

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 2022

In accordance with the Jacksonville Ordinance Code, the Jacksonville Ethics Commission submits its Annual Report for calendar year 2022. 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 2022, the Ethics Commission was comprised of the following nine (9) members.

MEMBER NAME	POSITION	APPOINTING ORGANIZATION
1. Imani A. Boykin (resigned 4-30-22)	Member	Ethics Commission
2. Carlton DeVooght	Member	Mayor
3. J. J. Dixon	Member & Open Government Chair	Sheriff
4. Dr. Erich Freiberger	Member	City Council President
5. Darcy Galnor	Member, Commission Vice Chair & Complaints Chair	State Attorney
6. LaTonya Lipscomb Smith	Member	Ethics Commission
7. Mary Bland Love	Member & Internal Operations Chair	Public Defender
8. Linda F. McCallum	Member & Chair of Legislative and Nominating Committees	Chief Judge
9. Ellen Schmitt	Member & 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 committees: (1) Complaints; (2) Internal Operations; (3) Legislative; (4) Open Government and (5) Nominating (ad hoc committee). Please see the attached list of specific committee assignments.

In accordance with the Charter, the Ethics Commission regularly was supported by the following City employees: (1) Kirby Oberdorfer, Executive Director, Office of Ethics, Compliance and Oversight ("Ethics Office"); (2) Sandy Homrighouse, Executive Assistant, Ethics Office; (3) Paige Johnston, Ethics Attorney, Ethics Office; (4) Carla Miller, Senior Advisor, Ethics Office; (5) Andrea Myers, Program and Training Manager, Ethics Office; and (6) Cherry Shaw Pollock, Assistant General Counsel, Office of General Counsel.

II. Summary of Ethics Commission and Committee Meetings

During 2022, the Ethics Commission met as a body during five (5) separate meetings to address various issues raised before the Commission. Additionally, the respective committees held a total of eight (8) 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 2022 work in the following areas.

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

The Ethics Commission received five (5) complaints in 2022 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 fourteen (14) complaints. Three (3) cases were dismissed under Rule 6 of the Ethics Commission Complaint Procedures, due to legal insufficiency or failure to allege a claim under the Ethics Code. Eleven (11) 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. One (1) complaint remained pending at the conclusion of 2022.

The Ethics Commission considered a complaint against a former City of Jacksonville employee regarding working for a law firm that had been previously awarded contracts by the City of Jacksonville. The Complaints Committee recommended to self-initiate to the Ethics Commission. The Ethics Commission appointed Special Counsel to conduct a preliminary investigation and gather necessary information to consider whether to recommend a self-initiated complaint. As a result of the investigation and questioning of various City employees, the Ethics Commission dismissed the case as not in the public interest to proceed further due to insufficient evidence to substantiate a finding of an Ethics Code violation.

The Ethics Commission also considered a complaint against a City of Jacksonville employee alleging a failure to file a secondary employment form. The Complaints Committee recommended to self-initiate to the Ethics Commission. As a result of additional information obtained during its proceedings, including information presented by the City employee, the Ethics Commission dismissed the case as not in the public interest to proceed further due to insufficient evidence to substantiate a finding of an Ethics Code violation.

2. Establishing a Standard for Remote Attendance by Members at Commission Meetings

The Internal Operations Committee met regarding proposed changes to the Internal Operating Procedures regarding establishing a standard for remote attendance and participation by Ethics Commission members at meetings. The Ethics Commission approved the proposed changes to the Internal Operating Procedures.

3. Appointment/ Reappointment of Ethics Commission Members

Chief Judge Mahon reappointed Judge McCallum for a first full-term expiring December 31, 2025. Judge McCallum was confirmed by City Council for a first full-term in November 2022.

Additionally, Fourth Judicial Circuit Public Defender Cofer appointed William Maule for a first full-term expiring December 31, 2025 to replace Mary Bland Love, whose second term ended December 2022. Mr. Maule was confirmed by City Council for a first full term in November 2022.

The Nominating Committee solicited applications, interviewed applicants, and recommended that the Ethics Commission appoint Scott Simpson for the vacancy on the Ethics Commission due to the resignation of Imani Boykin. The Ethics Commission appointed Mr. Simpson in early 2023 and he was confirmed by the City Council on February 28, 2023.

ATTACHMENT

Ethics Commission 2022 Committee Assignments

Complaints

1. Darcy Galnor CHAIR
2. J. J. Dixon
3. Mary Bland Love
4. Erich Freiberger

Internal Operations

1. Mary Bland Love CHAIR
2. LaTonya Lipscomb Smith
3. Linda McCallum

Legislative

1. Linda McCallum CHAIR
2. Erich Freiberger
3. Darcy Galnor

Open Government

1. J.J. Dixon CHAIR
2. Ellen Schmitt
3. LaTonya Lipscomb Smith

Ad Hoc Nominating

1. Linda McCallum CHAIR
2. Darcy Galnor
3. Ellen Schmitt