



ETHICS IN A NUTSHELL December, 2015

Gift Disclosures (Who files; Where and When) Form 9 FOR ELECTED OFFICIALS

Carla Miller, Ethics Director COJ carlam@coj.net

All elected officials in Jacksonville have to file Financial and Gift Disclosure forms, per state law.

Gift disclosures are done quarterly on a Form 9. (This means that if you receive a gift in excess of \$100 in a quarter, you have to file this Form 9 by the end of the next quarter. Example: Oct 15th, you get 2 Jaguar football tickets from "the City". The value is over \$100. You file a Form 9, gift disclosure, by the end of the following quarter. October is in the last quarter of the year; so you would file the form no later than March 31 of the following year.) You can file early, you don't have to wait until the last day of the following quarter!

If you didn't take any gifts over \$100, you don't file a form saying "no gifts".

1st Quarter: Jan Feb March

2nd Quarter: April May June

3rd Quarter: July August September

4th Quarter: Oct Nov Dec

All forms for these filings are on the State of Florida Ethics Commission website <http://www.ethics.state.fl.us/> see section on "Forms". Send completed Form 9 to the State Ethics Commission in Tallahassee.

Address: State Ethics Commission, Building E, Suite 200,, 325 John Knox Rd, Tallahassee, FL 32303

Phone:(850) 488-7864 for any questions, or call the Ethics Office.

Form 9**QUARTERLY GIFT DISCLOSURE
(GIFTS OVER \$100)**

LAST NAME -- FIRST NAME -- MIDDLE NAME:			NAME OF AGENCY:	
MAILING ADDRESS:			OFFICE OR POSITION HELD:	
CITY:	ZIP:	COUNTY:	FOR QUARTER ENDING (CHECK ONE):	
			<input type="checkbox"/> MARCH <input type="checkbox"/> JUNE <input type="checkbox"/> SEPTEMBER <input type="checkbox"/> DECEMBER YEAR 20__	

PART A — STATEMENT OF GIFTS

Please list below each gift, the value of which you believe to exceed \$100, accepted by you during the calendar quarter for which this statement is being filed. You are required to describe the gift and state the monetary value of the gift, the name and address of the person making the gift, and the date(s) the gift was received. If any of these facts, other than the gift description, are unknown or not applicable, you should so state on the form. As explained more fully in the instructions on the reverse side of the form, you are not required to disclose gifts from relatives or certain other gifts. You are not required to file this statement for any calendar quarter during which you did not receive a reportable gift.

DATE RECEIVED	DESCRIPTION OF GIFT	MONETARY VALUE	NAME OF PERSON MAKING THE GIFT	ADDRESS OF PERSON MAKING THE GIFT

CHECK HERE IF CONTINUED ON SEPARATE SHEET

PART B — RECEIPT PROVIDED BY PERSON MAKING THE GIFT

If any receipt for a gift listed above was provided to you by the person making the gift, you are required to attach a copy of that receipt to this form. You may attach an explanation of any differences between the information disclosed on this form and the information on the receipt.

CHECK HERE IF A RECEIPT IS ATTACHED TO THIS FORM

PART C — OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed herein and on any attachments made by me constitutes a true accurate, and total listing of all gifts required to be reported by Section 112.3148, Florida Statutes.	STATE OF FLORIDA COUNTY OF _____ Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____ by _____ _____ (Signature of Notary Public-State of Florida)
	SIGNATURE OF REPORTING OFFICIAL _____ _____ (Print; Type, or Stamp Commissioned Name of Notary Public) Personally Known _____ OR Produced Identification Type of Identification Produced _____

PART D — FILING INSTRUCTIONS

This form, when duly signed and notarized, must be filed with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, Florida 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, Florida 32303. The form must be filed no later than the last day of the calendar quarter that follows the calendar quarter for which this form is filed (For example, if a gift is received in March, it should be disclosed by June 30.)

PART E — INSTRUCTIONS

WHO MUST FILE THIS FORM?

- Any individual, including a candidate upon qualifying, who is required by law to file full and public disclosure of his financial interests on Commission on Ethics Form 6, except Judges. (See Form 6 for a list of persons required to file that form.)
- Any individual, including a candidate upon qualifying, who is required by law to file a statement of financial interests on Commission on Ethics Form 1. (See Form 1 for a list of persons required to file that form.)
- Any procurement employee of the executive branch or judicial branch of state government. This includes any employee of an officer, department, board, commission, council, or agency of the executive branch or judicial branch of state government who has participated in the preceding 12 months through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity in the procurement of contractual services or commodities as defined in s. 287.012, F.S., if the cost of such services or commodities exceeds or is expected to exceed \$10,000 in any fiscal year.

NOTE: Gifts that formerly were allowed under Section 112.3148, F.S., now may be prohibited under Sections 11.045, 112.3215, and 112.31485, F.S.

WHAT GIFTS ARE REPORTABLE?

- Any gift (as defined below) you received which you believe to be in excess of \$100 in value, **EXCEPT:**
 - 1) Gifts from the following **RELATIVES:** father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, a person who is engaged to be married to you or who otherwise holds himself or herself out as or is generally known as the person whom you intend to marry or with whom you intend to form a household, or any other natural person having the same legal residence as you.
 - 2) Gifts which you are prohibited from accepting by Sections 112.313(4) and 112.3148(4), Florida Statutes. These include any gift which you know or, with the exercise of reasonable care, should know was given to influence a vote or other action in which you are expected to participate in your official capacity; it also includes a gift worth over \$100 from a political committee or committee of continuous existence under the elections law, from a lobbyist who lobbies your agency or who lobbied your agency within the past 12 months, or from a partner, firm, employer, or principal of such a lobbyist.
 - 3) Gifts worth over \$100 for which there is a public purpose, given to you by an entity of the legislative or judicial branch, a department or commission of the executive branch, a water management district created pursuant to s. 373.069, South Florida Regional Transportation Authority, the Technological Research and Development Authority, a county, a municipality, an airport authority, or a school board; or a gift worth over \$100 given to you by a direct-support organization specifically authorized by law to support the governmental agency of which you are an officer or employee. These gifts must be disclosed on Form 10.
- A "gift" is defined to mean that which is accepted by you or by another in your behalf, or that which is paid or given to another for or on behalf of you, directly, indirectly, or in trust for your benefit or by any other means, for which equal or greater consideration is not given within 90 days after receipt of the gift. A "gift" includes real property; the use of real property; tangible or intangible personal property; the use of tangible or intangible personal property; a preferential rate or terms on a debt, loan, goods, or services, which rate is below the customary rate and is not either a government rate available to all other similarly situated government employees or officials or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, religion, sex, or national origin; forgiveness of an indebtedness; transportation (unless provided to you by an agency in relation to officially approved governmental business), lodging, or parking; food or beverage; membership dues; entrance fees,

admission fees or tickets to events, performances, or facilities; plants, flowers, or floral arrangements; services provided by persons pursuant to a professional license or certificate; other personal services for which a fee is normally charged by the person providing the services and any other similar service or thing having an attributable value and not already described.

- The following are **NOT** reportable as gifts on this form: salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with your employment, business, or service as an officer or director of a corporation or organization; contributions or expenditures reported pursuant to the election laws, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party; an honorarium or an expense related to an honorarium event paid to you or your spouse; an award, plaque, certificate, or similar personalized item given in recognition of your public, civic, charitable, or professional service; an honorary membership in a service or fraternal organization presented merely as a courtesy by such organization; the use of a governmental agency's public facility or public property for a public purpose. Also exempted are some gifts from state, regional, and national organizations that promote the exchange of ideas between, or the professional development of, governmental officials or employees.

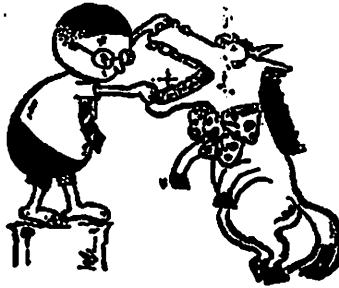
HOW DO I DETERMINE THE VALUE OF A GIFT?

- The value of a gift provided to you is determined using the actual cost to the donor, and, with respect to personal services provided by the donor, the reasonable and customary charge regularly charged for such service in the community in which the service is provided. Taxes and gratuities are not included in valuing a gift. If additional expenses are required as a condition precedent to the donor's eligibility to purchase or provide a gift and the expenses are primarily for the benefit of the donor or are of a charitable nature, the expenses are not included in determining the value of the gift.
- Compensation provided by you to the donor within 90 days of receiving the gift shall be deducted from the value of the gift in determining the value of the gift.
- If the actual gift value attributable to individual participants at an event cannot be determined, the total costs should be prorated among all invited persons. A gift given to several persons may be attributed among all of them on a pro rata basis. Food, beverages, entertainment, etc., provided at a function for more than ten people should be valued by dividing the total costs by the number of persons invited, unless the items are purchased on a per-person basis, in which case the per-person cost should be used.
- Transportation should be valued on a round-trip basis unless only one-way transportation is provided. Round-trip transportation expenses should be considered a single gift. Transportation provided in a private conveyance should be given the same value as transportation provided in a comparable commercial conveyance.
- Lodging provided on consecutive days should be considered a single gift. Lodging in a private residence should be valued at \$44 per night.
- Food and beverages consumed at a single sitting or event are a single gift valued for that sitting or meal. Other food and beverages provided on a calendar day are considered a single gift, with the total value of all food and beverages provided on that date being the value of the gift.
- Membership dues paid to the same organization during any 12-month period are considered a single gift.
- Entrance fees, admission fees, or tickets are valued on the face value of the ticket or fee, or on a daily or per event basis, whichever is greater. If an admission ticket is given by a charitable organization, its value does not include the portion of the cost that represents a contribution to that charity.
- Except as otherwise provided, a gift should be valued on a per occurrence basis.

FOR MORE INFORMATION

The gift disclosures made on this form are required by Sec. 112.3148, Florida Statutes. Questions may be addressed to the Commission on Ethics, P.O. Drawer 15709, Tallahassee, Florida 32317-5709 or by calling (850) 488-7864; information is provided at: www.ethics.state.fl.us.

ETHICS RULES ON GIFTS Carla Miller, Ethics Director



Or...

HOW TO LOOK A GIFT HORSE IN THE MOUTH

Everything you receive from someone else when you are an elected official is a GIFT. Even if it is "good for the City" or "you should be seen there, it is in your district". That means tickets, parties, dinners, flowers, food, cookies, balloons, favors, dues, help doing something, staying at someone's house; a conference fee, upgrade on a flight; free ad space; free rooms for meetings; registration for a seminar, any type of travel. **Anything you get other than your city salary could be a gift.**

If it is from a relative, it is OK to accept (Example: gift from spouse OK; staying at your mother-in-law's home for the holidays--OK). (relative defined in 112.312)

Be extra careful if the person/entity giving you a gift does any business with the City or lobbies the City. (Jaguars, Chamber of Commerce, etc.) It violates state and local ethics rules if you accept a gift from someone lobbying or doing business with the City in excess of \$100.

If you take a guest, the value of their ticket is added to yours. (Example: Two \$60 tickets = \$120; if a lobbyist, then this is not an acceptable gift. You can pay it down under the \$100 (or all of it) within 90 days of receipt to not violate the law.

It is safest to only take something that comes through the City Council President's office as a "gift to the City". You will know when you get such a gift because it will come to you in an envelope from the Council President's office.

FOOTBALL: either pay for your own tickets or get them through the City Council President—then they are "gifts to the City" and you can accept them. If you get a pass to get into a suite, a "suite pass" that is NOT a ticket to see the entire game there; it is only a pass to visit the suite for a short period of time (30 minutes to an hour would be reasonable.)

(more—turn over)

REPORTING

ALL GIFTS YOU DO RECEIVE IN EXCESS OF \$100 HAVE TO BE REPORTED QUARTERLY TO THE STATE ETHICS COMMISSION ON A "FORM 9". (Form 9 due December 31, 2015) This would include gifts you receive from the City, such as 2 football tickets/food/parking. You would not report a gift over \$100 from someone lobbying or doing business with the City because you CANNOT ACCEPT such a gift. If you have accepted such a gift, you have 90 days to "pay it down" under the legally acceptable amount of \$100.

QUESTIONS?

Ask before you go. Ask the ETHICS OFFICE (Carla or Kirby; Backup--OGC); call 630-4747 or email carlam@coj.net We will get back to you within 24 hours.

TRAVEL

IF SOMEONE OTHER THAN THE CITY PAYS FOR YOU TO TRAVEL SOMEWHERE IT IS A GIFT TO YOU PERSONALLY. EVEN IF IT IS A GOOD THING FOR THE CITY FOR YOU TO GO.

1. EXAMPLE: A non-profit (like the Gates Foundation) calls you and wants you to speak at one of their conferences about "The future of Public Private Partnerships"--this is something you have worked on extensively as a Council member and you are an expert on this subject. You want to go; it would be good for the City of Jacksonville to highlight what we are doing. They will pay your airfare, hotel, food and conference fee.

THIS IS A GIFT TO YOU. The value is over \$100 and needs to be reported on your Form 9 to the State Ethics Commission.

LOCAL JACKSONVILLE LAW: Before you travel using anyone's funds other than the City, you must get prior written approval from the Ethics Office and OGC. *Section 106.703 Jax Code.*

You would write up these details and send them to the Ethics Office for guidance.

2. EXAMPLE: The president of City Council approves a City travel form for you to travel using City funds to a Florida League of Cities conference. This is OK; you can go because it is from City approved funds on a city travel form.

3. EXAMPLE: The Chamber of Commerce of Jacksonville is taking a group of city leaders to Seattle to tour a manufacturing plant that might expand to Jacksonville. They invite you to go and they will pay all expenses. The first thing you need to do is to send an email to the Ethics Office for prior approval, per our local law. We would tell you that you cannot accept funds directly from the Chamber, as they lobby the City. You can go on city funds and if the Chamber wants to pay the City an amount of money to reimburse what the City paid in travel expenses, they can do so.

Brown, Cheryl

From: Miller, Carla
Sent: Thursday, December 03, 2015 1:40 PM
To: SS
Subject: Local Ethics Laws on Gifts

Hello,

Per our training, below is the local gift law. Note, it still has the limit of \$100, but add the cumulative yearly total (per vendor/lobbyist) of \$250.

Please call if any questions.

Carla

CHAPTER 602 JACKSONVILLE ETHICS CODE PART 7. GIFTS AND HONORARIA

Sec. 602.701. Prohibited receipt of gifts.

- (a) No officer or employee of the City or of an independent agency, or any other person on his or her behalf, shall knowingly accept, directly or indirectly, any one gift with a value greater than \$100 or an accumulation of gifts in any one calendar year that exceeds \$250 from any person or business entity that the recipient knows is:
- (1) A lobbyist who lobbies the recipient's agency or executive department;
 - (2) Any principal or employer of a lobbyist who lobbies the recipient's agency or executive department;
 - (3) A person or business entity which is doing business with, or has made written application within the previous six months, to do business with an agency of which he or she is an officer or employee;
 - (4) A person or business entity which is subject to the permit approval of an agency of which he or she is an officer or employee.

For purposes of the \$250 annual accumulation of gifts, gifts of food and beverage not exceeding \$25 on any given day shall not be included.

- (b) No officer or employee of the City or of an independent agency, or any other person on his or her behalf, shall knowingly accept, directly or indirectly, any one gift with a value greater than \$100, or an accumulation of gifts in any one calendar year that exceeds \$250 dollars, from any person or business entity, when the gift is given as a result of the officer or employee's official position, or as a result of the business relationship developed as a result of the officer or employee's position or employment. For purposes of the \$250 annual accumulation of gifts, gifts of food and beverage not exceeding \$25 on any given day shall not be included.

- (c) **GIFTS TO THE CITY.** The Mayor and the Council Secretary shall identify a mayoral and a council representative who will be officers or employees responsible for the receipt of and distribution of business-related **gifts to the City** through its executive and legislative branches. The chief executive officer of an independent agency shall identify a designee or designees who will be officers or employees responsible for the receipt of and distribution of business-related gifts to the independent agency. Registries shall be established wherein gifts will be identified by date, donor, type, purpose, and City or independent agency officer or employee carrying out the purpose; and shall be posted on a City or independent agency internet site. (Examples of gifts covered by this subsection include, but are not limited to, tickets or travel to events where City or independent agency official or employee presence is requested, or travel and per diem to inspect products and equipment, or gifts of personal property to the City or independent agency.)

- (d) It shall be unlawful and a class A offense for any officer or employee of the City or an independent agency, or any person on his or her behalf, to violate subsections (a) and (b) of this Section.

(Ord. 97-890-E, § 1; Ord. 2002-117-E, § 1; Ord. 2007-329-E, § 3; Ord. 2008-839-E, § 4)

Sec. 602.702. Prohibited offering of gifts.

It is unlawful and a Class A offense for a lobbyist, or principal or employer of a lobbyist, or any person or entity listed in Section 602.701, to knowingly offer a gift to an officer or employee of the City or an independent agency which would cause a violation of Section 602.701 if accepted.

(Ord. 97-890-E, § 1; Ord. No. 2002-117-E, § 1; Ord. 2008-839-E, § 4)

Sec. 602.703. Receipt or charge of commissions or gifts for official transactions.

(a) It shall be unlawful and a Class D offense for an officer or employee of the City or an independent agency to charge, be the beneficiary of or receive, directly or indirectly, any fee, commission, gift, gratuity, loan or other consideration for or in connection with any transaction or business done, performed or rendered in the course of his or her official duties and responsibilities. This prohibition is not intended to prohibit inconsequential food or flower gifts delivered to the worksite at holidays, or in appreciation for courtesy and efficiency.

(b) In addition to any penalty prescribed by law, the city or an independent agency shall be entitled to recover from the officer or employee the amount of the fee, commission, gift, gratuity, loan or other consideration. This recovery may be imposed as a fine by the court adjudicating the person guilty or in a civil action in the name of the city or an independent agency.

(c) This Section shall not apply to officers or employees who are entitled by law to receive a fee or commission for their services.

(d) An employee who receives a gift under circumstances which are unauthorized in accordance with this Section, shall return the gift to the sender. If the gift is of food or flowers wherein it is infeasible to return, shall place the gift in a location wherein it can be enjoyed by a larger group of employees or donated to an appropriate non-profit organization in the name of the sender, with notice thereof to the donor. An employee handling a gift in accordance with this subsection shall not be deemed as having committed a violation.

(Ord. 97-890-E, § 1; Ord. 2007-329-E, § 3; Ord. 2011-232-E, § 3)

Note—Former § 602.303.

**2015 Mandatory ECA and Council Staff Ethics Update
 Gifts, Tickets, Travel, and Form 9
 December 3, 2015
 12 p.m. - 1:00 pm Conference Room "A" -4th Floor- Suite 425
 117 West Duval Street, - City Hall -St. James Bldg.
 Jacksonville, Florida 32202**

Attendance Record

Please print information as requested below:

Name	Business/City Department	Address/Zip Code	Contact Number	Email
Heemann Krieg	CC	CITY HALL	630-11078	HKrieg@coj.net
Nicole Spradley	CC	City Hall	630-7360	nspradley@coj.net
Chiquita Moore	CC	City Hall	630-7144	cmoore@coj.net
Gerrie Ford-Hardie	CC	City Hall	630-7231	Gerriefc@coj.net
JEFF CLEMENTS	CC	CITY HALL	630-1405	JEFF@COJ.NET
JAN JEDUN	CC	City Hall	630-1729	Tjhanjj@coj.net
Steve Scassade	CC	City Hall	630-9482	sScassade@coj.net
LOUIE MARINO	CC	CITY HALL	630-1400	Lmarino
4 Ruthel Hagan	CC	" "	630-7393	rhagan@coj.net
Ywana Allen	Ethics Commission	12740 Cole Water Way, 32246	404.429.1112	ywana.allen@outlook.com

2015 Mandatory ECA and Council Staff Ethics Update
Gifts, Tickets, Travel, and Form 9
December 3, 2015
12 p.m. - 1:00 pm Conference Room "A" -4th Floor- Suite 425
117 West Duval Street, - City Hall -St. James Bldg.
Jacksonville, Florida 32202

Attendance Record

Please print information as requested below:

Name	Business/City Department	Address/Zip Code	Contact Number	Email
Sirretta Williams	City of Jax	117 West Duval Street	(904) 866-7047	sirretaw@coj.net
Jessica Morales	" "	" "	904 630 1404	jmorales@coj.net
Kristi Sikes	City Council	117 West Duval #425	904-630-1401	KCSIKES@COJ.NET KCSIKES@COJ.NET
Philip Zamaron	CITY COUNCIL	" 430	630-1404	ZAMARON@COJ.NET
Carol Owens	City Council	" 430	630-1404	cowens@coj.net
Dana Lewis	City Council		904630 1676	dnlewis@coj.net
Darren Masch	City Council	" "	404 1674	darrenm@coj.net
Kevin Kuzel	"		630-1677	KKUZEL@COJ.NET

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Attendance Record

Please print information as requested below:

Name	Business/City Department	Address/Zip Code	Contact Number	Email
TERENCE FREEMAN	ECA Dist 3	City Hall	1031	terence.f@coj.net
Rachel Merritt	Staff	"	630-7234	remerritt@coj.net
David McDonald	ECA #11	" "	630-2737	dmac@coj.net
Connie Holt	ECA Dist 2	City Hall	630-1675	cholt@coj.net
CAROL HARPER	ECA - DIST 13	" "	630-1642	CHARPER@COJ.NET
JENEEN SANDERS	ECA - At-Large Group 1	" "	630-4361	jeneenis@coj.net
Crystal Stemmwell	LSD	" "	630-1404	Stemmwell@coj.net
Kathrin Macdonald	LSD	" "	630-1404	kmacdonald@coj.net

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Please print information as requested below:

Name	Business/City Department	Address/Zip Code	Contact Number	Email
Cheryl L. Brown	City Council	City Hall - Suite 425	904. 630. 1452	CLBrown@coj.net
Katie Schoettler	City Council ^{ECA} ₀₄	City Hall, suite 425	630-1394	kates@coj.net
Yvonne P. Mitchell	CC Research	CH, Suite 425	904 630 1679	ymitch@coj.net
Laure Dyer	City Council Admin.	City Hall, #425	630-1403	ldyer@coj.net
Repal Wells	" ECA	"	630-1849	Rwells@coj.net
Dana Farris	City Council	" #430 "	630-1404	dfarris@coj.net
Juliette Williams	"	" "	" "	Juliette@coj.net
Katrina Fisher	City Council	" " #425	630-2794	kfisha@coj.net