

CITY OF JACKSONVILLE



GENE FILBERT
Chair

KIRBY OBERDORFER
Vice-Chair

BRAXTON GILLAM
HELEN LUDWIG
PATRICK PLUMLEE

ETHICS COMMISSION

MINUTES

September 21, 2009

5:00 p.m.

Lynwood Roberts Room,
1st Floor, City Hall - 117 W. Duval Street

PATRICIA SHER
SCOTT SHINE
MARY SWART
RHONDA PEOPLES-
WATERS

Attendance: Gene Filbert, Chair; Kirby Oberdorfer, Vice Chair; Braxton Gillam, Helen Ludwig, Rhonda Peoples-Waters, Pat Plumlee, Pat Sher, Scott Shine and Mary Swart

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

The meeting was called to order at 5:05 p.m., by the Vice Chair, followed by the Pledge of Allegiance. A quorum was present. Carla provided the Ethics thought.

Minutes from the Ethics Commission of June 29 and July 27 were approved.

Scott Shine made a motion to approve the subcommittee minutes as listed, the motion was seconded and carried unanimously to approve the following minutes: Legislative Subcommittee May 18, June 3, July 23; Hotline Subcommittee June 22, 2009; and the Procurement Subcommittee August 12, 2009.

Carla provided the Ethics Officer report.

Procurement Subcommittee: Mary Swart, Chair, updated the members on the subcommittee progress. Scott offered the attached motion from the subcommittee to establish an annual Ethics Commission Award. Discussion followed. The motion carried unanimously.

Scott offered a second motion from the Subcommittee to send out a press release talking about the powers that currently reside within the commission and making a statement of its independence. Discussion followed. A motion was made by Braxton Gillam to table the motion for further review at a subsequent meeting. The motion carried.

Hotline: Patrick Plumlee, Chair, did not have a report.

Bill Hegeman, Director of Employee Services and Ethics Officer with JEA, provided handouts and presented their Ethics program to the commission.

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Doris Champ, Director of Audit Services at JEA, explained their hotline procedures and set-up. Questions and answers followed.

Legislative Subcommittee: Braxton Gillam, Chair made a motion to make a presentation to the Charter Revision Commission to include: Carla will introduce the commission, her background and history of the ethics commission; start with the 1968 charter, changes that have occurred over time including the removal of the ethics code from the charter; creation of the code and the ordinances; the creation of the commission and the evolution up to and including the 2007 revision to the code. As Chair of the Legislative subcommittee, he will make a presentation on a number of items we would like to see changed. Points would include 1) code removed from the ordinance and put back into the charter and authority over independent authorities 2) broaden a base for a funding source to allow for a staff 3) need for subpoena ability and sanctions in case of wrongdoing.

Cindy Laquidara suggested that these recommendations be put into the form of a resolution to the Charter Revision Commission. Discussion followed.

The motion was restated that the Ethics Commission in the resolution have a charter amendment to have power over independent authorities; budget with a funding source; staff for the EC; subpoena with investigatory powers; and the ability to levy fines and possibly membership. Members discussed the issue of membership. The motion was made, seconded and carried unanimously.

Scott offered discussion regarding times, process and rules for setting meetings. Discussion followed regarding setting meetings, times and agendas for Ethics Commission meetings.

Kirby made a motion to refer an analysis and revision of rules for establishing meetings to the Legislative Subcommittee. Scott seconded the motion. The motion carried unanimously.

Public Comment: John Nooney and Conrad Markle addressed the commission.

Scott made a motion to call from the table the procurement subcommittee press release of declaration of powers of the commission and its independence. Parliamentary procedure was discussed.

Rhonda made a motion to postpone the issue until the next meeting. The motion was seconded by Helen. The motion was carried unanimously.

The next meeting of the Ethics Commission was scheduled for Monday, October 26th at 5:00 p.m.

There being no further business, the meeting adjourned at 6:50 p.m.

Susan Stewart
Ethics Coordinator

Date of Approval

This is a summary of the meeting and is not a verbatim transcription. A tape recording of these proceedings is available in the Duval Legislative Delegation Office at City Hall.