

CITY OF JACKSONVILLE

JOSEPH ROGAN
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DARCY GALNOR
LATONYA LIPSCOMB SMITH
MARY BLAND LOVE

**ETHICS COMMISSION
MEETING MINUTES**

Thursday, March 7, 2019
Don Davis Room
City Hall – First Floor

The meeting was called to order by Joseph Rogan, Chair of the Ethics Commission, at 4:30 p.m. A quorum was present.

Commission Attendees: Joseph Rogan, Ellen Schmitt, LaTonya Lipscomb Smith, J. J. Dixon, Carlton DeVooght, and George Candler. Excused Absences: Darcy Galnor and Imani A. Boykin. Attended via conference call: Mary Bland Love. Other attendees: Carla Miller, Director, Office of Ethics, Compliance and Oversight (“OECO”); Kirby Oberdorfer, Deputy Director, OECO; Lourdes Barboza, Executive Assistant, OECO; Andrea Myers, Training Coordinator, OECO; and Cherry Shaw Pollock, Assistant General Counsel, Office of General Counsel (“OGC”).

Public in Attendance:

Mike Clark and Scott Shine, in addition to several members who did not sign in.

Mr. Rogan opened the meeting with the Pledge of Allegiance and Ms. Miller shared the Ethics Thought.

Minutes Approval:

Mr. Rogan stated that going forward, if a Committee does not have a meeting scheduled, minutes of the previous meeting will be approved at the Commission level.

January 28, 2019 Ethics Commission Meeting minutes: Dr. Candler made a motion to approve the minutes. Ms. Lipscomb Smith seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a 7-0 vote.

February 6, 2019 Internal Operations Committee Meeting minutes: Mr. DeVooght made a motion to approve the minutes. Ms. Lipscomb Smith seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a 7-0 vote.

February 13, 2019 Legislative Committee Meeting minutes: Ms. Lipscomb Smith made a motion to approve the minutes. Mr. DeVooght seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a 7-0 vote.

**Office of Ethics, Compliance & Oversight
117 W. Duval Street, Room 450
Jacksonville, FL 32202
Phone: (904) 630-1476 HOTLINE: 630-1015**

February 13, 2019 Complaints Committee Meeting minutes: Ms. Schmitt made a motion to approve the minutes. Ms. Dixon seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a 7-0 vote.

Staff Reports:

Ms. Miller reported that articles pertaining to the March 1, 2019 Ethics Commission had been emailed to Commission members. She then reported that the Ethics Coordination Council met and its members were trained in the new Ethics laws that went into effect this past December and January. The OECO has continued training various organizations throughout the city, including Health Planning Council, Task Force on Safety and Crime Reduction, Kids Hope Alliance, GlobalJax, and Boards and Commissions. She also announced that the City is changing phone numbers for all their offices. The updated phone numbers for OECO were distributed.

Ms. Pollock reported that OGC has distributed two binding opinions to all Commission members.

Committee Reports:

Complaints Committee: Ms. Schmitt shared that the first goal established for the Complaints Committee is to create a visual tool to guide members through the Complaint Procedures. She also shared that the Committee made proposed revisions to the Complaint Procedure. Mr. Rogan added that the proposed revisions to the Complaint Procedures would be marked as received today and will be up for a vote at the next Commission meeting. Ms. Schmitt then reported that the Complaints Committee has received three complaints to date in 2019; two were dismissed by the Complaints Committee, and one by the Ethics Commission.

Legislative Committee: Mr. Rogan summarized the OGC opinion 19-01. Ms. Pollock did not have any comments to add to Mr. Rogan's summary. Mr. Rogan asked Ms. Miller whether there's any precedent for seeking review of OGC interpretations, and Ms. Miller mentioned that the Ethics Commission in the past has asked for clarification of an OGC opinion from the Florida Attorney General. Commission members agreed that there is merit in asking the Attorney General for clarification on whether local ethics commissions can enforce Sunshine Laws.

Ms. Schmitt made a motion to direct Mr. Rogan to request an opinion from the State Attorney General about the preemption of the Sunshine Law. Ms. Lipscomb Smith seconded the motion.

The floor was opened to public comment limited to the topic at hand. Mr. Scott Shine and Mr. Mike Clark commented.

There being no further discussion, the motion passed unanimously with a vote of 7-0. Ms. Miller added that she and Mr. Rogan will be meeting with OGC on March 20th.

Open Government Committee: Ms. Lipscomb Smith reported that the goal for the Committee is to expand an already established online education tool titled "It's Your Government". The course will educate the community on civic responsibilities and duties.

Internal Operations Committee: Ms. Love reported that the committee made proposed revisions to the Internal Operating Procedures (IOPs). Mr. Rogan suggested the following two changes:

Add “limited to the pending matter” at the end of the first sentence in provision II(d).
Amend provision III relating to waiver of IOPs to add “present for the meeting” before “if allowable by law”.

Ms. Lipscomb Smith made a motion to approve the proposed revisions to the Internal Operating Procedures with the two additional revisions discussed. Mr. DeVooght seconded the motion. Mr. Rogan opened the floor for public comment limited to the topic at hand. There being no public comment on the topic or further discussion by members, the motion passed unanimously with a vote of 7-0 to approve the proposed changes to the IOPs with the two revisions discussed.

New Business:

2019-E and OGC Opinion 19-02: Mr. Rogan commended the Ethics Commission members on their work reviewing this complaint and opened the floor for discussion on the matter. Dr. Candler shared his thoughts. Mr. Rogan stated that there was no need to ask for further review from the Attorney General on Opinion 19-02 because the issue concerns only local law. Mr. Gabriel was invited to attend this evening’s Ethics Commission meeting, but had a scheduling conflict. He will be in attendance at the April 3rd Ethics Commission meeting.

2019-54: Mr. Rogan provided background on the proposed bill. He shared that he spoke to the bill’s sponsor at the request of the Ethics Commission and that the bill has not been withdrawn at OGC’s request. The bill has been repeatedly deferred. Ms. Miller shared a concern that a substitute bill might be prepared and introduced. This matter will be discussed at the March 20th meeting with OGC. The OECO is following the progress of this proposed bill very closely.

Public Comment:

Mr. Rogan opened the floor to public comment. Mr. Shine commented.

Announcements:

The next Ethics Commission meeting has been scheduled. Future Committee meetings will be scheduled with members via email.

Adjourn:

There being no further business to discuss, the meeting was adjourned at 5:04 p.m.

Lourdes Barboza

Lourdes Barboza, Executive Assistant, OECO

April 3, 2019

Date of Approval

This is a summary of the meeting and not a verbatim transcription. A recording of these proceedings is available at <http://www.coj.net/departments/ethics-office/notices,-agendas-minutes>.

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