

City of Jacksonville



GENE FILBERT
Chair

KIRBY OBERDORFER
Vice-Chair

BRAXTON GILLAM
HELEN LUDWIG
PATRICK PLUMLEE

ETHICS COMMISSION

JACKSONVILLE ETHICS COMMISSION

PATRICIA SHER
SCOTT SHINE
MARY SWART
RHONDA PEOPLES-
WATERS

MINUTES

March 23, 2009
5:00 p.m.

Don Davis Room
1st Floor, City Hall
117 W. Duval Street

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

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

The meeting was called to order at 5:08 p.m. by Commission Member Braxton Gillam followed by the Pledge of Allegiance.

The Ethics thought was given by Carla Miller.

A motion was made and seconded to approve minutes from the February 23, 2009 meeting.

The Ethics Officer provided three handouts to the members and made brief comments about the contents. The handouts were Section 602.903 relating to the Ethics Commission jurisdiction; the Miami-Dade Citizen's Bill of Rights and the Internal Operating Rules of the Commission.

Carla Miller stated she and Jon Phillips are working on updating the Internal Operating Procedures.

Braxton Gillam, Legislative Subcommittee Chair, provided a report of the previous meeting of the Legislative subcommittee. He stated the subcommittee heard from the public regarding public records requests. Also, the subcommittee is interested in the question of the jurisdiction and responsibility of the Ethics Commission.

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Patrick Plumlee stated the Hotline Subcommittee did not have a report. Carla indicated there are a couple of pending cases so there will be a meeting in the near future.

Jay Williams stated the Compliance Subcommittee did not have a report and is in the process of scheduling a meeting.

The Chairman provided the opportunity for citizens to speak.

Mr. Robin Leigh expressed his concern that on zoning/re-zoning changes, signs are not being posted. There is a lack of enforcement of sign posting resulting in inadequate public notice. Also, there is no penalty for failing to notify the public.

Carla stated that the statutes state if people aren't notified, you can ask the local government to consider the issue and the way the law is written there is no penalty.

Mr. Leigh stated the community club was not noticed, and should have been.

Mrs. Ludwig stated that the CPAC Chair and the LUZ chair receives notice well in advance (about 30 days) and it should be discussed at the CPAC meeting. Mr. Leigh replied the issue came before CPAC, it was not on the agenda and the CPAC committee voted anyway.

The Chair stated the case will be forwarded to the zoning commission.

Mr. Mitch McCue stated he retired from the Jacksonville Fire Rescue Department because of harassment. He provided a website address that has further details. He said he had requested documents and has not received them. He requested an investigation into harassment at the JFRD that takes place without punishment. He also requested an investigation into the promotional exam as he accused a chief of providing answers to exams to people.

Gerie Leigh spoke about notification of zonings/re-zonings; she would like an opportunity for rebuttal for misstatements made by the developers before Council. She stated that there should be a way to rebut incorrect information. She asked the members to investigate.

James Breland, spoke about legislation before the Council relating to re-zoning. He is concerned a member of the council has a conflict of interest as part of the issue has to do with a relative.

David Hodges expressed his concern with the Jacksonville Small and Emerging Business (JSEB) and the Minority Business Enterprise (MBE) certifications process.

The Chairman announced the board will have a meeting Monday, April 20th at 1:00 p.m. at City Hall. The Chair suggested that the commission may want to meet at some of the libraries to provide easier access for the public. Carla suggested a possible location could be the UNF Ethics Center.

Mrs. Ludwig inquired as to the manner of which issues brought before the commission are investigated. Carla responded that she and Jon Phillips are working on formalizing the process by which complaints are submitted to the commission and the procedures for investigating such complaints.

Mrs. Swart stated if the cases go through the Hotline Subcommittee there is a way to track them to see if they are resolved by the appropriate entity.

The Chair made the suggestion that prior to public comment, citizens be informed of the process, such as the Hotline, so people are familiar with the procedures and he requested a statement to be placed on the public comment form, so there are no false expectations as to what the commission can or will move forward.

Jon Phillips suggested that it would be helpful if complaints were submitted in writing, if they are not using the Hotline procedure.

There being no further business, the meeting was adjourned at 6:27 p.m.

Susan Stewart
Ethics Coordinator

Date of Approval

This is not a verbatim transcript of these proceedings, but a summary. A tape recording of these proceedings is available in the Duval Legislative Delegation Office at City Hall.