

CITY OF JACKSONVILLE

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LEAH PALESTRANT
SCOTT SIMPSON

ETHICS COMMISSION MEETING MINUTES

City Hall, Second Floor, Conference Room C
Monday, June 17, 2024

The meeting was called to order at 4:30 p.m. by Ms. Dixon. Ethics Commission attendees: Chair J.J. Dixon, Erich Freiburger, William Maule, Linda McCallum, Leah Palestrant (arrived at 4:38 p.m.), Scott Simpson, Sunny Gettinger, Robyn Blank, and LaTonya Lipscomb Smith (arrived at 4:38 p.m.).

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); and Dylan Reingold, Office of General Counsel (OGC).

Public In Attendance: None

The Ethics Commission members introduced themselves to Mr. Reingold. Mr. Reingold introduced himself and provided his background.

Ms. Oberdorfer stated there was a problem with the microphones at the May 13 Ethics Commission meeting and Executive Session Shade meeting. The meeting was recorded but a technical issue resulted in no sound for the recording. The Office of General Counsel was informed, and a note was prepared for the meeting file. New procedures have been put in place, so this does not happen again.

Confirmation of Quorum:

Ms. Dixon confirmed quorum.

Minutes Approval:

May 13, 2024, Ethics Commission Meeting: Ms. Oberdorfer stated there are two minor amendments to the minutes: (1) added a reference that OGC has reviewed and offered comment to the Chapter 602 legislation prepared by the Ethics Office, and (2) clarified that the Commission was presented with the Chapter 602 legislative changes on March 14 but did not approve the changes until the May 13 meeting. Dr. Freiburger made a motion for approval of minutes with changes. Mr. Maule seconded the motion. With no discussion, the motion passed by 9-0 in favor.

Reports:

ECO Office Report: Ms. Oberdorfer stated the office is very busy with trainings and invited the Ethics Commission members to a four-hour City Council training on June 24. The Ethics Commission members have received an invitation for City Council installation on June 20. The Office also has been busy with conflicts of interest, secondary employment and reviewing board appointees. In addition, the office provided training to JHA and Ms. Oberdorfer also presented at the Records Management Association seminar panel on Florida public records law and discussion of the JEA matter. Ms. Oberdorfer is working on next fiscal year's budget and will present it to the Mayor's Budget Review Committee on Friday. Ms. Dixon asked if reviewing board appointees was a new function of OECO. Ms. Oberdorfer replied in the affirmative.

Office of General Counsel Report: Mr. Reingold will assist the Ethics Office in their training on June 24 and recently presented to the Florida Association of Public Procurement Officers. Mr. Reingold has been working with the Ethics Office a great deal since he started his new position.

Complaints Committee Report: Dr. Freiberger announced that there are eleven pending complaints. Ms. Oberdorfer stated the committee will meet soon. She mentioned that Senate Bill 7014 has been sent to the Governor for signature. Ms. Oberdorfer will keep the Ethics Commission updated on this matter. Questions were asked about existing complaints if Senate Bill 7014 is enacted? Ms. Oberdorfer stated that an opinion from OGC would need to be requested to provide guidance.

New Business:

Performance Appraisal for 2023: Ms. Dixon referred to Ms. Schmitt's appraisal of Ms. Oberdorfer. Dr. Freiberger noted Ms. Schmitt's comment regarding Ms. Oberdorfer's work/life balance and concurred. Ms. Dixon stated she appreciates the work of the office.

Reappointment of Ethics Director: Ms. Johnston referred to the Section 602.612 handout and explained that Ms. Oberdorfer's term as Executive Director expires in September 2024. Ms. Oberdorfer was appointed for a three-year term in 2021. Ms. Johnston summarized the appointment and reappointment process and said that the Ethics Commission has the option to reappoint Ms. Oberdorfer or interview other candidates. Ms. Johnston discussed a draft resolution for the Commission and draft legislation for Council that was sent to the Commission prior but addressed minor updates in the documents circulated at the meeting. Judge McCallum made a motion to adopt the resolution and reappoint Ms. Oberdorfer for a three-year term. Ms. Dixon asked if anyone would like to interview other candidates. Ms. Gettinger stated that would be ill advised. Mr. Maule seconded the motion. With no further discussion, the motion passed by 9-0 in favor. Mr. Reingold will work with Ms. Johnston to get the reappointment legislation and Commission resolution filed for Council approval. Ms. Dixon congratulated Ms. Oberdorfer.

Ethics Commission Annual Report: Ms. Oberdorfer referred to the annual report, which was sent to Ms. Schmitt, as the Chair of the Commission for 2023, for review. It will be filed with the City

Council by June 30. Ms. Schmitt reviewed the annual report and did make a small change for consistency purposes. Dr. Freiburger asked if the report belonged to the Ethics Commission or the Ethics Office. Ms. Oberdorfer replied that the annual report is typically prepared by the Ethics Office in conjunction with the Chair and does not need Commission approval, but the Commission is welcome to vote on it.

Ethics Office Budget FY 2024-2025: Ms. Oberdorfer referred to the proposed budget documents and provided a summary of the budget approval process. Ms. Oberdorfer stated that the proposed budget includes a request to increase the amount funded by the independent agencies and a 5% merit increase for staff due to the increase in workload and the assignment of additional duties as a result. Judge McCallum stated she recalls Ms. Oberdorfer going over the proposed budget last meeting. Ms. Oberdorfer stated there have been no changes since it was last reviewed by the Ethics Commission. Ms. Dixon asked if the OECO staff received COLA increase from collective bargaining. Ms. Oberdorfer stated that if a COLA is effectuated it would generally apply to everyone.

Appointment of Nominating Committee and Process for Upcoming Ethics Commission Vacancy: Ms. Oberdorfer stated Ms. Smith's term on the Ethics Commission expires at the end of 2024 and referred to the documents from last year's search. Ms. Dixon asked for volunteers for the Nominating Committee. The following members volunteered: Mr. Maule, Chair; Ms. Blank, Ms. Gettinger and Ms. Palestrant. Ms. Oberdorfer asked the Ethics Commission members to look over the distribution list and send any additions/changes her or Ms. Homrighouse. Judge McCallum stated the Ethics Commission made changes to the distribution list last year.

Filing of Form 1 Limited Financial Disclosure Statement:

The filing of Form 1 Limited Financial Disclosure Statements is due by July 1, 2024. Ms. Johnston talked about the deadline and reminded that all members of the Commission are required to file.

Public Comment:

Ms. Dixon noted there was no public in attendance.

Announcements:

Ms. Oberdorfer stated the Complaints Committee will meet soon. Ms. Dixon asked if the eleven pending complaints are eleven separate complaints. Ms. Oberdorfer stated yes.

The Chair adjourned the meeting at 5:29 p.m.

Sandy Homrighouse, Executive Assistant, OECO

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>.

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