

# CITY OF JACKSONVILLE

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## ETHICS COMMISSION LEGISLATIVE COMMITTEE

### MINUTES

November 2, 2016  
Conference Room 2C  
City Hall

The meeting was called to order by Mr. Brian Aull, Chair, at 5:11 p.m. A quorum was present. Attendees: Richard Brown and Anthony Salem. Others in attendance: Carla Miller, Director of the Office of Ethics, Compliance and Oversight (OECO); Kirby Oberdorfer, Deputy Director of the OECO; and Cherry Shaw Pollock, Office of General Counsel (OGC).

Public in Attendance: Conrad Markle, Concerned Taxpayers of Duval County.

### **New Business:**

Mr. Aull explained the purpose of the meeting to discuss restrictions on public comment at City Council meetings and the revisions to Part Four (4) of the Jacksonville Ethics Code. Mr. Aull provided to the attendees a summary of a meeting he and Ms. Oberdorfer had with Ms. Peggy Sidman of the OGC, as well as additional background information on the public comment issue. Ms. Miller informed the Legislative Committee of a letter sent from citizen Curtis Lee to City Council President Boyer and General Counsel Jason Gabriel demanding the removal of any conditions and restrictions placed by City Council on public speaking, including the requirement for each speaker during public comment to provide a home address. Ms. Oberdorfer then explained the various periods at City Council meetings where public input is permitted and a summary of changes City Council made to the rules for the public comment period.

The Legislative Committee engaged in extensive discussion regarding the difference between the designated public comment period and public hearing period at City Council meetings, and the reasons for restrictions on public comment enacted by City Council in May 2016. The Legislative Committee further discussed arguments in favor of and against requiring a public comment period and rules regulating it. Mr. Markle informed the Legislative Committee that a speaker providing public comment at City Council meetings was permitted in the past to provide a Post Office Box as an address, but now a home address is required to be provided. Following discussion of the public comment issue, the Legislative Committee, with the assistance of the OECO, agreed to complete the following actions prior to the next committee meeting: (1) determine the reason City Council enacted the ordinance requiring a speaker at public comment to provide a home address; (2) obtain a summary of how other Florida cities are addressing or regulating public comment; and (3) review the video of the Rules Committee meeting of the

discussion on the City Council bill amending rules providing additional restrictions on public comment.

Next, the Legislative Committee discussed potential revisions to Part Four of the Jacksonville Ethics Code (Ethics Code). Ms. Miller provided a historical explanation of the Ethics Code and summarized various provisions she recommended should be revised. Ms. Miller then explained her proposed plan for the potential revisions to Part Four, including the list of revision topics and the creation of a committee to assist with the revisions. Ms. Miller advised each committee member would select topic(s) of interest that the member would be responsible for preparing a revision and presenting it to the Legislative Committee. Ms. Miller then indicated she would update the Legislative Committee on the adoption of the various revision topics.

During public comment, Mr. Markle expressed his concerns regarding any potential restrictions to public comment at City Council meetings that limit the number of times citizens can speak on legislation and the allocation of speaking time among multiple speakers. Additionally, Mr. Markle requested that the Legislative Committee adopt a resolution requesting City Council extend the statute of limitations in the Ethics Code from two (2) to five (5) years to match the statute of limitations in the state ethics code.

**Adjourn:**

The meeting adjourned at 6:51 p.m.

*Kirby G. Oberdorfer*

Kirby Oberdorfer  
Deputy Director  
Office of Ethics, Compliance and Oversight

1-09-2017

Date of Approval

This is a summary of the meeting and is not a verbatim transcription. A recording is available at the Ethics Commission web site at [http://www.coj.net/departments/ethics-commission/notices,-agendas---minutes-\(1\).aspx](http://www.coj.net/departments/ethics-commission/notices,-agendas---minutes-(1).aspx)