commission.

The Chairman offered a public comment period in which Tony Bates stated he was observing on behalf of Concerned Taxpayers of Duval County. They endorse the work of the commission and will forward an adopted resolution. He requested that public input be permitted at the strategic planning session as to expectations and powers of the committee, from their perspective.

The Chairman announced the meeting will be March 23rd at 5:00 p.m. at City Hall.

Questions and answers followed with students.

There being no further business the meeting adjourned at 5:23 p.m.

Susan Stewart
Ethics Commission Coordinator

Date of Approval

A tape recording of these proceeding is available to the media and public as this is not a verbatim transcript of the meeting.