

# CITY OF JACKSONVILLE

ELLEN SCHMITT  
CHAIR



DARCY GALNOR  
VICE CHAIR

CARLTON DEVOOGHT  
J.J. DIXON  
ERICH FREIBERGER

LATONYA LIPSCOMB SMITH  
MARY BLAND LOVE  
JUDGE LINDA MCCALLUM

## ETHICS COMMISSION

### Ethics Commission Annual Report 2021

In accordance with the Jacksonville Ordinance Code, the Jacksonville Ethics Commission submits its Annual Report for calendar year 2021. 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 2021, the Ethics Commission was comprised of the following ten (10) members.

MEMBER NAME	POSITION	APPOINTING ORGANIZATION
1. Imani A. Boykin	Member & Legislative Chair	Ethics Commission
2. Carlton DeVooght	Member & Internal Operations Chair	Mayor
3. J. J. Dixon	Member & Open Government Chair	Sheriff
4. Dr. Erich Freiberger	Member	City Council President
5. Darcy Galnor	Member, Ethics Commission Vice Chair & Complaints Chair	State Attorney
6. LaTonya Lipscomb Smith	Member	Ethics Commission
7. Mary Bland Love	Member	Public Defender
8. Linda F. McCallum (began 7/21/21)	Member	Chief Judge
9. Joseph Rogan (resigned 6/21/21)	Member	Chief Judge
10. Ellen Schmitt	Member & Ethics Commission Chair	Ethics Commission

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In addition to the Ethics Commission, the members also served on one or more of the Ethics Commission's standing committees: (1) Complaints; (2) Internal Operations; (3) Legislative; and (4) Open Government and/or the ad hoc Nominating Committee. 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 (retired as of October 1, 2021); (2) Kirby Oberdorfer, Deputy Director/Director, Office of Ethics, Compliance and Oversight (Director as of October 1, 2021); (3) Sandy Homrighouse, Executive Assistant, Office of Ethics, Compliance and Oversight; and (4) Cherry Shaw Pollock, Assistant General Counsel, Office of General Counsel.

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

During 2021, the Ethics Commission met as a body during six (6) separate meetings to address various issues raised before the Commission. Additionally, the respective committees held a total of seven (7) meetings to complete assigned tasks.

The notices, agendas, minutes and audio recordings of the Ethics Commission and committee public 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 2021 work in the following areas.

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

The Ethics Commission received ten (10) complaints in 2021 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 Complaints Committee met in four (4) 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 twelve (12) complaints. Seven (7) cases were dismissed under Rule 6 of the Ethics Commission Complaint Procedures, due to legal insufficiency. Three (3) cases were dismissed pursuant to Rule 17(a)(1) of the Complaint Procedures upon a finding that the public interest would not be served with the prosecution of the complaint. Two (2) cases were disposed of under Rule 9 upon a finding of no violation of the Ethics Code. Ten (10) complaints remained pending at the conclusion of 2021.

2. Recommendations to City Council for Changes in Legislation Relating to Jacksonville Ethics Code Section 602.413

At the request of Council Member Diamond, the Ethics Commission reviewed and recommended changes to proposed Ordinance 2021-761 relating to funding of non-profit organizations that employ City Council Members. The City Council approved Ordinance 2021-761-E on November 23, 2021 incorporating these changes, and the Mayor signed the Ordinance into law.

3. Hiring of New Executive Director of the Office of Ethics, Compliance and Oversight

Following the retirement announcement of Carla Miller, the longtime Executive Director of the Ethics Office, the Ethics Commission initiated a hiring process for a new Executive Director for the Ethics Office. An Ad Hoc Nominating Committee developed a job specification and interview questions for the Executive Director candidate. At its meeting on June 1, 2021, the Ethics Commission approved the hiring and appointment of Kirby G. Oberdorfer as the Director of the Office of Ethics, Compliance and Oversight effective October 1, 2021. The City Council confirmed Ms. Oberdorfer's appointment in Resolution 2021-359-A on July 27, 2021.

4. Reappointments of Ethics Commission Members

Pursuant to Jacksonville Ordinance Code section 602.912, the Ethics Commission appoints three of its nine members. The Ethics Commission reappointed Ms. Smith for a second full term expiring December 31, 2024. Ms. Smith was confirmed by City Council for a second full term in January 2022.

## ATTACHMENT

### Ethics Commission 2021 Committee Assignments

#### **Complaints**

1. Darcy Galnor CHAIR
2. J. J. Dixon
3. LaTonya Lipscomb Smith
4. Joseph Rogan/Linda McCallum

#### **Internal Operations**

1. Carlton DeVooght CHAIR
2. Mary Bland Love
3. Erich Freiberger
4. Joseph Rogan/Linda McCallum

#### **Legislative**

1. Imani Boykin CHAIR
2. LaTonya Lipscomb Smith
3. Carlton DeVooght
4. Erich Freiberger

#### **Open Government**

1. J.J. Dixon CHAIR
2. Imani Boykin
3. Mary Bland Love
4. Darcy Galnor

#### **Ad Hoc Nominating**

1. J.J. Dixon CHAIR
2. Darcy Galnor
3. LaTonya Lipscomb Smith
4. Joseph Rogan