

CITY OF JACKSONVILLE



GENE FILBERT
Chair

KIRBY OBERDORFER
Vice-Chair

ETHICS COMMISSION

BRAXTON GILLAM
HELEN LUDWIG
PATRICK PLUMLEE

PATRICIA SHER
SCOTT SHINE
MARY SWART
RHONDA PEOPLES-
WATERS

JACKSONVILLE ETHICS COMMISSION

MINUTES
June 22, 2009
6:30 p.m.

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

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

Also in attendance: Carla Miller, Ethics Officer; Jon Phillips, Office of General Counsel, Pam Markham, Inspector General, Mike Clapsaddle, Chief of Procurement, Devin Reed, Central Operations and Susan Stewart, Ethics Coordinator

The meeting was called to order at 6:42 p.m., and reviewed result of the Hotline Subcommittee previous preceding this meeting.

Mrs. Ludwig suggested the letter to City Council be short and sweet. Pat Sher wanted the letter to say that the City Council should use the emergency provision cautiously.

Scott Shine declared that he was Richard Clark's opponent for City Council for District 3, and that Wingate Park is a regional park and adjoins district 13. So, it was not unusual to put District 3 funds into that park.

Kirby Oberdorfer stated she was not comfortable requesting the legislation be withdrawn, but the use of "emergency" thwarts citizen input in the process, which is important.

Chairman Filbert reviewed the wording in the bill and said it does not show why it is an emergency—hard to understand why it is of an emergency nature. Helen said there is a concern with perception and she mentioned the JCCI study on trust; there is a concern with public trust. There needs to be more transparency and greater citizen input.

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Discussion followed for members offering input as to the contents of the letter to City Council. Scott Shine made a motion to close the case as it is legally insufficient. There is no evidence of conflict, which was the basis of the Hotline complaint. This was seconded by Helen Ludwig. Kirby offered a friendly amendment that a letter be drafted on the other issues. The motion passes unanimously. Carla recapped the recommendations offered by the commission members for the letter.

Public Comments:

Tony Bates, Concern Taxpayers of Duval County questioned who are the principals of the corporation that received the no-bid contract and the public perception of the no bid contract issues raised in the hotline complaint. He stated that it is an ethical dilemma and that 50% of contracts are not bid out and asked the commission to look at this. He also requested the Ethics Commission meetings be held in locations where the proceedings could be streamed on line for people to see.

John Winkler, Concerned Taxpayers, suggested that in the letter, the wording "on it's face," as it is legal and asked the commission to review section 126 of the ordinance code.

Phillip Laibe, offered his opinion but is concerned that although it is maybe not legally a conflict of interest, but there is the perception by the public, of a conflict of interest.

Patrick Plumlee offered a motion, seconded by Pat Sher that the Chair and Carla finalize a letter to the City Council on behalf of the Ethics Commission, incorporating the discussed points. The motion carried unanimously. Kirby offered a motion that was seconded by Scott to refer the long term issue to the Legislative Subcommittee in that there has been long term issue of the use of "emergency" and section 126.107 and these would be discussed more by the Commission perhaps with a referral to the Legislative Subcommittee for review. The motion carried unanimously.

The Chairman announced the True Commission will meet on Friday and the EC possibly work with them on some of the same issues that they are studying.

Date for the next meeting was set for Monday, June 29th at 5:00 p.m.
There being no further business, the meeting adjourned at 7:29 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.