

CITY OF JACKSONVILLE

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ETHICS COMMISSION

MINUTES

March 7, 2016
Don Davis Room
City Hall

The meeting was called to order by Tom Paul, Vice-Chair, at 5:15 p.m. A quorum was present.

Attendees: Ywana Allen, Brian Aull, Richard Brown, John Hartley, and David Rybak. Excused absent: Dr. George Candler, Joe Jacquot, Chair, and Anthony Salem. Other attendees: Carla Miller, Director Office of Ethics, Compliance and Oversight ("OECO"); Kirby Oberdorfer, Deputy Director OECO; Cherry Shaw Pollock, Assistant General Counsel, Office of General Counsel.

Public in Attendance: John Nooney (Note: only individuals who signed the attendance sheet and noted their election to be recognized are included in the minutes).

Chair Paul opened with the Pledge of Allegiance. Ms. Miller then provided the Ethics Thought. Next, the Ethics Commission reviewed the minutes from the prior Ethics Commission meeting on February 1, 2016. Mr. Rybak made a motion to approve the minutes from the February Ethics Commission meeting. Ms. Allen seconded the motion. Minutes were approved by vote of 6-0.

Reports

Ms. Miller provided the report for the OECO. She advised that she and Vice-Chair Paul provided training on government and corporate accountability to a European Delegation visiting the United States through the State Department. Ms. Miller requested a volunteer from the Ethics Commission to assist in amending and updating the Internal Operating Procedures of the Ethics Commission. Mr. Rybak volunteered to assist Ms. Miller with the updating the Internal Operating Procedures, which will be presented to the Ethics Commission for consideration at a later meeting.

Ms. Shaw Pollock then provided the report from the Office of General Counsel. Ms. Pollock requested that Ethics Commission members advise others who may have access to their respective e-mails that the members may receive confidential information related to the Ethics Commission by e-mail and this information should remain confidential. Ms. Pollock further requested that the Ethics Commission members provide input on their preferred method of distribution for confidential information. The Ethics Commission members provided feedback on the best method to distribute and receive confidential information.

Unfinished Business

Ms. Miller provided an update on the proposed ordinance 2015-697 filed by Council Member Gulliford regarding use of texting and electronic communications by City Council members. Ms. Miller advised that Council President Anderson had instituted a new policy on texting at the Rules Committee meeting on March 1, 2016. Ms. Miller summarized the similarities and differences between proposed ordinance 2015-697 and the new policy enacted by Council President Anderson. Ms. Miller advised of several potential courses of action for the Ethics Commission to take regarding this issue. The Ethics Commission members discussed the potential courses of action and their concerns regarding the new policy by Council President Anderson. Mr. Brown made a motion for the Ethics Commission to issue a recommendation to City Council re-endorsing proposed ordinance 2015-697 and encouraging City Council to pass this proposed ordinance in lieu of the policy issued by Council President Anderson on March 1, 2016 due to the limitations in Council President Anderson's policy. Motion by seconded by Mr. Rybak. Mr. Nooney then provided public comment on this issue in favor of proposed ordinance 2015-697. Motion passed by vote of 6-0 following public comment.

Ms. Allen then provided a recommendation that the texting and electronic communications policy should be applied consistently to all of the City entities, including the independent authorities. Ms. Miller advised that the Legislative Committee or a special committee of the Ethics Commission should consider this issue. Ms. Allen agreed to chair a special committee to research the issue of the policy for use of texting and electronic communications.

Ms. Miller then provided an update on proposed Florida House Bill 1021 and Senate Bill 1220. She advised that the Jacksonville and Miami Ethics Commissions both opposed these bills that would have removed the mandatory attorney's fee provision from the Public Records Act. The First Amendment Foundation, working with other groups, successfully lobbied for changes to SB 1220, which the Senate adopted. However, the House never voted on HB 1021 or the changes to SB 1220 and the bill did not move forward during the legislative process.

New Business

Ms. Miller summarized the process for Committee assignments for the Ethics Commission for 2016 and introduced the most recent Strategic Plan. Mr. Paul advised that three people on each committee was too few and made making decisions challenging. The Ethics Commission then discussed the committee structure and the possibility of consolidating some committees. The Ethics Commission members provided their preliminary interests for committee assignments for 2016.

The Ethics Commission then considered the evaluation of Ms. Miller prepared by Chair Jacquot. Ms. Miller provided background for the development of the evaluation form. The Ethics Commission adopted the evaluation prepared by Chair Jacquot.

Public Comments:

Mr. Nooney provided public comment regarding filing a complaint with the Ethics Commission against the Waterways Commission. He further discussed the differing practices among boards, commissions and departments in including public comments in the meeting minutes. Mr.

Nooney's comments are on file with the OECO.

The next meeting of the Ethics Commission was scheduled for April 4, 2016 for training for new Ethics Commission members.

Ms. Miller then provided training for the Ethics Commission members present.

Following the training, the meeting adjourned.

Kirby G. Oberdorfer

5-09-2016

Kirby Oberdorfer, Ethics Deputy Director

Date of Approval

This is a summary of the meeting and is not a verbatim transcription. A recording of these proceedings is available
<http://www.coj.net/departments/ethics-office/notices,-agendas---minutes.aspx>