

# CITY OF JACKSONVILLE

JOSEPH ROGAN  
CHAIR

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



ELLEN SCHMITT  
VICE CHAIR

DARCY GALNOR  
LATONYA LIPSCOMB SMITH  
MARY BLAND LOVE

## ETHICS COMMISSION

### Ethics Commission Annual Report 2020

In accordance with the Jacksonville Ordinance Code, the Jacksonville Ethics Commission submits its Annual Report for calendar year 2020. This report summarizes the activities and successes of the Ethics Commission in effectuating its duties and obligations as stated in the City of Jacksonville Charter and Jacksonville Ordinance Code.

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

During 2020, all nine positions on the Ethics Commission were filled with no turnover. The following nine members served on the Ethics Commission in 2020.

MEMBER NAME	POSITION	APPOINTING ORGANIZATION
1. Imani A. Boykin	Member & Legislative Committee Chair	Ethics Commission
2. Dr. George Candler	Member	City Council President
3. Carlton DeVooght	Member	Mayor
4. J.J. Dixon	Member	Sheriff
5. Darcy Galnor	Member	State Attorney
6. LaTonya Lipscomb Smith	Member & Open Government Committee Chair	Ethics Commission
7. Mary Bland Love	Member & Internal Operations Committee Chair	Public Defender
8. Joseph Rogan	Member & Ethics Commission Chair	Chief Judge
9. Ellen Schmitt	Member, Ethics Commission Vice Chair and Complaints Committee Chair	Ethics Commission

In addition to the Ethics Commission, the members also served on one or more of the Ethics Commission's committees: (1) Complaints; (2) Internal Operations; (3) Legislative; and (4) Open Government. Please see attached list of specific committee assignments.

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

## II. **Summary of Ethics Commission and Committee Meetings**

During 2020, the Ethics Commission met as a body during seven separate meetings to address various issues raised before the Commission. Additionally, the respective committees held a total of six meetings to complete assigned tasks.

The notices, agendas, minutes and audio recordings of the Ethics Commission and committee meetings are posted on the Ethics Office webpage and may be accessed via the following link: <https://www.coj.net/departments/ethics-office/notices,-agendas-minutes> .

## III. **Major Areas of Focus**

In accordance with its duties and obligations in the City of Jacksonville Charter and the Ordinance Code, the Ethics Commission focused its 2020 work in the following areas.

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

The Ethics Commission received fourteen complaints in 2020 alleging potential violations of various provisions in Chapter 602, the Jacksonville Ethics Code. In accordance with Florida Statutes section 112.324 and the Jacksonville Ordinance Code, the Ethics Commission and/or Complaints Committee met in eight 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 fourteen complaints, one of which was filed in 2019. Five cases were dismissed under Rule 6 of the Ethics Commission Complaint Procedures, three due to legal insufficiency and one with a referral to another governmental agency. Six cases were dismissed pursuant to Rule 17 of the Complaint Procedures either upon a finding that the public interest would not be served with the prosecution of the complaint or the entry of a settlement agreement. One case was disposed of under Rule 9 by no further proceedings. Two cases were dismissed under Rule 8 following a determination of no violation of the Ethics Code.

The Ethics Commission considered six complaints against City lobbyists and officials for the alleged offering and receipt of improper gifts arising from a trip to Atlanta in 2019 for a playoff baseball game. As a result of its investigation and questioning of the various City officials and lobbyists, the Ethics Commission determined: (1) two cases should be

dismissed because full payment of the trip expenses was made and therefore no violation of the Ethics Code occurred and (2) additional payment should be made in the remaining four cases due to a miscalculation of the value of the trip expenses. The Ethics Commission entered into a settlement agreement with the City lobbyists by which the lobbyists agreed to pay a local charity and to work with the Ethics Commission on developing revisions to the Jacksonville Ethics Code to clarify responsibilities of lobbyists and officials related to gifts of travel and events.

Twelve complaints remained pending at the conclusion of 2020, almost all of which were stayed as a result of referrals to another government agency.

2. Recommendation to City Council for Changes in Legislation Relating to Jacksonville Ethics Code Sections 602.621 & 602.1205

In response to lessons learned in connection with the JEA ITN process, the Ethics Commission proposed two changes to the Jacksonville Ethics Code:

The Ethics Commission proposed changes to Jacksonville Ethics Code section 602.621 to clarify and broaden the Office of Ethics, Compliance and Oversight's full and unrestricted access to records. The City Council approved Ordinance 2020-103-E on April 28, 2020 incorporating this change, and the Mayor signed it into law.

The Ethics Commission also proposed changes to Jacksonville Ethics Code section 602.1205 regarding cooperation in official investigations by City officials and employees. The change expanded those who must cooperate with official investigations to include all officers, non-appointed employees and independent contractors. The City Council approved Ordinance 2020-104-E on April 28, 2020, and the Mayor signed it into law.

3. Reappointment of Ethics Director

The Ethics Commission passed a resolution unanimously reappointing Carla Miller as the Director of the Office of Ethics, Compliance and Oversight for an additional term. The City Council confirmed Ms. Miller's reappointment in Ordinance 2020-621 on November 24, 2020.

4. Review of Ethics Commission Complaint Procedures

The Ethics Commission is in the process of reviewing its Complaint Procedures to further the efficient administration and conclusion of complaints filed with the Ethics Commission.

5. Appointment of Ethics Commission Member

Pursuant to Jacksonville Ordinance Code section 602.912, the Ethics Commission appoints three of its nine members. Ms. Schmitt's first full term expired at the end of 2020. After discussion, the Ethics Commission reappointed Ms. Schmitt for a second full term expiring December 31, 2023. The City Council confirmed Ms. Schmitt's reappointment on November 24, 2020.

6. Recommendation to City Council for Changes in Legislation Relating to Disclosure of Paid Travel

The Ethics Commission discussed proposed changes to Jacksonville Ordinance Code section 106.703 to require that City officials disclose information about travel paid for by political committees or others. The Ethics Commission plans to finalize the language and propose the changes in early 2021.

## ATTACHMENT

### Ethics Commission 2020 Committee Assignments

#### **Complaints**

- |                    |       |
|--------------------|-------|
| 1. Ellen Schmitt   | CHAIR |
| 2. Mary Bland Love |       |
| 3. Imani Boykin    |       |
| 4. J.J. Dixon      |       |

#### **Internal Operations**

- |                     |       |
|---------------------|-------|
| 1. Mary Bland Love  | CHAIR |
| 2. Carlton DeVooght |       |
| 3. George Candler   |       |
| 4. Darcy Galnor     |       |

#### **Legislative**

- |                           |       |
|---------------------------|-------|
| 1. Imani Boykin           | CHAIR |
| 2. Ellen Schmitt          |       |
| 3. Darcy Galnor           |       |
| 4. LaTonya Lipscomb Smith |       |

#### **Open Government**

- |                           |       |
|---------------------------|-------|
| 1. LaTonya Lipscomb Smith | CHAIR |
| 2. J.J. Dixon             |       |
| 3. George Candler         |       |
| 4. Carlton DeVooght       |       |