

CITY OF JACKSONVILLE



JOSEPH ROGAN
CHAIR

ELLEN SCHMITT
VICE CHAIR

IMANI A. BOYKIN
GEORGE CANDLER
CARLTON DEVOOGHT
J.J. DIXON

DARCY GALNOR
LATONYA LIPSCOMB SMITH
MARY BLAND LOVE

**ETHICS COMMISSION
MEETING MINUTES**

Thursday, April 3, 2019
Lynwood Roberts Room
City Hall – First Floor

The meeting was called to order by Joseph Rogan, Chair of the Ethics Commission, at 5:20 p.m. A quorum was present.

Commission Attendees: Joseph Rogan, Ellen Schmitt, LaTonya Lipscomb Smith, J. J. Dixon, Carlton DeVooght, Darcy Galnor, Imani A. Boykin, and George Candler (arrived at 5:35 p.m.) 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; and Cherry Shaw Pollock, Assistant General Counsel, Office of General Counsel (“OGC”).

Public in Attendance:

Mike Clark

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

Minutes Approval:

March 7, 2019 Ethics Commission Meeting minutes: Mr. DeVooght made a motion to approve the minutes. Ms. Boykin seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a vote of 8-0.

March 27, 2019 Open Government Committee Meeting minutes: Ms. Smith made a motion to approve the minutes. The motion was seconded. There being no discussion, the motion to approve the minutes passed unanimously with a vote of 8-0.

Staff Reports:

Ms. Miller shared that she will be out of the country for two and a half weeks, but will be available if needed. She spoke about the Ethics Commission Annual Report for 2018. She commended the Commission for their hard work last year.

Ms. Pollock provided training on Chapter 50 of the Ordinance Code.

Office of Ethics, Compliance & Oversight
117 W. Duval Street, Room 225
Jacksonville, FL 32202
Phone: (904) 255-5507 HOTLINE: 630-1015

Committee Reports:

Complaints Committee: Ms. Schmitt reported that there were no complaints disposed since the last Ethics Commission meeting. She reviewed the Complaint Procedures revisions proposed by the Complaints Committee on the computation of time. Ms. Oberdorfer and Mr. Rogan provided additional background information.

Following a brief discussion by the group, Mr. DeVooght made a motion to adopt the proposal of the Complaints Committee as the new Complaint Procedures. Ms. Boykin seconded the motion. Mr. Rogan opened the floor to public comment but there was no public comment offered. There being no further discussion, the motion passed unanimously with a vote of 9-0.

Legislative Committee: Ms. Galnor reported that the Ethics Commission Chair requested an opinion from the Attorney General regarding whether local Ethics Commissions can enforce Sunshine Laws. Ms. Miller confirmed that the Attorney General's Office is considering the request and will issue a response.

Open Government Committee: Ms. Lipscomb Smith reported that the Committee met on March 27th to consider topics proposed by various citizen groups for the updating of the citizen course "It's Your Government". The Committee is working on writing Module 1 of the course and will meet again in late summer.

Internal Operations Committee: Ms. Love advised that she did not have a report for the Internal Operations Committee.

New Business:

OECO Budget: Ms. Miller summarized her request for an increase of the Ethics Director's weekly work hours. Ms. Miller distributed a resolution in which the Ethics Commission requests an OECO budget increase for the remainder of the 18/19 fiscal year and the 19/20 fiscal year. This increase would provide funds for an increase from 15 hours per week to 20 hours per week in the Ethics Director's work schedule. Ms. Boykin made a motion to adopt the proposed resolution with a modification to reflect a correction in the number of years in Paragraph 3 and to give authority to the Chair to revise the resolution. Ms. Galnor seconded the motion. Mr. Rogan opened the floor to public comment, but no comment was given. There being no further discussion, the motion passed unanimously with a vote of 8-0. Mr. Rogan expressed his appreciation for the Administration's continued support of OECO's budget requests.

Proposed Ordinance 2019-220: Ms. Miller summarized proposed Ordinance 2019-220, which will be heard at the Rules Committee meeting in two weeks. Mr. Rogan expressed disappointment that this bill was filed without consultation with the Ethics Commission. Ms. Miller proposed to ask the Chair of the Rules Committee to defer the bill until the Ethics Commission receives a response from the Attorney General regarding Section 602.1208 in the Ethics Code. Ms. Boykin made a motion directing Ms. Miller to relay the Ethics Commission's request to the Chair of the Rules Committee to defer the bill until the opinion from the Attorney General is received. Ms. Lipscomb Smith seconded the motion. Mr. Rogan opened the floor to public comment, but no comment was given. There being no further discussion, the motion passed unanimously with a vote of 8-0.

Correspondence Regarding the Use of Police in Campaign Ads: Ms. Miller summarized an email

Office of Ethics, Compliance & Oversight
117 W. Duval Street, Room 225
Jacksonville, FL 32202
Phone: (904) 255-5507 HOTLINE: 630-1015

received by the Ethics Commission from a citizen who expressed concern about OGC Opinion 19-02. The citizen suggested that the Ethic Commission request the input of the State Attorney because the writer believes this issue will affect the process of seating juries. Ms. Miller then shared that another concern was received by a second citizen. Ms. Miller and Mr. Rogan reported on their meeting with OGC regarding several ethics matters. They were encouraged by the meeting and reported that OGC is willing to work with the Ethics Commission to develop a new Ordinance that would prohibit the use of uniformed city personnel in campaign ads. Ms. Miller reported that the Sheriff also expressed a willingness to discuss the issue. The group discussed the correspondence and related issues.

Ethics Legislation Pending in Florida Legislature: Ms. Oberdorfer expressed that there was no movement on several bills that deal with ethics related issues. She summarized House Bill 1, the Ethics Reform Bill, and reported that it is moving in the House. Its companion bill, Senate Bill 1702, got significant resistance in the Senate and was temporarily postponed in its first committee. This bill would impact conflict of interest provisions among other ethics topics. The group briefly discussed several of the legislative efforts.

Old Business:

2019-54: Mr. Rogan provided background of proposed ordinance 2019-54 and explained that Jason Gabriel clarified with the bill sponsor that OGC has no interest in continued deferral of the bill, yet the bill sponsor still has not withdrawn the bill. Mr. Rogan distributed a draft resolution recommending that City Council withdraw or deny Ordinance 2019-54. Ms. Schmitt made a motion to adopt the resolution. Dr. Candler seconded the motion. Mr. Rogan opened the floor to public comment, but there was no comment offered. There being no further discussion, the motion to adopt the resolution passed unanimously with a vote of 8-0. Ms. Miller will distribute a copy of the resolution to each of the members of the Rules Committee.

Public Comment:

Mr. Rogan opened the floor to public comment. There was no comment offered.

Announcements:

Due to a scheduling conflict, Mr. Rogan proposed changing the date of the next Ethics Commission meeting from May 16th to May 23rd. The next meeting is set for May 23, 2019, at 5:00 p.m.

Mr. Rogan asked Committee Chairs to schedule committee meetings if they have business to discuss.

Adjourn:

There being no further business to discuss, the meeting was adjourned at 6:28 p.m.

Lourdes Barboza

Lourdes Barboza, Executive Assistant, OECO

May 23, 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> .

Office of Ethics, Compliance & Oversight
117 W. Duval Street, Room 225
Jacksonville, FL 32202
Phone: (904) 255-5507 HOTLINE: 630-1015