

**CITY COMMISSION/ETHICS BOARD  
JOINT WORK SESSION MINUTES  
January 20, 2009**

The joint meeting of the Winter Park City Commission and the Ethics Board was called to order by Mayor David Strong at 2:00 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

Members present:

Mayor David Strong  
Commissioner Margie Bridges  
Commissioner Phil Anderson (arrived at 2:10)  
Commissioner Beth Dillaha

Also present:

City Manager Randy Knight  
City Attorney Trippe Cheek  
City Clerk Cynthia Bonham

Absent:

Commissioner Karen Diebel

Ethics Board members present:

Barry Greenstein (Chairman)  
Joni Myers  
Bill Walker  
Julie Zimmerman  
Thadeus Seymour  
Pitt Warner  
Mark van Valkenburgh, Board Attorney

1. Election Transparency/Electronic Campaign Recordkeeping

Ethics Board Chairman Greenstein addressed their prior meetings since the board was formed regarding campaign finance reform. He stated after these meetings it was the board's decision that they would only deal with electronic campaign finance disclosure. He stated following this presentation, they will begin dealing with sections of what they will recommend to the Commission regarding the Ethics Code which will somewhat parallel Jacksonville. He stated they will be asking for approval. He spoke about the work Ms. Zimmerman has done regarding electronic campaign recordkeeping and election transparency.

Julie Zimmerman provided a presentation regarding her research on transparency and electronic filing which she believed should be utilized by the City. She stated we are the only city currently looking at it. She walked through the website of the Public Disclosure Commission for the State of Washington and explained the software can be written to only include Winter Park candidates. She summarized what is on the site and what the City could use for our site if it is approved. She showed how you can sort by anything you wish because of it being an Access spreadsheet.

Mr. Walker clarified that this does not replace the report required by the state but that the information in this database could be attached to the signed report. The issue of

transparency was discussed as well as LLC's and corporate entities and how this proposed software would help with the issue of transparency of the LLC's.

The cost for this software was discussed. Ms. Zimmerman stated she did not believe there was a cost. She stated they are drafting a licensing agreement for the source code and a copy will be sent to the City very soon for the Ethics Board to review. IT Manager Rajaram explained the costs associated with this; i. e., a programmer and someone with extensive knowledge because of the intensity of the job and possibly the requirement of a permanent employee. Ms. Zimmerman stated this is a tool to be used and we do not have to use this exact one as there will be more cost effective tools available.

City Clerk Bonham suggested imposing a requirement that when candidates file their reports with her office that they also be required to provide a CD with an Excel spreadsheet with the information required by the state and other information as necessary to save resources and costs associated with this software.

Mr. Walker addressed the election report that is due the Friday before the election and concerns with the process of mailing the report so it does not arrive until Monday and is essentially unavailable to the public before the election. He believed using this software is a remedy to this since it is updated immediately and made available to the public.

Mayor Strong stated he was in favor of the board's recommendation if the cost is minimal. He addressed the concern with the last report not being provided in time for the election. He asked Attorney Cheek if the City has the ability to be more demanding than the State statute requires. Attorney Cheek responded to the concern. Mayor Strong stated that maybe the City can ask candidates to voluntarily submit their information in a timely manner for the final reporting period.

Attorney Cheek explained possible risks with the board adopting policies that conflict with State statutes. Mayor Strong asked if the City can require candidates to file their last report on the Friday before the election so the information is given to the public in a timely manner. Attorney Van Valkenburgh stated you can require that because the Florida Statute envisioned allowing municipalities to require electronic reporting. Mr. Walker explained that the format and costs will have to be worked out. He stated the concept of permitting electronic filing that would envision greater transparency and filing of reports in a timely manner would be helpful. He stated the program presented this evening does not have to be the one they use but wanted to be sure electronic filing was agreeable with the Commission. It was clarified that this would not take place of the copy the Clerk must receive with original signatures. There was no opposition and there was Commission support for more accurate, complete and timely information and the best way to accomplish this will be determined.

Ms. Myers made suggestions regarding LLC information that could be included on the form to be filed that would address transparency concerns. This prompted discussion.

Mayor Strong stated they were all supportive of what the board was seeking and it is now a question of the most efficient way to get this information out along with the associated cost. Ms. Dillaha agreed with Ms. Bonham's suggestion to try and keep the

cost down. Ms. Myers addressed the possibility of utilizing a volunteer from Rollins that could help with this and that cost should not be a deterrent.

Mr. Greenstein stated the board next wants to address the subject of conflicts of interest.

Mr. Walker asked for clarity of what the Commission specifically was wanting regarding LLC's and what is to be accomplished. Commissioner Dillaha stated the task force was created as a result of citizen's concerns about conflicts of interest and campaign finance reform. She stated she limited her contributions to \$250.00 per person and did not accept contributions from LLC's or corporations. She asked what was being done about this and addressed the need to explore this.

Mayor Strong stated that we may want to consider limiting one contribution per person. Commissioner Bridges addressed the concerns with the large amount of money it now takes to run a campaign in Winter Park. Mr. Greenstein stated they decided as the Board not to pursue that at this time but will revisit it if the Commission wishes. Mayor Strong stated he will agree with whatever the Board decides as he is relying on a diverse group of citizens to come to a good recommendation. Ms. Myers stated they understood that transparency was the largest concern and were in agreement with providing more transparency so they could see if there really was an issue that they need to further address. Commissioner Anderson agreed with Mayor Strong. Commissioner Dillaha stated she still wants to explore conflicts of interest and wanted to see an objective study of campaign contribution reform and how it can be achieved as well as the pros and cons of each.

The meeting adjourned at 2:56 p.m.



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Cynthia S. Bonham, City Clerk