

# CITY OF JACKSONVILLE

JOE JACQUOT  
CHAIR  
YWANA ALLEN  
BRIAN AULL  
RICHARD A. BROWN  
GEORGE CANDLER



TOM PAUL  
VICE CHAIR  
ALAN M. PICKERT  
LARRY PRITCHARD  
JAMES YOUNG

## ETHICS COMMISSION

### Ethics Commission Annual Report 2015

In accordance with the Jacksonville Ordinance Code, the Jacksonville Ethics Commission submits its Annual Report for calendar year 2015. This report summarizes the activities and successes of the Ethics Commission in effectuating its duties and obligations delineated in the City of Jacksonville Charter and Jacksonville Ordinance Code.

#### I. Ethics Commission Membership and Support Staff:

During 2015, the Ethics Commission was comprised of the following ten (10) members:

MEMBER NAME	POSITION	APPOINTING ORGANIZATION
1. Joe Jacquot	Ethics Commission Chair	Public Defender
2. Thomas Paul	Ethics Commission Vice-Chair & Internal Operations Committee Chair	Ethics Commission
3. Ywana Allen	Member	Ethics Commission
4. Brian Aull	Member	State Attorney
5. Richard Brown	Member	Chief Judge for the Fourth Judicial Circuit
6. Dr. George Candler	Open Government Committee Chair & Nominating Committee Chair	City Council
7. **Rhonda Peoples-Waters	Member	Ethics Commission
8. Alan Pickert	Legislative Committee Chair	Mayor
9. Larry Pritchard	Member	Sheriff
10. James Young	Complaints Committee Chair	Ethics Commission

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**1** Ms. Peoples-Waters served as a member of the Ethics Commission during a portion of 2015 while Ms. Allen was on a leave of absence.

In addition to serving on the Ethics Commission, the members actively participated in one (1) or two (2) of the Commission's five committees: (1) Complaints; (2) Internal Operations; (3) Legislative; (4) Nominating; and (5) Open Government. Please see Enclosure 1 for a list of specific committee assignments for each committee.

In accordance with the Charter, the Ethics Commission was supported by the following City employees: (1) Carla Miller, Director of the Office of Ethics, Compliance and Oversight; (2) Kirby Oberdorfer, Deputy Director of the Office of Ethics, Compliance and Oversight; and (3) Cherry Shaw Pollock, Assistant General Counsel with the Office of General Counsel.

## II. Summary of Commission and Committee Meetings

During 2015, the Ethics Commission met as a body during nine (9) separate meetings to address various issues raised before the Commission. Additionally, the respective committees held a total of five (5) meetings to discuss specific issues or complete assigned tasks and make recommendations to the full Ethics Commission.

## III. Major Areas of Focus

In accordance with its duties and obligations in the City of Jacksonville Charter and the Jacksonville Ordinance Code, the Ethics Commission focused its work in 2015 in the following areas. Please see Enclosure 2 for a summary of the duties and obligations of the Ethics Commission as set forth in the Charter and the Ordinance Code.

### 1. Investigation and Disposition of Complaints Alleging Violation(s) of Chapter 602

The Ethics Commission received six (6) complaints in 2015 that attempted to allege potential violations of various provisions in Chapter 602. In accordance with Florida Statutes section 112.324 and the Jacksonville Ordinance Code, the Ethics Commission and/or Complaints Committee met in two (2) separate Executive Session "Shade" meetings to address the allegations in the various complaints.

Through its work and the Executive Session "Shade" meetings, the Ethics Commission disposed of five (5) of the six (6) complaints filed in 2015. These cases were dismissed as legally insufficient to allege a violation of Chapter 602. Only one (1) complaint remains pending as a result of referral to another government agency.

### 2. Re-Evaluation and Revision of Ethics Commission Strategic Plan and Update of Internal Operating Procedures

The Ethics Commission re-evaluated and updated the strategic plan and goals for the Commission and its various committees. Specifically, the Ethics Commission examined the impact on its various goals resulting from the establishment of the Office of Inspector General ("OIG"). Additionally, the Ethics Commission added new goals relating to assisting with the establishment of the OIG and various revisions to the Jacksonville Ethics Code. Finally, a yearly calendar reflecting recurring activities was created.

Additionally, the Ethics Commission revised its committee structure to focus on the main

activities of the Commission and updated its Internal Operating procedures to reflect the new committee structure.

3. Recommendations for Changes in Legislation to the Florida Legislature and City Council in Areas of Ethics Laws and Ethics Education

The Ethics Commission made various recommendations for changes in legislation to City Council through issuing resolutions, providing requested input to City Council members on ethics education requirements and the use of texting. Some examples of the recommendations made by the Ethics Commission include:

- A resolution in support of Ordinance 2014-747, the Charter referendum drafted by the Office of Ethics, Compliance & Oversight and sponsored by Council Member Crescimbeni that extended the jurisdiction of the Ethics Office and OIG to the independent authorities.
- A resolution encouraging City Council to ensure that the Request for Proposals by the ITD Department for a new contract system included the capability for billing and collecting a contract fee to fund the OIG.
- Provided input into the new requirement codified in Ordinance Code section 50.109 requiring mandatory ethics training for all boards and commission members once every four years.
- Engaged in extensive review and discussion of the Sunshine law and transparency in government impacts regarding the use of texting during City Council meetings. Specifically, the Ethics Commission studied and supported Ordinance 2015-697 sponsored by Council Member Gulliford that included restrictions on texting during Council meetings.
- Assisted the Office of Ethics, Compliance and Oversight and Council Member Crescimbeni with developing draft legislation that updated the ethics education training requirements for City officials and employees to make the requirements consistent with the requirements in state ethics laws. The draft legislation authorized the ethics education training schedule to be set by Ms. Miller and the Office of General Counsel in their discretion.

Additionally, in response to various issues regarding the retention and production of public records by public officials, the Ethics Commission debated potential legislation to make the retention and production of public records by City officials and employees a violation of the Jacksonville Ethics Code subject to the jurisdiction of the Ethics Commission in addition to being a municipal criminal offense.

4. Promotion of Public Confidence in the Ethical Operation of City of Jacksonville Government

Some examples of the Ethics Commission activities in 2015 that promoted public

confidence in City government include:

- The Ethics Commission actively participated on the Inspector General Selection and Retention Committee throughout 2015, including the interview and selection of first Inspector General for the City of Jacksonville.
- The Ethics Commission examined the disparate registration and reporting requirements for political action committees (“PACs”) filed at local government level and those filed at the state government level. The Commission obtained additional information from the Duval County Supervisor of Elections during an interactive presentation at the Ethics Commission meeting on March 16, 2015. Additionally, the Ethics Commission conducted outreach to other Ethics Commissions in Florida, as well as the Florida State Association of Supervisors of Elections to determine if these entities were interested in collaborating with the Ethics Commission to develop proposed legislation to ensure consistency and uniformity in reporting requirements by PACs.
- The Ethics Commission worked on the development of the lobbyist registration website, including a user’s manual.