

**CITY OF JACKSONVILLE**



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**ETHICS COMMISSION  
MEETING MINUTES**

Wednesday, November 6, 2019  
Don Davis Room  
City Hall – First Floor

The meeting was called to order by Joseph Rogan, Chair of the Ethics Commission, at 5:02 p.m. A quorum was present.

Commission Attendees: Joseph Rogan, J.J. Dixon, Imani A. Boykin, LaTonya Lipscomb Smith, Dr. George Candler, Mary Bland Love, Ellen Schmitt and Darcy Galnor. Excused Absence: Carlton DeVooght. 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.

Public in Attendance:

Inspector General Lisa Green, Inspector General Investigator Derronne Nins and Andrea Myers, Training Coordinator, OECO.

The meeting began with Mr. Rogan leading the attendees in the Pledge of Allegiance and Ms. Miller shared the Ethics Thought.

Minutes Approval:

October 7, 2019 Ethics Commission Meeting minutes: Dr. Candler made a motion to approve the minutes. Ms. Lipscomb Smith 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 stated that the OECO staff will conduct ethics training for Public Works department employees next Tuesday and Wednesday. Ethics Commission members are welcome to attend. OECO staff also will provide a presentation regarding transparency to dignitaries from Poland through a Global Jax program. In response to a request from Mr. Rogan for additional information regarding the Public Works ethics training, Ms. Miller responded that OECO staff prepared a special ethics manual for high risk employees in the Public Works department. OECO staff also prepared a risk analysis to identify the high risk employees that should receive the ethics training.

OGC: Ms. Pollock did not have a report for OGC.

Complaints Committee Report:

Complaints Committee: Ms. Schmitt reported the Complaints Committee met on November 6, 2019. Three cases

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were dismissed, two with letters of instruction issued under Ethics Commission Complaint Procedures Rule 17. One case is pending and one case was referred to the Inspector General's office.

#### Old Business:

JEA Update: Mr. Rogan commended and thanked Inspector General Lisa Green and Ms. Miller for their work on the potential JEA sale. He then asked Ms. Miller to update the Ethics Commission regarding this issue. Ms. Miller has many reflections from the last month as a result of her attendance at numerous JEA potential sale meetings. She is documenting the meetings related to the JEA potential sale, and advised that progress has been made on the ethics issues. Ms. Miller further advised that she would like to share additional information and a chronology she developed with the Ethics Commission to apprise them of the ethics overlays such as ethics, transparency and Sunshine Law related issues. She first consulted General Counsel Jason Gabriel about whether there are any legal restrictions on updates she will provide to the Ethics Commission members regarding the potential JEA sale. Ms. Miller would like to get any legal restrictions in writing. Ms. Love commended Inspector General Green and Ms. Miller for their work on the JEA matter and expressed her appreciation of the Ethics Commission's support for Ms. Green and Ms. Miller.

Discussion of Legislation Regarding Changes to Sections 602.401 and 602.411: Ms. Miller provided a status update on this legislation. Ms. Pollock noted the legislation was filed on November 5, 2019 and will be introduced in City Council on November 12, 2019. Ms. Miller advised that the administration is not in support of this legislation. Mr. Rogan thanked Ms. Pollock and Ms. Oberdorfer for their work preparing and filing the legislation.

#### New Business:

Inspector General Lisa Green—Report of Investigation 2018-0012WB: Mr. Rogan recognized Inspector General Green and invited her to address the Ethics Commission. Inspector General Green discussed the IG's Report of Investigation 2018-0012WB related to misconduct within the Jacksonville Housing Authority and potential legislative recommendations in response to same. Inspector General Green advised that there is no provision in the Jacksonville Ethics Code that addresses "conduct unbecoming" and encouraged the Ethics Commission to support adopting a standard for "conduct unbecoming" in the Ethics Code similar to that in the Florida Administrative Code. She summarized the findings in the Report of Investigation 2018-0012WB and highlighted the concern about a supervisor's approval of salary and promotion for an employee that is having a relationship with the supervisor and is in the supervisor's chain of command. Inspector General Green then noted a discrepancy between rules regulating Civil Service employees that address "conduct unbecoming" and the rules for appointed officials and employees that do not include a "conduct unbecoming" standard. She also advised that the City of Jacksonville does not have a fraternization policy to regulate relationships between employees. The Ethics Commission then discussed this issue and whether to recommend changes to Ethics Code to address "conduct unbecoming." It was determined that Ms. Miller will speak with Employee Services Director Diane Moser regarding changes to the appointed officials and employees rules/pay plan to address the discrepancy noted by Inspector General Green. Mr. Rogan referred this matter to the Ethics Commission Legislative Committee to review. Ms. Pollock agreed to discuss this matter with General Counsel Gabriel and the OGC Jacksonville Housing Authority attorney for guidance on where and how to best address this issue.

2020 Strategic Planning and Legislative Priorities: Mr. Rogan referred to the document titled "Summary of Ethics Commission Committee Potential Work," a list of pending items and referrals. Mr. Rogan asked the Ethics Commission members to review the list at their leisure. Mr. Rogan requested that the committees meet and determine priorities for next year and examine the items on the "Summary of Ethics Commission Committee Potential Work." Mr. Rogan thanked the OECO staff for compiling the list.

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2020 Committee Preferences: Mr. Rogan requested the Ethics Commission members email Ms. Oberdorfer in the next thirty (30) days with their preference rankings of all four standing committees and committee leadership roles for 2020. In December, Mr. Rogan will set appointments so committees can meet in January.

Schedule of Ethics Commission Meetings and Confirmation of Details for Holiday Gathering: Mr. Rogan confirmed the holiday dinner is December 18 at Blue Bamboo, 5:30 p.m. to 6:00 p.m. for drinks with dinner beginning between 6:00 p.m. to 6:30 p.m.

The next Ethics Commission meeting is scheduled for January 22, 2020, at 5:00 p.m.

Public Comment:

Mr. Rogan requested public comment, but none was provided.

Announcements:

Mr. Rogan requested announcements, but none were provided.

Adjourn: There being no further business to discuss, the meeting was adjourned at 6:07 p.m.

*Sandy Homrighouse*

January 22, 2020

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Sandy Homrighouse, Executive Assistant, OECO

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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> .