

MINUTES OF ETHICS COMMISSION

DATE: July 28, 2008

Call to order: The Ethics Commission was held in City Hall-St. James Building, Jacksonville, Florida on July 28, 2008. The meeting convened at 4:02 p.m.

Attendees:

Jay Williams, Chair
Pat Plumlee
Mary Swart
Mary Alice Phelan
Bill Wilkens
Braxton Gillam
Gene Filbert, Vice-chair
Pat Sher and Kirby Oberdorfer (excused absences)

Christine Lyle, Ethics Coordinator, and Steve Rohan, General Counsel's office, were also in attendance.

The Chair called the meeting to order. The Pledge of Allegiance was recited. The June 23, 2008 Commission meeting minutes and the Legislative Sub-Committee minutes of July 18, 2008 were reviewed and a motion was made by Mary Phelan to approve the minutes. The motion was seconded by Gene Filbert and carried unanimously.

The Ethics Thought was given by Christine Lyle.

Sub-Committee Reports:

Hotline: No report.

Education: No report.

Legislative: A meeting was held on Friday, July 18, 2008 at noon at the Office of General Counsel. Braxton Gillam gave a summary of the meeting discussion which reflected the meeting minutes. The Sub-Committee is scheduled to meet again on August 15th to further discuss a procedure/due process for complaints brought through the Hotline and to the Commission.

Compliance: No report.

The Chair passed out Times Union articles, 1) "Reform of skybox use by a city a work in progress; 2) City officials likely broke ethics laws; (articles on the disclosure of the stadium skybox seats for elected officials) and 3) Council Committee passes on \$1 million in revenue (Bill 2008-255).

The Chair started discussion on what the Commission could do about the City Council vote on 2008-255. (Fair Share Assessment/Coleman--one million dollar math error.) The Chair asked for discussion and possible procedure, if any, to address this issue. After discussion with General Counsel representative Steve Rohan and attorney/member of the commission Braxton Gillam, it was determined that the Commission has no jurisdiction under the Ethics Code to address this

issue. Without further evidence to the contrary, the Council acted within its legislative discretion. The Commission, however, was concerned about the appearance of this issue to the public.

The Commission requested that the Ethics Officer present a report at the next meeting on Gifts, including the types of gifts and reporting mechanisms.

There was brief discussion regarding the skybox tickets. The Chair suggests that the Commission invite someone from the Mayor's office to explain to the Commission the policy, if any, regarding the Skybox and tickets to events. Mr. Rohan said that in a recent investigation by the State Ethics Commission, a view was expressed by a minority of the Commission questioning whether free attendance by an elected official at a sporting event held in the government's own facility could ever be considered a gift. Mr. Rohan will order the transcript of the hearing and provide a copy to the Commission.

Public Comment: Ms. Helen Ludwig inquired as to a Memorandum she received regarding campaigning in Senior Centers. The Chair apologized and explained that the Senior Centers were not considered at the time of the writing of the Code; but that City employees were being protected from campaigning while on the job. Mr. Rohan advised Ms. Ludwig that she could make a request, through a Council member, to get the Code changed to allow campaigning at Senior Centers.

Adjourned 4:47 pm.

Next meeting scheduled: August 25, 2008

/s/ Christine Lyle

Christine Lyle
Ethics Commission Coordinator

August 25, 2008

Date of Approval

