

CITY OF JACKSONVILLE

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ETHICS COMMISSION

MINUTES
May 9, 2016
Don Davis Room
City Hall

The meeting was called to order by Joe Jacquot, Chair, at 5:04 p.m. A quorum was present.

Attendees: Brian Aull, Richard Brown, John Hartley, Tom Paul and Anthony Salem. Excused absent: Ywana Allen, Dr. George Candler, and David Rybak. 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; and Samantha Lane, City Council Intern.

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

Chair Jacquot 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 Executive Session Shade meeting and regular meeting on March 7, 2016. Mr. Hartley made a motion to approve the minutes from the March Ethics Commission meetings. Mr. Brown and Mr. Salem seconded the motion. Minutes were approved by vote of 6-0. Following approval of the minutes, Ms. Miller advised the Ethics Commission about Ms. Allen's absence from the Ethics Commission meeting.

Staff Reports

Ms. Miller then provided the report for the OECO. She summarized the ECI Annual Ethics Conference she recently attended with Ms. Oberdorfer. Ms. Miller further advised that she will also be attending an ethics conference at New York University on June 3, 2016. Ms. Miller and Ms. Oberdorfer will incorporate the information from these conferences into the annual training for City Council members and staff in mid-June.

Next, Ms. Shaw Pollock noted that she did not have a report from the Office of General Counsel.

Committee Reports

Mr. Brown, Chair of the Complaints Committee, summarized his recent meeting with Ms. Miller and Ms. Oberdorfer regarding the goals for the Complaints Committee for 2016. Mr. Brown advised that the Ethics Commission Complaint Form is being revised and updated, including additional information explaining the general process for the handling of complaints by the Commission. Mr. Brown also advised that Ms. Samantha Lane researched complaints handled

by the Palm Beach County Ethics Commission and Ms. Lane prepared a presentation of her research for the Commission.

Ms. Miller explained to the Ethics Commission the background and purpose for Ms. Lane's research of Palm Beach County Ethics Commission complaints. Ms. Lane provided a PowerPoint presentation summarizing the various complaints handled by the Palm Beach Ethics Commission from 2010-2013 and noted that most of the complaints had been dismissed. Ms. Miller advised that Ms. Lane will research next complaints handled by the Miami Ethics Commission. Ms. Miller opined that the research of complaints handled by other ethics commissions will assist the Jacksonville Ethics Commission in determining the focus of its work in the future. The Ethics Commission then discussed the research by Ms. Lane of the complaints handled by the Palm Beach County Ethics Commission.

Mr. Paul, Chair of the Internal Operations Committee, then presented his report. Mr. Paul summarized his meeting with Ms. Miller and Ms. Oberdorfer. Mr. Paul advised that the Internal Operations Committee will focus on refreshing the goals of the Ethics Commission and the committees for the next couple of years and will work on updating the Strategic Plan. Mr. Paul noted that the updated/revised Strategic Plan will likely be presented to the Ethics Commission near the end of 2016 to assist the work of the Commission in 2017. Mr. Paul announced that he is resigning his position on the Ethics Commission one year early, at the end of 2016.

Mr. Aull, Chair of the Legislative Committee, presented his report. Mr. Aull summarized his meeting with Ms. Miller. Mr. Aull advised that the Legislative Committee will focus on revising and refreshing the Jacksonville Code of Ethics, and examining means other than the Ethics Code to infuse an ethics culture into the City, such as conducting focus groups to obtain feedback on this issue.

Ms. Miller then provided the report of the Open Government Committee in lieu of Ms. Allen due to her absence. Ms. Miller advised Ms. Allen has been actively participating in the City Council Special Committee on Electronic Communications that is examining the use of texting and electronic communication methods by City Council members. Ms. Miller reported that Ms. Allen has been representing the opinions and views of the Ethics Commission on this issue to the committee. The committee will issue its final report in the future.

New Business

Chair Jacquot next addressed matters relating to the Office of Inspector General ("OIG"). Chair Jacquot announced that the Inspector General Tom Cline submitted a letter of resignation effective at the end of May 2016 due to personal reasons. Chair Jacquot advised that the OIG Selection and Retention Committee is scheduled to meet on May 16, 2016 to discuss the process for selecting an interim Inspector General and develop evaluation criteria for the selection and evaluation of the Inspector General.

Mr. Paul then summarized the prior OIG Selection and Retention Committee meeting in April 2016, during which Inspector General Cline presented the OIG six month report. Mr. Paul advised that Ms. Sheryl Steckler has been hired by the City to assist the OIG Selection and Retention Committee in developing process and procedures for evaluating the work of the OIG and to assist in the selection of the interim Inspector General.

Ms. Miller advised that selection criteria for the Inspector General is being developed and revised to include some additional qualifications, such as leadership criteria and ability to handle challenging issues. Ms. Miller further advised that Council Member Crescimbeni is introducing proposed legislation for the OIG to address the jurisdictional challenge raised by JEA and strike out the part of the Ordinance Code requiring the OIG to obtain the consent of the independent authorities prior to initiating work. Ms. Miller summarized the changes in the proposed OIG legislation introduced by Council Member Crescimbeni.

Ms. Miller next discussed the status and work of the City Council's Special Committee on Electronic Communications. The committee has recommended a resolution be adopted that requires the City Council President to develop a policy on electronic communications each year. Ms. Miller advised that the recommendation of the committee appears to be limited to City Council officials and employees only. The Ethics Commission members and Ms. Miller then discussed the potential policy that may be adopted by the committee or City Council. Ms. Miller encouraged Ethics Commission members and the public to attend the next meeting of the Special Committee on Electronic Communications to share their thoughts with the committee on the proposed policy.

Subsequently, Chair Jacquot reminded the Ethics Commission members of the next meeting scheduled for June 13, 2016, which will be a joint meeting between the Ethics Commission and the TRUE Commission.

Public Comments:

Mr. Markle of the Concerned Taxpayers of Duval County spoke and encourage members of the Ethics Commission to support a texting policy for Council members that would address the prior issues. Mr. Markle also addressed the status of a pending lawsuit filed by the Concerned Taxpayers of Duval County regarding alleged Sunshine violations due to texting and relayed concerns by the Concerned Taxpayers of Duval County that minutes of board and commission meetings, such as the DIA, need updating. Mr. Markle also addressed the recent editorial in the Florida Times Union regarding the resignation of Inspector General Cline. Mr. Markle's comments are on file with the OECO.

Following public comment, the meeting adjourned.

Kirby G. Oberdorfer

Kirby Oberdorfer, Ethics Deputy Director

6-13-2016

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>