

CITY OF JACKSONVILLE



W. BRAXTON GILLAM, IV
CHAIR

HELEN LUDWIG
VICE-CHAIR

ETHICS COMMISSION

GENE FILBERT
L. E. HUTTON
KIRBY OBERDORFER

TATIANA SALVADOR
MARY SWART
JAMES YOUNG

MINUTES
January 25, 2012
Conference Room 2C
City Hall

The meeting was called to order by Braxton Gillam, Chair at 4:06 p.m., a quorum was present.

Attendees: Braxton Gillam, Helen Ludwig, L.E. Hutton, Kirby Oberdorfer, Tatiana Salvador, Mary Swart, James Young and Gene Filbert (4:23 p.m.)

Others in attendance: Carla Miller, Director of the ECO Office; Jason Gabriel, Office of General Counsel; Jon Phillips, Ethics Officer, and Susan Stewart, Ethics Coordinator

Carla provided the ethics thought.

Minutes from the December 6, 2011 Nominating Subcommittee; December 6, 2011 Transparency & Open Government Subcommittee and the January 4, 2012 Ethics Commission were unanimously approved.

Carla provided the Ethics Report: She updated the Commission on the budget for the ECO Office in efforts to fund it. She is currently working on the strategic plan for the ECO Office. Further, Carla will be traveling and participating in a symposium at Harvard University, relating to institutional corruption.

The Chair tabled the Nominating Subcommittee business, he proposed that they set a meeting of the Nominating Subcommittee, to review the applications and narrow the list to three for an interview by the full commission. The meeting was set for Monday, February 13, at 5:00 p.m. The Chair asked that the list be narrowed to three applicants who will be interviewed by the full Commission.

The Chair updated the members on the status of meetings with the Mayor's Office regarding the ECO Office. A handout with emails and letters was provided.

The Chair announced the Jon Phillips has been appointed Interim Ethics Officer by the Mayor.

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Chair Gillam provided an each member an opportunity to comment on the recent events that have transpired.

Commission Member Oberdorfer requested the Commission to consider the option of independent counsel pursuant to section 602.612 (B)(3), Ordinance Code, to assist in investigating any potential conflicts of interest associated with the Mayoral appointment of an internal Ethics Officer from the Office of General Counsel. She asked for clarification from City Council as to their intent of the legislation.

The Chair inquired if a City Council Member can offer legislation to move money relating to the budgeting/funding of the ECO Office and the view of the Office of General Counsel's position on the Ethics Officer. Jason offered that a budget transfer or appropriation could be introduced by a Council Member and explained the Office of General Counsel position, citing both part 6 and 11 of Chapter 602, Ordinance Code. He reported on the status of Resolution 2012-10 regarding the appointment of Carla Miller as Director of the ECO Office.

The Chair directed Jason to find out who has the authority to disconnect phone service specifically the Ethics Hotline phone at the City. Carla provided her personal contact information to the members.

A motion was made by Commission Member Oberdorfer that a resolution be drafted to the City Council requesting a budget transfer for monies allocated from the former Ethics Office to the ECO Office and requested clarification of the roles of the Ethics Officer and to specifically eliminate any overlapping duties of the Ethics Office from Part 11, of the Ordinance Code. The motion carried. The Chair was directed to act on behalf of the Ethics Commission, on any developments relating to the matter going forward.

The Chair requested clarification of whether the Commission has the right to have independent counsel, or receive pro bono legal advice for conflict related issues.

Commissioner Oberdorfer offered an amendment to the previously adopted resolution, that it was the intent of the Ethics Commission that the ECO Office be funded and Carla be paid retroactively, pursuant to the Ethics Commission appointment, commencing upon her appointment date of December 6, 2011. The amendment was adopted by a show of hands unanimously.

Public comments were received.

Jon Phillips spoke briefly about the interpretation of the appointment.

Susan was directed to distribute the resumes to the Ethics Commission.

The Chair announced the monthly meetings will be the first Monday of each month and the next meeting of the Ethics Commission was scheduled for February 6th at 5:00 p.m.

There being no further business, the meeting adjourned at 5:42 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.