

CITY OF JACKSONVILLE



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**ETHICS COMMISSION
MEETING MINUTES**

Friday, March 26, 2021

Hybrid Virtual Via Zoom/In-Person Meeting
Lynwood Roberts Room, 1st Floor, City Hall

The meeting was called to order by Ellen Schmitt, Chair of the Ethics Commission, at 4:04 p.m. A quorum was present.

Commission Attendees: Ellen Schmitt, Joseph Rogan, LaTonya Lipscomb Smith via Zoom, Mary Bland Love, Carlton DeVooght via Zoom, Darcy Galnor, Dr. Erich Freiberger and J.J. Dixon. Excused Absence: Imani A. Boykin. Other attendees: Carla Miller, Director, Office of Ethics, Compliance and Oversight (“OECO”); Kirby Oberdorfer, Deputy Director, OECO; Cherry Shaw Pollock, Assistant General Counsel, Office of General Counsel (“OGC”); and Sandy Homrighouse, Executive Assistant, OECO.

City Officials in Attendance: Council Member Matt Carlucci, Council Member Rory Diamond via Zoom, Council Member Garrett Dennis, City of Jacksonville Director of Employee Services Diane Moser via Zoom, Steve Cassada and Yvonne Mitchell.

The meeting began with Ms. Schmitt leading the attendees in the Pledge of Allegiance and Ms. Miller shared the Ethics Thought. Ms. Schmitt presented a certificate of appreciation to Mr. Rogan for his service as past Ethics Commission Chairman. Ms. Schmitt also welcomed Dr. Freiberger as a new member of the Ethics Commission.

Minutes Approval:

October 26, 2020 Ethics Commission meeting minutes: Ms. Dixon made a motion to approve the minutes. Mr. Rogan seconded the motion. There being no discussion, the motion to approve the minutes passed unanimously with a vote of 8-0.

Staff Reports:

OECO: Ms. Miller reported that contributions to the Ethics Office budget by the

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independent authorities will increase for the upcoming fiscal year. There also has been discussions with OGC and the administration to add another attorney to the OECO staff. Next, Ms. Miller submitted her retirement letter as of October 1, 2021. (attached) Ms. Miller recommends Ms. Oberdorfer to be her replacement.

OGC: No report.

New Business:

Presentation by Diane Moser, City of Jacksonville Director of Employee Services: Ms. Moser reported on the resources available to Boards and Commissions. Ms. Moser also commented if the Ethics Commission appoints an internal candidate to the position of OECO director, publicly posting the position is not required.

Review of Potential Legislative Changes Regarding Post-Employment: Ms. Miller referred to the draft post-employment legislation document. Ms. Miller asked the Ethics Commission members to read over the draft post-employment legislation document and let her know of any changes. Council Member Carlucci stated he is interested in sponsoring post-employment legislation and will set up a meeting with Ms. Miller regarding that topic. Council Member Diamond stated he will support this legislation.

Ethics Director Performance Review: Ms. Schmitt referred to the Ethics Director performance review document as a point of information.

Strategic Planning and Comments of the Chair: Ms. Oberdorfer referred to the Strategic Planning document, which was created by Ms. Miller, Ms. Oberdorfer and Ms. Myers. Ms. Oberdorfer complimented Ms. Myers on her great skills and reminded the Ethics Commission members of Ms. Myers' background. Ms. Schmitt expressed that she was impressed with the Strategic Plan and encouraged the Ethics Commission members to delve into the plan over time.

Succession Planning for OECO Office: Ms. Miller referred to her retirement letter and reminded the Ethics Commission members that they are responsible for hiring the Executive Director for the OECO Office and that the Ethics Commission recommendation must go to City Council for their confirmation. The Ethics Commission can conduct an external search with Ms. Moser's assistance or conduct an internal search and interview Ms. Oberdorfer. Ms. Miller has been working on getting the Ethics Office budget increased for the addition of another lawyer. Ms. Schmitt suggested forming an Ad Hoc Nominating Committee to interview Ms. Oberdorfer and send their recommendation back

to the Ethics Commission. Ms. Schmitt appointed the following Ethics Commission members to the Ad Hoc Nominating Committee: Ms. Dixon, Ms. Galnor and Mr. Rogan. Council Member Carlucci made a statement supporting the hiring of Ms. Oberdorfer. Mr. Rogan stated that there are potentially more succession planning options that Ms. Moser can assist the Ethics Commission with. Ms. Miller clarified that there are more succession planning options the Ethics Commission can choose which can be discussed by the Ad Hoc Nominating Committee.

2021 Committee Assignments and Updates: Ms. Schmitt referred to the 2021 Committee assignments document as a point of information.

Ethics Commission Annual Report: Ms. Oberdorfer reported that the 2020 Ethics Commission Annual Report was filed today with City Council.

Update Regarding Ethics Related State Legislation: Ms. Oberdorfer notified the Ethics Commission members of several ethics related bills that are currently in the Senate and the House. Ms. Oberdorfer and Ms. Homrighouse will continue to monitor the Senate and House bills.

Filing of Form 1 Limited Financial Disclosure Statement: Ms. Oberdorfer reminded the Ethics Commission members to file their Form 1 Limited Financial Disclosure Statement.

Old Business:

Review of Potential Legislation Regarding Travel and Gifts: Ms. Miller requested that this item be deferred until the next Ethics Commission meeting. The Chair deferred the issue.

New Business (continued):

Ordinance 2020-705 Sponsored by Council Member Dennis: Council Member Dennis summarized Ordinance 2020-705 which amends Part 8 (Lobbying), Chapter 602 (Jacksonville Ethics Code), *Ordinance Code*, to apply to political consultants as well as lobbyists. Mr. Rogan had specific questions for Council Member Dennis. Mr. Rogan will email those questions directly to Council Member Dennis. Ms. Miller suggested having the Council Secretary keep the records instead of the Ethics Commission which is how the change in Ordinance 2020-705 is written currently. Ms. Love agreed with Ms. Miller's suggestion to refer this item to the Legislative Committee. Council Member Dennis requested to be notified when the Legislative Committee meets.

Public Comment:

Ms. Schmitt requested public comment. John Nooney and Stanley Scott provided public comment.

Announcements: Ms. Miller thanked Dr. Cheryl Brown, Steve Cassada and Yvonne Mitchell for their technical help prior to and during the Ethics Commission meeting. Ms. Homrighouse will coordinate the scheduling of the Ad Hoc Nominating Committee meeting and the Legislative Committee meeting.

Adjourn: There being no further business to discuss, the meeting was adjourned at 5:32 p.m.

Sandy Homrighouse

5.10.21

Sandy Homrighouse, Executive Assistant, OECO

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> .

**ETHICS COMPLIANCE AND OVERSIGHT OFFICE
CITY OF JACKSONVILLE**



CARLA MILLER

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ETHICS@COJ.NET

March 26, 2021

Dear Ethics Commission Members,

After 24 years of working on the City of Jacksonville's ethics initiatives and being the first Director of the program, I believe it is time to pass the baton. Over the past decades, with the support of the Commission, the Ethics Office has become an independent office and I believe has gained the trust of our citizens, employees and elected officials.

I will be stepping down as Director of the Ethics Office as of October 1, 2021. I will remain available as a part time employee to assist in the transition.

I have anticipated this time for years. It is one thing to build a program and another to make it strong enough to survive into the future. I wanted the program to be stable and to have people trained to take over and expand the office even further. We have that team in place.

It is the Commission's duty under the Charter to choose the new Ethics Director. In my opinion, Kirby Oberdorfer is the best candidate in the United States for this position and I highly recommend her to be my replacement. Kirby has trained with me for five years to learn the many intricacies of the position. More importantly, as a former member and Chair of the Ethics Commission, she has the passion to continue the work of the office. She has been involved with the program since 2007, when she was appointed to the Ethics Commission by the Chief Judge. Kirby has completed a leadership training program at Harvard (2020) and is a Certified Ethics Professional (Ethics and Compliance Institute—ECI). She has worked by my side at the City since 2015 and understands the people and processes involved with the Ethics Office. Kirby graduated from Mercer law school, participating in Law Review and Moot Court and was in the top 10% of her class. Her work in the past few years reviewing conflicts of interest of City employees and officials is recognized as excellent by the Office of General Counsel and by the State Ethics Commission. Most importantly, she has the heart to continue the mission as she passionately believes in the necessity of a strong ethical culture in order for government to survive and thrive.

I will work with the Commission over the next several months on the budget for the office and the transition. I will always help the Ethics Office and Ethics Commission. It has been an honor to serve in this position and I thank you for your support and help over the years. The success of the office could not have been achieved without the work of many dedicated Commissioners over the years. I consider you all my family and entrust the future of the Ethics program to this Commission and to future Commissions.

All the best,

A handwritten signature in cursive script that reads "Carla Miller".

Carla Miller

