

CITY OF JACKSONVILLE

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LARRY PRITCHARD
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ETHICS COMMISSION

MINUTES

September 8, 2015
Don Davis Room
City Hall

The meeting was called to order by Joe Jacquot, Chair, at 5:09 p.m. A quorum was present.

Attendees: Ywana Allen, Brian Aull, Richard Brown, Tom Paul, Alan Pickert, Larry Pritchard and James Young. Absent: Dr. George Candler (excused). Others attendees: Carla Miller, Director Office of Ethics, Compliance and Oversight ("OECO"), Kirby Oberdorfer, Deputy Director OECO, and Cherry Pollock, Assistant General Counsel, Office of General Counsel.

Public in Attendance: Conrad Markle, John Nooney, and Marshall M. Wood.

Chair Jacquot opened with the Pledge of Allegiance. Ms. Oberdorfer gave the Ethics Thought.

Mr. Paul moved to approve minutes from the July 13, 2015 meeting. Motion seconded. Ms. Pollock requested that a scrivener's error in the spelling of her last name in the first paragraph be corrected. Minutes approved unanimously by vote 7-0.

Reports

Ms. Miller provided the report for the OECO regarding the reporting disparity by political action committees ("PACs") supporting candidates, the OECO budget and the annual requirement of the Ethics Commission to approve Ms. Miller's salary. As to the candidate reporting disparity issue, Ms. Miller advised that she had spoken with representatives from the Statewide Association of Supervisors of Elections. The representatives agreed to raise this issue with the governing board of the Association of Supervisors of Elections to inquire whether the Association of Supervisors of Elections would be interested in working on this issue with the Ethics Commission. Ms. Miller next advised that the budget for the OECO was tentatively approved by the Finance Committee of City Council and Ms. Miller reminded the Commissioners of the Commission's responsibility to approve her salary each year. Following brief discussion of the City Council budgetary process, it was agreed that the Ethics Commission would defer addressing Ms. Miller's salary until the next Ethics Commission meeting, which is after the budget will be voted upon by City Council. Finally, in response to a request by Chair Jacquot, Ms. Miller provided an update of the Inspector General's budget.

Ms. Pollock reported that Jason Gabriel was appointed by Mayor Curry as the permanent General Counsel. Mr. Gabriel is currently awaiting confirmation by City Council of his appointment. In compliance with the newly enacted ethics training requirement for boards and commissions, Ms. Pollock provided the Commissioners with the second segment of ethics training focused on Chapter 50 of the Jacksonville Ordinance Code, which contains the requirements and duties of

City boards and commissions. Ms. Pollock provided an overview of the relevant provisions of Chapter 50 and provided a brief explanation of the requirements for quasi-judicial proceedings.

Committee Reports:

Mr. Young, Chair of the Complaints Subcommittee, advised that he would provide the committee report during the shade meeting immediately following the adjournment of the Ethics Commission meeting.

Mr. Paul, Chair of the Internal Operating Procedures Subcommittee, provided a summary of the strategic planning meeting he had with Ms. Miller and Ms. Oberdorfer. Each subcommittee of the Ethics Commission will meet prior to the next Ethics Commission meeting to analyze and update the strategic plan for the subcommittee. Each subcommittee will report on the subcommittee's revised strategic plan by the December meeting of the Ethics Commission.

Mr. Pickert, Chair of the Legislative Subcommittee, inquired as to the status of the Legislative Subcommittee's recommendation that the statute of limitation in Section 602.939 of the Jacksonville Ethics Code be amended from two (2) years to five (5) years to be consistent with the statute of limitation in the state Ethics Code. Ms. Miller advised that she and Ms. Oberdorfer will draft the proposed revision to the statute of limitation provision Section 602.939 and will circulate it to Ethics Commission members for their input. Several Commissioners voiced support for proposing legislation to amend the statute of limitation in Section 602.939 to five (5) years. Motion by Mr. Pickert to revise the statute of limitation in Section 602.939 to match the state Ethics Code limitation period of five (5) years to be applied prospectively. Motion seconded by Mr. Young. Friendly amendment proffered by Mr. Paul to give Mr. Pickert authority to approve the final legislation presented to City Council amending the statute of limitation in Section 602.939 to five (5) years. Friendly amendment accepted by Mr. Pickert. Mr. Conrad Markle then provided public comment in favor of the proposed revision to the statute of limitation in Section 602.939 and expressed his gratitude for the Commission's efforts to propose an amendment to Section 602.939. Following public comment, Motion with friendly amendment unanimously passed 8-0.

Mr. Pickert was then excused from the meeting.

Unfinished Business:

There was no unfinished business presented at the meeting.

New Business:

Ms. Miller updated the Ethics Commission on the status of the forensic audit of the Police and Fire Pension Fund ("PFPF"). Ms. Miller summarized the assistance she has provided to the forensic auditor in obtaining the necessary documentation for the audit. There was a two month delay by the PFPF in responding to the auditor's requests for documents. Ms. Miller advised that the auditor has finally received some documentation that was provided with the assistance of Mr. Weinstein, Chief Financial Officer for the City, and other members of Mayor Curry's staff. However, there are two outstanding groups of documentation that the auditor is still trying to obtain. Ms. Miller is assisting the auditor in trying to obtain the remaining documentation. Ms. Miller further advised that the auditor's contract has been extended one month to the end of

October and he will prepare and issue a report following his review of all the documentation.

Ms. Miller and Ms. Oberdorfer next discussed the process and schedule for selecting a new member to fill the forthcoming vacancy in Mr. Young's position following the expiration of his term in December 2015 and selecting the next Chair and Vice-Chair of the Ethics Commission. Application for the Mr. Young's position will be distributed to various community and news organizations in the next week and will be due on October 16, 2015 by 5:00 p.m. Interviews for the position on the Ethics Commission will be scheduled during the week of October 19, 2015. Next, Chair Jacquot announced that a Nominating Subcommittee was needed to administer the process for selecting a new Ethics Commission member and selecting the Chair and Vice-Chair if several Commissioners are interested in serving as Chair and/or Vice-Chair. It was announced that Dr. Candler has agreed to serve as Chair of the Nominating Subcommittee. Ms. Allen and Mr. Brown volunteered to serve on the Nominating Subcommittee.

The Commission then considered a resolution commending former Ethics Commission member Rhonda Peoples-Waters for her outstanding service to the Ethics Commission and her receipt of the Dr. Chester A. Aikens Renaissance Award. Resolution unanimously approved by 7-0 vote.

Ms. Miller updated the Ethics Commission on the contact transparency project she has been working on with Council Member Hazouri. Ms. Miller summarized key aspects of potential legislation, including requiring contracts to be submitted in digital form, requiring contracts to be indexed and placed on the City website with search function and maintaining sole source and proprietary contracts online for an indefinite period of time. Ms. Miller advised she will provide the Ethics Commission with any draft legislation.

Public Comments:

Mr. John Nooney spoke regarding various concerns he has regarding City Council and the Downtown Investment Authority. He encouraged members of the Ethics Commission to share with City Council their thoughts and/or concerns regarding the PFPF. His comments are on file.

Mr. Conrad Markel spoke next and requested a status update to his prior request that attendance of public members/citizens be noted in the minutes of the Ethics Commission meetings. Ms. Oberdorfer advised that the sign-in sheet had been amended to allow citizens to indicate whether they wanted their attendance noted in the minutes.

The Commission then discussed administrative items. Ms. Allen volunteered to coordinate the holiday dinner for the Ethics Commission sometime during the first week of December.

Next Ethics Commission meeting was scheduled for Monday, November 2, 2015 at 5:00 p.m.

There being no further business, the meeting adjourned at 6:26 p.m.

Kirby Oberdorfer, Ethics Deputy Director

Date of Approval