

**CITY OF JACKSONVILLE**

W. BRAXTON GILLAM, IV  
*CHAIR*



TATIANA SALVADOR  
*VICE CHAIR*

YWANA ALLEN  
L. E. HUTTON  
CYNTHIA IRVIN  
JOE JACQUOT

**ETHICS COMMISSION**

THOMAS PAUL  
LARRY PRITCHARD  
JAMES YOUNG

MINUTES  
July 10, 2012  
Don Davis Room  
City Hall

The meeting was called to order by Braxton Gillam, Chair at 11:10 a.m., a quorum was present.

Attendees: Braxton Gillam, Ywana Allen, L.E. Hutton, Cynthia Irvin, Joe Jacquot, Tom Paul, Larry Pritchard, Tatiana Salvador, (1:36 p.m.) and James Young

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

Minutes from the May 7, 2012 meeting were unanimously approved.

Reports: Carla provided the Ethics thought

**Subcommittee Reports:**

James Young, Chair of the Transparency and Open Government Subcommittee reported that the subcommittee discussed texting and preservation of texts and that the subcommittee will continue the conversation regarding communications on personal cell phones. The subcommittee voted unanimously to instruct Carla Miller and Jason Gabriel to draft a letter regarding the texting policy for City employees.

Jason stated that he had a conversation with the General Counsel who believes that text messages are primarily transitory and could be the equivalent of a phone message and in many instances may not be considered public records. Currently, to Mr. Gabriel's knowledge, there are no formal Attorney General or Office of General Counsel opinions. He is not aware of any case law in the First DCA, addressing text messages at this time.

Joe commented that the requirement doesn't have to do with the vehicle, it has to do with the content. The Department of State has rules regarding electronic communication states the retention period is dependent upon content, nature and purpose of the record. He suggested advising employees that if they are using any type communication platform for official business, then those records have to be retained.

Braxton requested that Mr. Gabriel provide a definite position from the Office of General Counsel and the subcommittee will have another meeting to discuss further. Mr. Pritchard suggested that the General Counsel issue guidance as soon as possible, to give direction to agency heads.

The question was raised regarding employee and personal emails. Jason was requested to check to see if there is a policy relating to personal emails.

The Chair requested that Carla and Jason draft a letter for the Subcommittee and email prior to the next meeting for review. A motion was made to give authority to the subcommittee to approve the letter. The motion was seconded and unanimously approved.

James also reported that he and Carla have not yet met with the Council President, but plan to do so in the near future.

He also reported on lobbyist registration – Carla will contact the Executive Director of City Council and if she approves, draft a resolution in favor of putting lobbyist registration on-line.

The Subcommittee Chair reported that Procurement will be invited to attend the next Subcommittee meeting for dialog on transparency.

The Subcommittee discussed researching if a link to the Ethics Commission complaint form can be placed on the main COJ website with information on where to report public record violations and that the ECO Office receives copies of those complaints, as well.

James state the Subcommittee recommended that Ethics Commission Resolutions will be posted on the Commission website.

He indicated that the public comment forms will have a disclosure on the form indicating that their comments are simply that, and if one wishes to make a complaint, there is a separate form that needs to be completed.

Carla will research the possibility of posting notices by Independent Authorities that can be consolidated on the COJ calendar and the best way to get this accomplished.

ECO Office Report: Carla reported that the budget was previously sent to all members. Also, Form 1's are being filed for the Ethics Commission. She also reported that Kirby Oberdorfer, former Chair of the Commission has volunteered to assist Legislative affairs and help with any legislation the Commission wants to draft.

Wesley Hunt provided his report on lobbying and Damien Cook provided his training on the Sunshine Law for elected officials. Both were thanked for their hard work and research.

The Planning Session of the meeting began with an introduction of Julia Burns. She moderated the Ethics Commission long range planning and vision for the Commission, who provided an outline of the planning sheets/vision of the commission, which is attached.

Carla provided comments from citizens that had been previously received.

The Chair thanked Ms. Burns for her time and volunteering to moderate the exercise.

Ms. Allen suggested certificates of appreciation for volunteers be issued.

The following meetings were set:

Ethics Commission – Monday, August 6

Transparency & Open Government – July 25<sup>th</sup> at 4:00 p.m.

Hotline Subcommittee – Monday, July 30 at 5:00 p.m.

The Chair stated at the next Commission meeting, he wanted to discuss the following:

- Restructure subcommittees
- Further conversation from planning meeting

Public comments were received from John Nooney, whose handout is attached.

The Chair explained that if citizens have a complaint that is under the jurisdiction of the Commission, they should indicate that it is a complaint when they speak. Otherwise their comments will be considered a grievance. The Commission needs to know when citizens are making a formal complaint, asking for an investigation versus dissatisfaction. Changes will be made to public speakers form.

Public comments and speaker forms will be attached to the minutes.

There being no further business, the meeting adjourned at 1:55 p.m.

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Susan Stewart, Ethics Coordinator

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Date of Approval

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

2012-273 2012 FIND GRANT APPLICATION  
2 PROJECTS TAKEN OFF  
2012-402 PENDING LEGISLATION TABLE

2009-442 - ARTIFICIAL REEF TRUST FUNDS  
Public Comment

TERA MIERKS  
JOAY Mc DANIEL

Name: JOHN NOONEY Date: 7/10/12  
Address: 8356 BARCOM RD. TAX <sup>322</sup> 16 Phone: 904-721-3321

Representing: CONCERNED TAXPAYERS OF DUVAL COUNTY, RECREATION  
DUVAL FISHING ~~AND~~ ALLIANCE, ST. JOHNS RIVER WATERWAY

Issue: \_\_\_\_\_

Comments: I BELIEVE THAT MY VOLUNTARY PARTICIPATION  
IN A DUVAL COUNTY FIND. FLORIDA INLAND NAVIGATION  
DISTRICT WHICH USES AD VALOREM TAX REVENUE WAS  
CIRCUMVENTED, THE OMISSION OF MY SUGGESTION CON-  
TRIBUTED TO A CONSPIRACY TO DEFRAUD THE CITIZENS  
OF JACKSONVILLE.

Email: VENROS@YAHOO.COM

I PARTICIPATED IN A JACKSONVILLE WATERWAYS  
FIND SUBCOMMITTEE MEETING ON CANOE AND  
KAYAK LAUNCHES. GARY ANDERSON WAS THE

Please provide your telephone in case we need to contact you for additional information. Thank you.

CHAIR, DON REDMAN WAS THE CHAIR OF WATERWAYS  
SCOTT WILSON WAS THERE AND MIKE MESSIANO THE  
OUTGOING COMMISSIONER,  
THE PUBLIC TRUST IS BEING CIRCUMVENTED.