

# CITY OF JACKSONVILLE

ELLEN SCHMITT  
*CHAIR*

J.J. DIXON  
*VICE CHAIR*

ERICH FREIBERGER  
DARCY GALNOR  
SUNNY GETTINGER  
LATONYA LIPSCOMB SMITH



WILLIAM MAULE  
JUDGE LINDA MCCALLUM  
SCOTT SIMPSON

## ETHICS COMMISSION SPECIAL MEETING MINUTES

City Hall, First Floor, Lynwood Roberts Room  
Monday, December 18, 2023

The meeting was called to order at 4:34 p.m. by Ms. Schmitt. Ethics Commission attendees: Chair Ellen Schmitt, J.J. Dixon, Erich Freiberger via phone, LaTonya Lipscomb Smith, William Maule, Linda McCallum, Scott Simpson via phone, and Sunny Gettinger. Excused absence: Darcy Galnor

Others in attendance: Kirby Oberdorfer, Director of the Office of Ethics, Compliance and Oversight (OECO); Paige Johnston, Ethics Attorney (OECO); Sandy Homrighouse, Executive Assistant (OECO); Carla Miller, Senior Ethics Advisor (OECO); Andrea Myers, Program and Training Manager (OECO); and Cherry Shaw Pollock, Office of General Counsel (OGC).

Public In Attendance: John Nooney, Robyn Blank, Diane Moser, Leah Palestrant, and Eunice Barnam.

### Confirmation of Quorum:

Ms. Schmitt introduced Ms. Gettinger, Ms. Blank and Ms. Palestrant as the newest appointees to the Ethics Commission. Ms. Gettinger is attending her first meeting as a member and Ms. Blank and Ms. Palestrant's terms will take effect January 1, 2024.

Six (6) Ethics Commission members were present in-person and a quorum for the meeting was established. The Ethics Commission members and staff introduced themselves for the record.

Mr. Simpson requested to attend the meeting telephonically due to extraordinary circumstances preventing him from attending the meeting in person. Ms. Schmitt stated the Ethics Commission needs to determine whether Mr. Simpson's inability to attend the meeting in person constitutes an extraordinary circumstance. Mr. Simpson explained his reason for being unable to attend the meeting in person due to having COVID-19. Judge McCallum made a motion that Mr. Simpson be able to attend the meeting telephonically due to his extraordinary circumstances. Ms. Lipscomb Smith seconded the motion. With no further discussion, the vote was 6-0 in favor (vote by Ethics Commission members physically present in the room).

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Dr. Freiburger requested to attend the meeting telephonically due to extraordinary circumstances preventing him from attending the meeting in person. Ms. Schmitt stated the Ethics Commission needs to determine whether Dr. Freiburger's inability to attend the meeting in person constitutes an extraordinary circumstance. Dr. Freiburger explained his reason for being unable to attend the meeting in person due to being out of town on a previously scheduled trip that was planned long before the Ethics Commission scheduled its special meeting. Judge McCallum made a motion that Dr. Freiburger be able to attend the meeting telephonically due to his extraordinary circumstances. Ms. Lipscomb Smith seconded the motion. With no further discussion, the vote was 7-0 in favor (vote by Ethics Commission members physically present in the room and Mr. Simpson via phone).

New Business:

Discussion to address a potential increase in compensation for the Ethics Director: Ms. Schmitt noted that Ms. Oberdorfer has not had a merit increase since being named Director and Ms. Schmitt would like the Ethics Commission's support in recommending a merit increase for Ms. Oberdorfer. At the last Ethics Commission meeting in October, a motion was approved by the Commission to authorize the Chair to explore the process for the Ethics Commission to increase compensation for the Ethics Director. Ms. Schmitt referred to material distributed by the Ethics Office which was circulated prior to the meeting. The material included research by Ms. Johnston summarizing salary information for Ms. Oberdorfer, Ethics Office employees, other City appointed officials and the relevant provisions of the City Charter and Ordinance Code relating to the Ethics Commission duties with respect to the compensation of the Director and staff of the Ethics Office, as requested by members of the Ethics Commission. Ms. Schmitt stated she has had several conversations with Ms. Moser, Director of Employee Services, in which she shared the information in the material and discussed the process to approve a merit increase for Ms. Oberdorfer. Based on these conversations, the Chair recommended increasing Ms. Oberdorfer's salary to \$178,000 retroactive to December 2, 2023.

A robust discussion of the Ethics Commission occurred wherein the members discussed and asked questions of Ms. Moser, Ms. Johnston and Ms. Oberdorfer regarding the materials provided and the process for a merit increase was outlined. A draft resolution that Ms. Schmitt previously asked Ms. Johnston to prepare was handed out which proposed 1) a merit increase to Ms. Oberdorfer's salary to \$178,000; and 2) an aspirational goal of annually reviewing the compensation of the Executive Director and recommendations by the Executive Director as to staff compensation in the spring so that any recommendations could be included timely in the Ethics Commission budget within the annual budget.

Judge McCallum made a motion to increase Ms. Oberdorfer's salary to \$178,000 retroactive to December 2, 2023, and delete item #3 (recommendation 2 above) on the resolution. Ms. Lipscomb Smith seconded the motion. A discussion occurred. Ms. Schmitt asked for public comment on the motion. Mr. Nooney and Ms. Barnum provided public comment. With no further discussion, the

vote was 8-0 in favor (vote by Ethics Commission members physically present in the room and Mr. Simpson and Dr. Freiburger via phone).

Ms. Schmitt expressed her thanks to Ms. Johnston and Ms. Moser for their assistance in the process.

Public Comment:

Ms. Schmitt requested public comment. Mr. Nooney and Ms. Barnum provided public comment.

Announcements:

Ms. Schmitt expressed her thanks to Ms. Galnor for her service on the Ethics Commission. Ms. Oberdorfer recognized Dr. Freiburger, the incoming Vice-Chair, who was recently confirmed by the City Council for his reappointment to the Ethics Commission. Ms. Oberdorfer also expressed her thanks to Ms. Schmitt for her service on the Ethics Commission and the Ethics Office staff for their work. Ms. Oberdorfer stated the Ethics Office team recently trained the Chairs and Vice-Chairs of the 6 CPAC boards for the City on December 13. The training was successful and very interactive, per the feedback from the CPAC Chairs and Vice-Chairs on the surveys.

Mr. Maule asked that at the next meeting, the topic of community outreach and education be on the agenda.

The Chair adjourned the meeting at 5:36 p.m.

*Sandy Homrighouse*

5-13-24

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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>.