

# CITY OF JACKSONVILLE

ELLEN SCHMITT  
*CHAIR*

CARLTON DEVOOGHT  
JJ DIXON  
ERICH FREIBERGER



DARCY GALNOR  
*VICE CHAIR*

LATONYA LIPSCOMB SMITH  
MARY BLAND LOVE  
LINDA MCCALLUM

## ETHICS COMMISSION

### INTERNAL OPERATING PROCEDURES

Adopted August 25, 2010  
(Last Amended October 10, 2022)

- I. Meetings of the Jacksonville Ethics Commission shall be held at least quarterly in City Hall or other appropriate buildings accessible by the public in Jacksonville, Florida. These meetings shall be at such times as determined by the Chair of the Commission. However, if there is insufficient business, or for other reasons as the Chair determines appropriate, a meeting may be canceled and notice given to all Commission members. Additional meetings may be held at the discretion of the Chair with due notice.
  - A. The Commission may hold more frequent regular meetings as determined by the Chair.
  - B. A majority of the membership of the Commission shall constitute a quorum for the purposes of meetings and transacting business.
- II. Agenda
  - A. Unless waived by the Chair or a majority of the members present, only matters that have been placed on the agenda and/or submitted in writing to the Office of Ethics, Compliance & Oversight ("ECO Office") at least two business days prior to the date of the Commission meeting shall be considered by the Commission. The Chair will make the final determination prior to the meeting as to the agenda. Members are permitted to add items in new business during the meeting for discussion at the discretion of the Chair.
  - B. No later than 24 hours prior to the Commission meeting, an agenda, together with all written materials to be considered by the Commission

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shall be provided by email to all members of the Commission, as practicable.

- C. Unless waived by the Chair of the Commission or a majority of the Ethics Commission members present, the Complaints Committee shall report quantitative, non-confidential data about pending and disposed matters at each regular meeting of the Commission.
- D. During Ethics Commission meetings, public comment will be allowed prior to final votes on substantive matters limited to the pending matter. Additional public comment will be offered at the end of every Ethics Commission meeting. The time of each public comment period will be announced by the Chair. Committee Chairs will allow general public comment at the end of each committee meeting. The time allowed for these comments shall be determined by the Committee Chair. Public comment is not mandatory prior to each vote at the committee level.

### III. Waiver of Procedures

The Internal Operating Procedures of the Commission may be waived by a 2/3 majority of the membership of the Commission present for the meeting, if allowable by law.

### IV. Attendance

- A. Attendance, participation and voting of members by Communications Media Technology. Once a quorum is physically present, other members who have complied with the conditions described below, may participate and vote by Communications Media Technology as follows:
  - a. Members participating and voting via Communications Media Technology are doing so because they stated that they are unable to physically attend an Ethics Commission duly-noticed meeting due to an "extraordinary circumstance," which includes but is not limited to:
    - i. The COVID-19 pandemic;
    - ii. Other health related issues;
    - iii. Military duty or deployment;
    - iv. Extraordinary family obligation;
    - v. Unforeseen mandatory business obligation; or
    - vi. Previously scheduled unavoidable conflicts.

- b. Members participating and voting via Communications Media Technology shall request permission within 24 hours of the upcoming meeting of the Commission, and cite the applicable provision for extraordinary circumstances.
  - c. The Ethics Commission shall consider other circumstances which, in the discretion of a majority of the quorum present, are deemed accepted.
  - d. Shade Meeting(s): Should extraordinary circumstances arise, the request must be made within 48 hours in advance of the Shade Meeting, and the Respondent must be informed and given the option to proceed.
- B. The ECO Office shall keep records of the attendance of all members. In the event a member of the Commission is unable to attend a meeting, he or she shall advise the ECO Office in advance of the Commission meeting. Failure to notify the ECO Office of an inability to attend the meeting will be considered an unexcused absence.
- C. In accordance with Jacksonville Ordinance Code section 50.104, if any member of the Commission fails to attend two of three successive meetings of the Commission without cause and without notification to the ECO Office and prior approval of the Chair of the Commission, the Commission shall declare the member's office vacant and the vacancy shall be filled as provided for herein. Additionally, the Chair shall make a request for a replacement for the vacancy. The vacancy shall be filled as provided for in Chapter 602, Ordinance Code.

#### V. Election of Officers

The Ethics Commission shall elect a Chair and Vice Chair each year, no later than the November or December meeting. The term of office is one calendar year. A person can serve as Chair for only two (2) consecutive terms. The term shall begin on January 1st.

A member must have served as a member of the Ethics Commission for at least six (6) months before serving as Chair/Vice Chair.

The current Chair may poll members as to their interest in serving as Chair or Vice Chair. If more than one member has an interest in serving in a position, the Chair may appoint a Nominating Committee of three (3) members to meet prior to the full Commission meeting. Nominating Committee members are not barred from being nominated.

The Nominating Committee will make a recommendation for the Chair and Vice Chair at the full Commission meeting and a majority vote will determine who is elected. Criteria to determine the selection of Chair and Vice Chair shall include, but is not limited to, the member's length of service on the Ethics Commission and record of attendance at Ethics Commission and committee meetings.

## VI. Members

Ethics Commission members shall not use their position in any manner that decreases public trust or gives the appearance of impropriety.

Any Commission member who files the required documentation to be a candidate for public office or declares candidacy for public office shall immediately resign from the Commission. No individual while a member of the Commission shall hold or campaign for any elective political office or allow his or her name and title as a Commission member to be used by a campaign in support of or against any candidate for public office. Nothing herein shall preclude a member from signing a petition in support of or against any referendum, ballot question or candidate. Nor does this rule prohibit any campaign contributions by a member or a member supporting any candidate in his or her own name.

## VII. Appointment of Members

The Ethics Commission by Code appoints three (3) individuals to serve as members. In September every year, the ECO Office shall review the terms of Commission-appointed members to determine which terms are expiring and who is eligible to serve an additional term. If a Commission-appointed member vacates his or her position prior to the end of his or her term, the Commission shall determine at the next regular meeting how the rest of that term shall be filled.

For terms approaching completion where the current Commission member is not eligible for or does not want to serve another term, the Nominating Committee shall oversee a broad solicitation for applications and resumes, establish a timely schedule of interviews, and set objective criteria for the selection process. The Nominating Committee will recommend whether each current Commission-appointed member should be reappointed if eligible and/or offer new names at the next regular meeting. Following discussion, the full Commission will vote on the Nominating Committee's recommendation(s). The vote on new Commission appointee(s) by the full Commission shall occur no later than December. The schedule may be altered to fill vacancies that occur prior to Commission

members' term limits.

In the case of reappointment, Commission members must demonstrate a positive history of performance within the Commission and commitment to the Commission, including, but not limited to attendance at Ethics Commission and committee meetings and contributions to the Commission. Commission-appointed/reappointed members may receive a background check through the regular City Council process.

#### VIII. Annual Summary

In accordance with Jacksonville Ordinance Code section 50.110, the ECO Office shall file an annual summary of the Commission's activities no later than the first quarter of the calendar year.

#### IX. Press Policy

This shall be stated or given to any person requesting an official position, comment or information on behalf of the Ethics Commission from a member of the Ethics Commission outside of a regular meeting:

The Commission functions as a collaborative body and due process is followed to ensure fair decisions and opinions are rendered. The Chair of the Commission, by these procedures, is the sole person authorized to make statements on behalf of the Commission, as appropriate. Members shall not represent to anyone that they speak on behalf of the Ethics Commission.

Individual members are strongly discouraged from making any statement to the press on matters pending before the Commission.

#### X. Compliance with State and Local Laws

All Ethics Commission members shall be familiar with, and comply with, the state and local laws that govern this body. As to the Sunshine Law, Commission members shall not talk about Commission business with other members of the Commission outside of noticed meetings nor shall they communicate by email with other members. Emails shall be sent to the ECO Office, which shall distribute to the group.

#### XI. Standing Committees:

The standing committees of the Ethics Commission are as follows and may be modified as determined by the Chair: Internal Operations, Complaints, Legislative, and Open Government committees. The Commission Chair shall make committee

appointments during the first quarter of the year. The Chair may appoint ad hoc committees at his or her discretion, as necessary.

I hereby agree to abide by these Internal Operating Procedures.

\_\_\_\_\_  
Ethics Commission Member

\_\_\_\_\_  
Date