

City of Jacksonville

117 W Duval St
Jacksonville, FL 32202



Meeting Minutes

Tuesday, October 15, 2019

2:00 PM

Council Chambers 1st Floor, City Hall

Rules Committee

Joyce Morgan, Chair - Excused Early Departure

Rory Diamond, Vice Chair

Michael Boylan

Matt Carlucci

Randy DeFoor

Brenda Priestly Jackson - Excused Early Departure

Sam Newby

Legislative Assistant: Jessica Smith

Legislative Supervisor: Crystal Shemwell

Deputy General Counsel: Peggy Sidman

Research Asst.: Colleen Hampsey

Administration: Rachel Lockhart

Council Auditor's Office: Trista Carraher

If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting, such person will need a record of the proceedings, and for such purposes, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Meeting Convened: 2:00 PM

Meeting Adjourned: 4:03 PM

NOTE: The next regular meeting will be held Tuesday, November 5, 2019.

- | Item/File No. | Title History |
|---------------|---|
| 1. | <p><u>2019-0667</u> RESO Conf Appt of William Gentry as a member of the Safety and Crime Reduction Commission for an initial term ending 6/30/20. (Distel)
 (Introduced by CP Wilson) (Co-Sponsored by CM Hazouri & Newby)
 9/10/2019 CO Introduced: R
 9/17/2019 R Read 2nd & Rerefer
 9/24/2019 CO Read 2nd & Rerefered;R
 10/15/2019 R Approve 7-0</p> <p>APPROVE 7-0</p> <p>Aye: 7 - Morgan, Diamond, Boylan, Carlucci, DeFoor, Priestly Jackson and Newby</p> |
| 2. | <p><u>2019-0672</u> RESO Conf Appt of Donna Webb as a member of the Safety and Crime Reduction Commission for an initial term ending 6/30/20. (Distel)
 (Introduced by CP Wilson)
 9/10/2019 CO Introduced: R
 9/17/2019 R Read 2nd & Rerefer
 9/24/2019 CO Read 2nd & Rerefered;R</p> <p>DEFER
 Appointee was not in attendance.</p> |
| 3. | <p><u>2019-0693</u> ORD-MC Regarding JEA; Amend Sec 21.07 (Fiscal & Budgetary Functions), Article 21 (JEA), City Charter, to create a New Subsection M to provide for a sharing of dividends to JEA customers based on JEA's change in net position. (Sidman)(Introduced by CM Dennis)
 9/24/2019 CO Introduced: TEU, F, R
 9/30/2019 TEU Read 2nd & Rerefer
 10/1/2019 F Read 2nd and Rerefer
 10/1/2019 R Read 2nd and Rerefer
 10/8/2019 CO PH Addnl Read 2nd and Rerefered;TEU,F,R
 Public Hearing Pursuant to Chapt 166, F.S.& to Sec. 21.11, City Charter & CR 3.601 – 10/8/19 & 11/12/19</p> <p>DEFER</p> |

4. [2019-0694](#) ORD Approp \$1,850,000.00 from Investment Pool Earnings within the Gen Fund/Gen Svc Dist to a designated Spec Council Contingency for possible Future Procurement of Spec Legislative Counsel for the City Council on issue of the JEA Recapitalization Event; Providing for a carryover of funds into FY 2019-2020; Request Emerg Passage upon Introduction. (Sidman) (Introduced by CM Dennis)
9/24/2019 CO Introduced: F,R
10/1/2019 F Read 2nd and Rerefer
10/1/2019 R Read 2nd and Rerefer
10/8/2019 CO PH Read 2nd and Rerefered;F,R
10/15/2019 F Approve 2-5 (Bowman, Salem, Freeman, Pittman, Cumber)
10/15/2019 R Amend/Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 10/8/19

AMEND/APPROVE 7-0

There was a lengthy discussion about this bill, which failed to be approved by the Finance Committee with a 2-5 vote. CM Dennis was in attendance to speak about the need for this appropriation, which will provide funds for independent legal counsel for City Council in the event of a JEA recapitalization event. CM Diamond said that the bill is premature and that council should wait until after a firm is selected to appropriate the funds. CM DeFoor said that it would be more prudent to do it in advance of firm selection. CP Wilson spoke in support of the bill, as did CM Newby. Noting that JEA has already secured multiple law firms and subject matter experts, CM Priestly Jackson was supportive as well. If the funds are not needed, they will be reallocated through legislation.

**Amendment:
Handout on file**

Aye: 7 - Morgan, Diamond, Boylan, Carlucci, DeFoor, Priestly Jackson and Newby

5. [2019-0698](#) ORD-MC Regarding Chapt 500 (Community Redev – Policies and Procedures), Amend Sec 500.112 (Redev Trust Funds), Ord Code, to update the code language based upon statutory changes made by FL Legislature in 2019. (Grandin) (Introduced by CM Freeman)
(Co-sponsored by CM Gaffney & Morgan)
9/24/2019 CO Introduced: NCSPHS, F, R
9/30/2019 NCSPHS Read 2nd and Rerefer
10/1/2019 F Read 2nd and Rerefer
10/1/2019 R Read 2nd and Rerefer
10/8/2019 CO PH Read 2nd and Rerefered;NCSPHS, F, R
10/14/2019 NCSPHS Amend/Approve 7-0
10/15/2019 F Amend/Approve 7-0
10/15/2019 R Amend/Approve 7-0
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 10/8/19

AMEND/APPROVE 7-0**AMENDMENT****Strike duplicate language on pg. 1, lines 30-31**

Aye: 7 - Morgan, Diamond, Boylan, Carlucci, DeFoor, Priestly Jackson and Newby

6. [2019-0704](#) RESO Conf Reappt of Theodore R. "T.R." Hainline, Jr. as Member & Chair of the Joint Planning Comm for a 7th Term ending 6/30/21. (Distel) (Introduced by CP Wilson)(Co-Sponsored by CM Hazouri & Ferraro)
9/24/2019 CO Introduced: R
10/1/2019 R Read 2nd and Rerefer
10/8/2019 CO Read 2nd and Rerefered;R
10/15/2019 R Approve 7-0

APPROVE 7-0

Aye: 7 - Morgan, Diamond, Boylan, Carlucci, DeFoor, Priestly Jackson and Newby

7. [2019-0705](#) RESO Conf Appt of Ian A. Brown, to the Planning Comm as Planning Dist 5 Rep, Replacing Ben Davis for 1st Full Term exp 9/30/22. (Sidman) (Req of Mayor)
9/24/2019 CO Introduced: R
10/1/2019 R Read 2nd and Rerefer
10/8/2019 CO Read 2nd and Rerefered;R
10/15/2019 R Approve 7-0

APPROVE 7-0

Aye: 7 - Morgan, Diamond, Boylan, Carlucci, DeFoor, Priestly Jackson and Newby

8. [2019-0706](#) RESO Conf Appt of David L. Robertson to the Constrn Trades Qualifying Bd as a Private Citizen Rep, Replacing Nancy Ingle, for 1st Full Term exp 9/30/22. (Sidman) (Req of Mayor)
9/24/2019 CO Introduced: R
10/1/2019 R Read 2nd and Rerefer
10/8/2019 CO Read 2nd and Rerefered;R
10/15/2019 R Approve 7-0

APPROVE 7-0

Aye: 7 - Morgan, Diamond, Boylan, Carlucci, DeFoor, Priestly Jackson and Newby

9. [2019-0707](#) RESO Conf Reappt of Christian Harden to the Downtown Dev Review Bd as a Contractor, Developer or Realtor Rep for a 2nd Full Term exp 6/30/21. (Sidman) (Req of Mayor)
9/24/2019 CO Introduced: R
10/1/2019 R Read 2nd and Rerefer
10/8/2019 CO Read 2nd and Rerefered;R
10/15/2019 R Approve 7-0

APPROVE 7-0

Aye: 7 - Morgan, Diamond, Boylan, Carlucci, DeFoor, Priestly Jackson and Newby

10. [2019-0708](#) RESO Conf Reappt of Brenna M Durden to the Downtown Development Review Board, as a Full Time Employee at a Business Located within the Downtown Area Rep for First Full Term to exp 6/30/21. (Sidman) (Req of Mayor)
9/24/2019 CO Introduced: R
10/1/2019 R Read 2nd and Rerefer
10/8/2019 CO Read 2nd and Rerefered;R
10/15/2019 R Approve 7-0

APPROVE 7-0

Aye: 7 - Morgan, Diamond, Boylan, Carlucci, DeFoor, Priestly Jackson and Newby

11. [2019-0711](#) RESO Expressing Council's Opposition for Proposed Substitute to Local Bill J-1 to be Considered by Duval County Legislative Delegation, which would place a Referendum Question on the Ballot to Amend Chapt 92-341, Laws of FL, and Sec 13.07, Charter of City of Jax, to provide for elected rather than appointed Superintendent of Schools, to provide for a term of four years, to provide for a two-term limit, and to provide for Holdover the Current Superintendent; Encouraging Duval Delegation, if J-1 as substituted is supported by the Duval Delegation, to make an Amendment to J-1 to elect the Chief Executive Officers of the Independent Agencies and Authorities, Including JHA, JAA, JEA, JPA, and the JTA, as well as the CEO of the Kids Hope Alliance and the Downtown Investment Authority; Directing Distribution of Reso Copies. (Sidman) (Introduced by CM Dennis)
9/24/2019 CO Introduced: R
10/1/2019 R Read 2nd and Rerefer
10/8/2019 CO Read 2nd and Rerefered;R

DEFER

There was a lack of seconder for this bill.

12. [2019-0712](#) RESO Withdrawing from membership in the Northeast Florida Regional Council; Providing written notice of withdrawal in accordance with that Amended and Restated Interlocal Agreement which estab the NE FL Regional Council and its membership. (Grandin) (Introduced by CM Ferraro)
9/24/2019 CO Introduced: NCSPHS, F, R, JWW(added on 10/8/19)
9/30/2019 NCSPHS Read 2nd and Rerefer
10/1/2019 R Read 2nd and Rerefer
10/8/2019 CO Read 2nd and Rerefered;NCSPHS,R,(F,JWW added on 10/8/19)
10/9/2019 JWW Amend/Approve 4-5 (Pittman, Barket, Brock, Brockelman, Swann)
10/15/2019 R Withdraw 6-1(Boylan)

WITHDRAW 6-1

CM Ferraro was in attendance to speak about this bill and said that to reflect the will of his colleagues and in accordance with the existing agreement he would request withdrawal.

Aye: 6 - Morgan, Diamond, Carlucci, DeFoor, Priestly Jackson and Newby

Nay: 1 - Boylan

13. [2019-0725](#) ORD-MC Amend Sec 120.203 (Contributions: Refund of Contributions), Pt.2(Gen Employees Retirement Plan), Chapt. 120 (Gen Employees & Corrections Officers Pension Plans & all Employees Defined Contribution Retirement Plans), Ord Code, to provide for payment of JEA's unfunded actuarial accrued liability upon JEA recapitalization event; Making amendment contingent upon recapitalization event for a sunset date . (Sidman) (Introduced by CM Carlucci)
10/8/2019 CO Introduced: TEU, F, R
10/14/2019 TEU Read 2nd & Rerefer
10/15/2019 F Read 2nd & Rerefer
10/15/2019 R Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 -10/22/19

READ 2ND & REREFER

14. [2019-0726](#) ORD Apv Collective Bargain Agreemt bet JEA & Jacksonville Supervisors Assn (JSA), such agreemnt commencing 10/1/19 & ending 9/30/22 (Granat) (Req of JEA)
10/8/2019 CO Introduced: TEU, F, R
10/14/2019 TEU Read 2nd & Rerefer
10/15/2019 F Read 2nd & Rerefer
10/15/2019 R Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 -10/22/19

READ 2ND & REREFER

15. [2019-0727](#) ORD Apv Collective Bargain Agreemt bet JEA & American Federation of State (AFSCME), County & Municipal Employees, FL Council 79, Local 429 (AFSCME), such agreemnt. Commencing 10/1/19 & ending 9/30/22 (Granat) (Req of JEA)
10/8/2019 CO Introduced: TEU, F, R
10/14/2019 TEU Read 2nd & Rerefer
10/15/2019 F Read 2nd & Rerefer
10/15/2019 R Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 -10/22/19

READ 2ND & REREFER

16. [2019-0728](#) ORD Apv Collective Bargain Agreemt bet JEA & Jacksonville Professional Employees Assoc., such agreemnt commencing 10/1/19 & ending 9/30/22 (Granat) (Req of JEA)
10/8/2019 CO Introduced: TEU, F, R
10/14/2019 TEU Read 2nd & Rerefer
10/15/2019 F Read 2nd & Rerefer
10/15/2019 R Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 -10/22/19

READ 2ND & REREFER

17. [2019-0729](#) ORD Apv Collective Bargain Agreemt bet JEA & Northeast Florida Public Employees' Local 630 LIUNA; such agreemnt commencing 10/1/19 & ending 9/30/22 (Granat) (Req of JEA)
10/8/2019 CO Introduced: TEU, F, R
10/14/2019 TEU Read 2nd & Rerefer
10/15/2019 F Read 2nd & Rerefer
10/15/2019 R Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 -10/22/19

READ 2ND & REREFER

18. [2019-0730](#) ORD Apv Collective Bargain Agreemt bet JEA & IBEW Local 2358,; such agreemnt commencing 10/1/19 & ending 9/30/22 (Granat) (Req of JEA)
10/8/2019 CO Introduced: TEU, F, R
10/14/2019 TEU Read 2nd & Rerefer
10/15/2019 F Read 2nd & Rerefer
10/15/2019 R Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 -10/22/19

READ 2ND & REREFER

19. [2019-0731](#) ORD Approp \$390,673 from Spec Council Contingency to NE FL Regional Council (NEFRC) for membership dues; Request One Cycle Emerg Passage (Sidman) (Introduced by CM Salem)(Co-Sponsored by CMs Hazouri, Bowman, DeFoor, Pittman, Gaffney & Cumber)
10/8/2019 CO Introduced: NCSPHS,F,R
10/14/2019 NCSPHS Emergency/Approve 5-2 (Diamond, Newby)
10/15/2019 F Emergency/Approve 7-0
10/15/2019 R Emergency/Approve 6-1 (Diamond)
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 -10/22/19

EMERGENCY/APPROVE 6-1

Aye: 6 - Morgan, Boylan, Carlucci, DeFoor, Priestly Jackson and Newby

Nay: 1 - Diamond

20. [2019-0733](#) ORD Amending Chapt 4 (Procedures), Rule 4.301 (Regular Order of Business), Council Rules, to move order of business to create two separate public comment periods. (Johnston) (Introduced by CM Dennis)
10/8/2019 CO Introduced: R
10/15/2019 R Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 10/22/19

READ 2ND & REREFER

21. [2019-0740](#) RESO Reappt Rosemary Thornton as Member of Jax - Duval County Council on Elder Affairs as Council Dist 10 Rep, for 2nd FullTerm to exp 6/30/2021 (Distel) (Introduced by CM Priestly Jackson)
10/8/2019 CO Introduced: R
10/15/2019 R Read 2nd & Rerefer

READ 2ND & REREFER

22. [2019-0741](#) RESO Appt Julie Bessent as a member of Board of Trustees of the Jax Retirement System, replacing Shari A. Shuman as a Citizen Trustee for 1st Full 3-Yr Term. (Distel) (Introduced by CP Wilson)
10/8/2019 CO Introduced: R
10/15/2019 R Read 2nd & Rerefer

READ 2ND & REREFER

23. [2019-0742](#) RESO Conf Reappt of David Hacker to the Planning Commission, Representing Planning Dist 2 for a 2nd Full Term to exp 10/1/2022 (Sidman) (Req of Mayor)
10/8/2019 CO Introduced: R
10/15/2019 R Read 2nd & Rerefer

READ 2ND & REREFER

24. [2019-0743](#) RESO Conf Reappt of Keshan L. Chambliss, to the Taxation Revenue & Utilization of Expenditures (TRUE) Comm for 2nd Full Term ending 6/30/2022. (Distel) (Introduced by CP Wilson)
10/8/2019 CO Introduced: R
10/15/2019 R Read 2nd & Rerefer

READ 2ND & REREFER

25. [2019-0744](#) RESO Conf Appt of Dane Grey to the JEA Board, Replacing John Campion for 1st Full Term exp 2/28/2022. (Sidman) (Req of Mayor)
10/8/2019 CO Introduced: R
10/15/2019 R Read 2nd & Rerefer

READ 2ND & REREFER

26. [2019-0746](#) ORD-MC re the Safety & Crime Reduction Commission; Amend Sec 78.104 (Organization;Administrative Support), Chapt 78 (Safety & Crime Reduction Commission), Ord Code, to Revise Selection of the Vice-Chairperson of the Commission by the Council President (Johnston) (Introduced by CP Wilson)
10/8/2019 Introduced: NCSPHS,R
10/14/2019 NCSPHS Read 2nd & Rerefer
10/15/2019 R Read 2nd & Rerefer
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 -10/22/19

READ 2ND & REREFER

*******Note: Items may be added at the discretion of the Chair.*******

Discussion about 2019-413

There was some discussion about this bill, which appoints Dr. Pomm to the Opioid Abuse Prevention Committee and has been postponed for several cycles. An informal draft opinion from the Florida Commission on Ethics found no conflict of interest. CM Diamond thanked Dr. Pomm for all of his work on this issue and made a motion to waive the residency requirement and amend the resolution to recognize Dr. Pomm's significant business interest in Jacksonville, where he has worked since 1992.

Legislative Counsel Scope of Services, Jason Gabriel -Office of General Counsel

There was a discussion about the engagement letter, scope and services and selection process for outside legal counsel for City Council in preparation for a potential JEA recapitalization event. Jason Gabriel, General Counsel, was present to take questions and offer a framework for the scope of services. CM Boylan provided a version with his added content, CM Diamond also worked with Mr. Gabriel on adding to the scope. CM DeFoor had some added content as well. City Council will be accepting applications from law firms who offer expertise in the areas of corporate transactions, mergers and acquisitions; environmental matters pertaining to public utilities, water and regulation; labor and collective bargaining' procurement. Mr. Gabriel will integrate the suggestions from the committee members and then disseminate the edited scope of services to all council members. There will then be a period of application submissions and council workshops to address any issues related to a potential JEA privatization/sale.

Attendance:

CM Ferraro (2019-0712, 2019-0694, 2019-0731)

CM Freeman (2019-0698)

CM White

CM Hazouri (2019-0694, 2019-0731)

CM Dennis (2019-0964, 2019-0731)

CP Wilson (2019-0694, 2019-0731)

Rollcall

Present: 7 - Chair Joyce Morgan, Vice Chair Rory Diamond, Council Member Michael Boylan, Council Member Matt Carlucci, Council Member Randy DeFoor, Council Member Brenda Priestly Jackson and Council Member Sam Newby

Minutes: Colleen Hampsey, Council Research

Posted 10.17.19 5:00 pm

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904-255-5151