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ETHICS COMMISSION

COMPLAINTS AND REFERRALS COMMITTEE MEETING MINUTES

WEDNESDAY, MARCH 26, 2025

CITY HALL, SECOND FLOOR, CONFERENCE ROOM C

The meeting was called to order at 4:05 p.m. by Mr. Maule. Committee attendees: Chair William Maule, Robyn Blank, Sean Mulholland and Leah Palestrant.

Others in attendance: Kirby Oberdorfer, Director of the Office of Ethics, Compliance and Oversight (OECO); Sandy Homrighouse, Executive Assistant (OECO); and Dylan Reingold, Office of General Counsel (OGC).

Public In Attendance: None

Confirmation of Quorum:

Mr. Maule confirmed the quorum.

New Business:

Consideration of Changes to Complaint Procedures and Forms:

Ms. Oberdorfer referred to the document titled "Proposed Changes to Ethics Commission Complaint Procedures."

Following a discussion by the Complaints and Referrals Committee and staff, below is a summary of the proposed changes to the Complaint Procedures:

- (a) In Rule 5(d), change the method required for delivering a Complaint or Referral to the Respondent. Changed provision that authorized delivery of Complaint or Referral only through hand delivery or certified mail to allow delivery through the method requested by the Respondent. Eliminate requirement that the Respondent submit a written request to the Ethics Office for delivery of a Complaint or Referral by means other than hand delivery or certified mail. Delete "by certified mail" language in Rule 5(d).

Add a provision to require delivery of sworn amendments to the Complaint to the Respondent in the same manner that the Complaint or Referral was served.

Authorize the Ethics Office to select a method of delivery for a Complaint or Referral to the Respondent in the event the Respondent does not specify a delivery method or the Ethics Office is unable to confirm the delivery method with the Respondent.

- (b) In the second paragraph of Rule 6(a), insert after the first sentence a new sentence reading: “If the Ethics Director, with approval of the Chair of the Complaints and Referrals Committee, returns a Complaint under this subsection (a), service to the Respondent as outlined in Rule 5(d) above is not required; however, the Ethics Director shall inform the Complaints and Referrals Committee of the decision to return the Complaint.”
- (c) Add an additional paragraph at the end of Rule 15(a), to read: “If the Complaints and Referrals Committee or the Commission dismisses a Complaint or Referral under subsections (1) or (2) above, the Commission shall issue a public report stating with particularity its reasons for the dismissal per section 602.934 of the Code. The Ethics Director shall notify the Complainant that submitted the Complaint or the agency that submitted the referral and the Respondent that no investigation or additional action will be taken by the Commission based on the reasons as applicable.”

Ms. Blank made a motion to recommend to the Ethics Commission changes to the Complaint Procedures as amended at the meeting in accordance with the requirements in Rule 1(d). Ms. Palestrant seconded the motion. No public participation was provided. With no further discussion, the motion passed with a vote of 4-0.

Following a discussion by the Complaints and Referrals Committee and staff, below is a summary of the proposed changes to the existing City Complaint Forms:

- a. Change box on page 2 of current Ethics Commission Complaint Form to strike first two bullet points and replace with language in section three of the Florida Commission on Ethics Complaint Form;
- b. Keep language in “Alleged Violations” section of the current Ethics Commission Complaint Form until sentence beginning “Complaint must allege...” Strike this sentence and remainder of language and adopt language in section three of the Florida Commission on Ethics Complaint Form. This language will be moved to the “Instruction and Procedures” section at the top of the revised Ethics Commission Complaint Form;

- c. Revise oath in current Ethics Commission Complaint Form to update with recent changes in the law, including online notary;
- d. For consistency, use ethics@coj.net address throughout the Ethics Commission Complaint Form;
- e. Revise language in section 3 of the current Ethics Commission Complaint Form, currently titled as “Alleged Violation(s)”, using the language from section three of the Florida Commission on Ethics Complaint Form (“Statement of Facts” section);
- f. Use language from note on Miami Dade Complaint Form about the jurisdiction of Ethics Commission;
- g. Incorporate the check boxes in the “Allegations” from the Miami Dade Complaint Form into section 3 of the revised Ethics Commission Complaint Form;
- h. Strike “Alleged Violation” title on current Ethics Commission Complaint Form and replace with “Statement of Facts” title;
- i. Add link to Chapter 602, Ethics Code, to revised Ethics Commission Complaint Form;
- j. In “Background” section of current Ethics Commission Complaint Form, delete ellipsis and insert “and to” to add original language back.

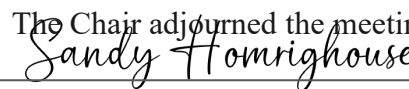
Mr. Mulholland made a motion to recommend to the Ethics Commission that the changes be made to the Complaint Form. Ms. Palestrant seconded the motion. No public participation was provided. With no further discussion, the motion passed with a vote of 4-0.

Ms. Oberdorfer stated Ms. Myers will update the Complaint Form. An Ethics Commission meeting will be held soon to consider the changes to the Complaint Procedures and Complaint Form recommended by the Complaints Committee.

Public Comment: Mr. Maule asked for public comment. None was given.

Announcements: Ms. Oberdorfer and Mr. Reingold will sit on a panel for a Florida Bar CLE. Mr. Maule asked a link be sent to the Ethics Commission.

The Chair adjourned the meeting at 5:05 p.m.


Sandy Homrighouse, Executive Assistant, OECO

5/13/2025

Date Approved

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>.