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ETHICS COMMISSION

LEGISLATIVE COMMITTEE MEETING

MINUTES

June 20, 2019

Don Davis Room, First Floor, City Hall

The meeting was called to order by Ms. Darcy Galnor, Chair, at 4:35 p.m. A quorum was present. Attendees: Darcy Galnor, LaTonya Lipscomb Smith, Carlton DeVooght, Ellen Schmitt, and Imani A. Boykin (arrived after meeting began). Others in attendance: Joseph Rogan, Chair, Ethics Commission, and J.J. Dixon, Ethics Commission member; Carla Miller, Director of the Office of Ethics, Compliance, and Oversight (OECO); Kirby Oberdorfer, Deputy Director OECO; and Cherry Shaw Pollock, Office of General Counsel (OGC).

Public in Attendance:

Arthur Mills, Unite America; Therese Mills, Unite America; Stephen Cox, Unite America; and Stefanie Mackriss, Unite America.

New Business:

The meeting began with introductions of the Legislative Committee members and Ethics Commission staff. Ms. Galnor introduced the topic for the meeting regarding the implementation of Amendment 12. She then asked Ms. Miller to provide a summary of Amendment 12 and the issue to be discussed by the Legislative Committee. Ms. Miller summarized the approval of Amendment 12 by voters in the previous statewide election and the prohibition in Amendment 12 against public officials and employees obtaining a disproportionate benefit from their respective governmental positions. Ms. Miller also summarized the work by the Florida Commission on Ethics in developing proposed Rule 34-18.001 to implement Amendment 12 and the objections to proposed Rule 34-18.001 by various persons. Ms. Miller asked the Legislative Committee to consider whether the Jacksonville Ethics Commission can assist the Florida Commission on Ethics in its efforts to develop a proposed rule to implement Amendment 12, including defining certain terms and the requisite level of intent for a violation of the provision.

Thereafter, Ms. Miller distributed a copy of proposed Rule 34-18.001 to the Legislative Committee members and Ms. Galnor opened the floor for discussion on the proposed Rule. In response to a question from Ms. Schmitt, Ms. Miller advised that the proposed Rule drafted by the Florida Commission on Ethics includes two main items: (1) definition of disproportionate benefit and (2) the requisite level of intent for violation, which is knowledge. Ms. Galnor and Ms. Miller clarified the roles of the Florida Commission on Ethics and the Jacksonville Ethics Commission with respect to Amendment 12. The Florida Commission on Ethics is required to implement Amendment 12 through adoption of a proposed rule that defines the term "disproportionate benefit" in the Amendment, and the Jacksonville Ethics Commission's role should be to support the work of the Florida Commission on Ethics in adopting a proposed rule. Legislative Committee members expressed their support for proposed Rule 34-18.001 and

discussed the process for advising the Florida Commission on Ethics of their support. Ms. Miller advised that the Legislative Committee could make a recommendation to the Jacksonville Ethics Commission that it support the Florida Commission on Ethics's proposed rule on Amendment 12. Ms. Miller noted that other local ethics commissions in Miami, West Palm Beach and Tallahassee were also considering this issue. Ms. Boykin then made a motion to recommend that the Jacksonville Ethics Commission send a letter of support to the Florida Commission on Ethics regarding proposed Rule 34-18.001. Motion was seconded by Ms. Lipscomb Smith. Ms. Galnor requested public comment on the motion and none was provided. The Legislative Committee approved the motion unanimously.

Next, Ms. Miller provided a summary of City Council's action on proposed Ordinance 2019-393 filed by Council Member Crescembeni that would prohibit former members of City boards and commissions that file financial disclosure statements from representing someone before their former respective board or commission for two (2) years. She advised that the City Council Rules Committee voted against proposed Ordinance 2019-393 by a vote of 6-1 and Council Member Crescimbeni has indicated he will withdraw this bill. Ms. Miller inquired whether the Legislative Committee wanted to consider this issue and work on it. Legislative Committee members discussed their support of having the committee address this issue. Ms. Miller advised that the OCEO will research this issue for the Legislative Committee's next meeting.

Public Comment:

Ms. Galnor requested public comment, but none was provided.

Meeting Adjourned: 4:56 p.m.

Kirby G. Oberdorfer

Kirby Oberdorfer
Deputy Director
Office of Ethics, Compliance and Oversight

10-07-2019

Date of Approval

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This is a summary of the meeting and is not a verbatim transcription. A recording is available at the Ethics Commission web site at [http://www.coj.net/departments/ethics-commission/notices,-agendas--minutes-\(1\).aspx](http://www.coj.net/departments/ethics-commission/notices,-agendas--minutes-(1).aspx)