



**OFFICE OF THE CITY COUNCIL
RESEARCH DIVISION**

117 WEST DUVAL STREET, SUITE 425
4TH FLOOR, CITY HALL
JACKSONVILLE, FLORIDA 32202
904-630-1377

**CHARTER REVISION COMMISSION MEETING MINUTES
City Council Chamber, 1st floor, City Hall**

**August 16, 2019
9:00 a.m.**

In attendance: Commissioners Lindsey Brock (Chair), Jessica Baker, Charles Griggs, Chris Hagan, Ann-Marie Knight, Emily Lisska, Nelson McCoy, Celestine Mills, Betzy Santiago, Matt Schellenberg

Excused: Commissioners William Gentry, Frank Denton, Nick Howland, Heidi Jameson

Also: Paige Johnston – Office of General Counsel; Cheryl Brown – Council Secretary/Director; Anthony Baltiero – Council Research Division; Carol Owens and Jessica Matthews – Legislative Services Division; Louie Marino – Council Staff Services

Honorable John Delaney

Former Mayor and General Counsel John Delaney

Honorable Wyman Duggan

State Representative Wyman Duggan, Chair of the 2009-10 Charter Revision Commission

Meeting Convened: 9:01 a.m.

Remarks from the Chair – Chairman Brock called the meeting to order and provided updates since the last meeting. Mr. Brock discussed the process for establishing regularly scheduled commission meetings by having the commissioners email Legislative Services with the dates that they are available and unavailable to attend meetings. Scott Shine had to resign from the commission due to scheduling restraints. Mr. Brock set the goal to identify priorities and focuses of the commission by the end of September to be able to establish any necessary subcommittees. Mr. Brock noted that the goal of the commission is not to go back and revamp recommendations from previous Charter Revision Commissions, stating that those recommendations are out there for the Council to act on. Mr. Brock discussed potential guest speakers to come and speak at future Commission meetings, including Chris Hand who will speak at the September 6th meeting in regard to the 50th anniversary edition of “A Quiet Revolution”. Mr. Brock discussed developing a list of focus issues based on the transcripts from the previous meeting and from issue lists provided at this meeting.

Updates from Commissioners – Mr. Brock went around the room and asked each commissioner to provide an issue, or list of issues, that they want to focus on and potential guest speakers that they would like to have at future meetings:

- Betzy Santiago: Ms. Santiago would like to hear from someone about Safety, revisit recommendation on staggered terms, OGC issues including having three former General Counsels make a final recommendation on hiring a new General Counsel
- Emily Lisska: Ms. Lisska would like to hear from as many people as possible that have “institutional knowledge”, including present and former constitutional officers, present and former elected officials, government staff members in significant positions including Chris Hand
- Charles Griggs: Mr. Griggs asked Chairman Brock if the commission will be replacing Scott Shine because without him the commission has an even number of members. Mr. Brock responded stating that as long as all of the districts are represented that there does not need to be a replacement and that if a tiebreaker vote is needed on an issue then that issue is probably not going to get any action from the Council. Mr. Griggs made suggestions, including setting up an “Urban Core Investment Authority”, dedicated funding for the Health Department, assessing defunct authorities, assessing the function of OGC including possibly implementing staggered terms for the GC, making the Council President an elected position holding office for 4 years on a term that is staggered with the Mayor’s term, options for authorities and government agencies for legal services beyond the OGC

Chairman Brock decided to break from the Commissioner Updates to allow the guest speakers to make their presentations.

Presentation by Honorable John Delaney – Mr. Delaney started by responding to Mr. Griggs’ suggestion for dedicated funding to government agencies stating that he has always been wary of dedicated funding for government agencies because it can be difficult to manage. Mr. Delaney provided a brief history on the issues that preceded the Jacksonville Consolidation and focused on some of the positive aspects of consolidation, including the use of central services and provided an example of how centralized purchasing and procurement saved millions of dollars post-consolidation. Mr. Delaney talked about the OGC and how it was modeled after a corporate entity and that it has to remain independent. Mr. Delaney said that the GC has two major functions. It is the lawyer for all of the entities of the local government and also acts as the internal Supreme Court to keep government agencies from suing each other.

Chairman Brock opened the floor to questions for Mr. Delaney:

- Matt Schellenberg: Should the GC have a term limit (4 years)? If you worked for the Administration should you not be allowed to come back and lobby for a single source contract and/or have to wait a certain amount of time?
- Mr. Delaney: Mr. Delaney prefers that a GC has a longer term to be able to stabilize the position. He said that there is a process in place for the Council to not reappoint a GC if they feel a change is needed. Mr. Delaney said he was not an expert on the single source issue and said that the commission could certainly address the issue of who can come back as a lobbyist for a single source contract and when. Mr. Delaney provided an example of where the School Board had not been bidding out the bus contracts.
- Charles Griggs: Mr. Griggs commented that when the bus contracts were finally bid out that many minority contractors lost their bus contracts and went out of business. Mr. Griggs mentioned that someone should have the option to seek additional counsel if they disagree with the OGC.

- Mr. Delaney: Agrees that an individual should have the option to seek additional counsel, but for big companies or governments that it is better for the OGC to act as the internal Supreme Court to determine what is legal or not legal and will help avoid endless internal lawsuits.
- Charles Griggs: Where do you see remedies to address the issues of infrastructure and economic development in the Urban Core areas?
- Mr. Delaney: Mr. Delaney stated the remedy has two parts, structure and policy. A former Mayor created the Northwest Quadrant Economic Development Trust Fund and Mr. Delaney suggested that putting additional funds into that Trust Fund could help. He also talked about how during his time as Mayor, he eliminated any economic business incentives unless they were in the Downtown area or Urban Core areas. Mr. Delaney recommended a structure to be set up in the Urban Core similar to the DIA.
- Emily Lisska: Do you have any specific recommendations for this commission?
- Mr. Delaney: Do not weaken the OGC. Focus on Neighborhoods.

Presentation by Honorable Wyman Duggan – Mr. Duggan started by discussing the role of the OGC as the final decision maker for the local government and talked about legal issues in local government prior to the establishment of the OGC. Mr. Duggan talked about how the Charter is designed to pinpoint accountability and responsibility. Mr. Duggan discussed the process that was used during the previous Charter Revision Commission for choosing issues to focus on. If they could not come to consensus on an issue, they stopped talking about it, including issues with the OGC. Mr. Duggan supports the OGC in the way that it is currently structured. Mr. Duggan provided issues from the previous Commission that were brought up, but did not get included in the final recommendation, including issues with the OGC, pension reform, maximizing revenue from JEA, and the sheriff as an appointed position. Mr. Duggan closed by providing advice to the commissioners.

Chairman Brock opened the floor to questions for Mr. Duggan:

- Chairman Brock: Mr. Brock asked about whether or not the previous Commission took up 4(b) in the Charter regarding residence requirements for city employees brought up by former CM Brown.
- Mr. Duggan: Mr. Duggan stated that the issue was brought up in the second to last Commission meeting and that it was too late to do much about it because they were already at the point that a draft was made of the final report.
- Matt Schellenberg: Did anyone else apply to the current GC position other than Jason Gabriel?
- Mr. Duggan: Yes, attorney Patrick Kachowski.
- Matt Schellenberg: I want to make it clear that qualified people often don't apply for positions when there is a designated person already there for the position because of "inside baseball". Do you think that a GC should serve more than four years during the same term as the Mayor?
- Mr. Duggan: The council has a mechanism to change the GC when they are appointed by a new Mayor.
- Chairman Brock: Restated the question to ask if Mr. Duggan had any thoughts on the GC selection process and/or term limits?
- Mr. Duggan: Mr. Duggan talked about former GC Rick Mullaney and how he had been confirmed as GC 4 times and that if the Council felt that a change needed to be made that they

could not confirm the appointment. Mr. Duggan supports the current method of picking and confirming a GC.

- Jessica Baker: Ms. Baker asked about staggered terms for Council Members. She mentioned that it was recommended in the Commission report, but not in the Task Force report.
- Mr. Duggan: Mr. Duggan could not recall why the issue of staggered CM terms was not included in the Task Force. He explained that the Commission suggested the staggered terms for CMs to help with the issue of having many brand new CMs taking office at the same time. At Chairman Brock's request, Mr. Duggan explained the idea of staggered terms.
- Charles Griggs: Mr. Griggs asked Mr. Duggan to comment on the idea of having the GC term being staggered to the Mayor's term.
- Mr. Duggan: Mr. Duggan said that he has not thought too much about that particular issue, but could see positives and negatives to staggering the GC/Mayor terms. The positive would be the perception of fairness, accountability, and independence. The negative would be that it would go against the "Strong Mayor" form of government that we have.
- Charles Griggs: Mr. Griggs asked about the issue with the sheriff's position from the previous commission, particularly in regard to the sheriff's budget and the Administration's/Council's authority over the budget.
- Mr. Duggan: Mr. Duggan agreed that there were members of the previous commission who thought the Administration/Council had limited authority over the sheriff's budget.
- Chris Hagan: Mr. Hagan made comments agreeing with the statement that "just because a decision goes against you doesn't mean that the system needs to change". Mr. Hagan asked for clarification to the point stating that if each public entity had their own separate legal counsel that issues would get held up in the court system.
- Mr. Duggan: Mr. Duggan completely agrees with that sentiment and provided an example with the Police and Fire Rescue Pension Fund to further illustrate the point.
- Emily Lisska: Ms. Lisska asked Mr. Duggan for his specific recommendations for this commission.
- Mr. Duggan: Mr. Duggan said that he doesn't want to influence the current commission and simply said that this commission should focus on accountability, responsibility, and transparency.

Updates from Commissioners (continued) – Following the presentations from the guest speakers, Chairman Brock continued going around the room having commissioners provide an issue, or list of issues, that they want to focus on and potential guest speakers that they would like to have at future meetings:

- Chris Hagan: Mr. Hagan would like to focus on streamlining government, the issue with the Duval County School Board tax referendum, and would like to hear from Florida Department of Education Commissioner Richard Corcoran.
- Ann-Marie Knight: Ms. Knight would like to focus on staggered terms for public officials.
- Jessica Baker: Ms. Baker would like to focus on staggered terms, issues with OGC, and would like to hear from Former Council Member and CEO of DIA Lori Boyer.

Chairman Brock mentioned that the commission should send all lists of speaker requests directly to Legislative Services to avoid Sunshine issues.

- Nelson McCoy: Mr. McCoy would like to focus on appointed positions, particularly board appointments, staggered term for the GC, and we like to invite area experts from universities as guest speakers.
- Celestine Mills: Nothing at the moment
- Matt Schellenberg: Mr. Schellenberg suggested to approve the minutes from the previous meeting as a general practice at the beginning of commission meetings. He thinks that the commission should go back and review past commission recommendations. He would like to focus on financial disclosures from senior Administration staff, establishing a grace period before former city employees can come back to lobby the city, campaign financing, rank voting, non-partisan elections, changing the time of the Council election to give CMs more time in the position before handling the budget, have the Administration meet with community leaders either quarterly or bi-annually to discuss issues and coordinate efforts, finding a way to bring more balance to a “strong mayor” form of government.
- Chairman Brock: Mr. Brock and Mr. Schellenberg had a back and forth dialogue about whether or not the commission needed to go back to review previous commission’s recommendations. Mr. Brock stated that the charge of the commission was not to go back and “rehash” previous reports and that they would revisit past reports if it is pertinent to the current report and if there are multiple solutions to a previous issue.

Public Comments – Chairman Brock opened the floor up to public comments. There were two speakers, Stanley Scott and John Nooney:

- Stanley Scott: Mr. Scott, representing the African American Economic Recovery Think Tank, spoke for three minutes about leadership issues in Jacksonville. Mr. Scott lobbied to have his think tank invited to the Charter Revision Commission dialogue.
- Emily Lisska: Ms. Lisska asked Chairman Brock if the commissioners could ask questions to the public speakers. Mr. Brock agreed and said that the commissioners could ask questions if desired. Ms. Lisska asked Mr. Scott to elaborate on details about the think tank that he represents, including legal filing status, how many officers, is it a 501(c)3, is there a website, IRS reporting status. Mr. Scott spoke mostly about the scope of the group without providing too many specific details about the structure of the group only stating that the group is connected to 5,000 people, it has 12 officers, Mr. Scott is the owner/president of the group, and that the group is a for-profit entity.
- John Nooney: Mr. Nooney spoke for three minutes about the Charter Revision Commission and his previous participation in previous commissions through public comment. He focused on issues with the ethics recommendation from the previous commission. He submitted a document that he claimed to be the agenda for all of the City Council, which was a printout of the current week’s meeting calendar for City Council business that is available at the City Council front office.

Commission Discussion – Chairman Brock opened the floor to general discussion about issues that were discussed in this meeting or any issues or topics that the commissioners feel should be discussed:

- Emily Lisska: Ms. Lisska is interested in finding out what role, if any, the commission has in regard to campaign financing.

- Chairman Brock: Mr. Brock asked Paige Johnston of OGC to provide clarification on the commission's role regarding campaign financing.
- Celestine Mills: Ms. Mills suggested making the Charter more visible to the public to spark more public participation.
- Chairman Brock: Mr. Brock explained that a press release was sent out with the CRC email address for the public to reach out to and participate and spoke of media outlets that he has been in touch with. Mr. Brock stated that it is better to not have a shared social media outlet due to Sunshine Law violations, but that commissioners can use their personal social media outlets to promote the CRC email and website.
- Matt Schellenberg: Mr. Schellenberg suggested to have the Inspector General, Lisa Green, come to make recommendations and Nina Waters who runs the Community Foundation. Mr. Schellenberg voiced concerns over the attendance at the meetings.
- Chairman Brock: Mr. Brock clarified that multiple members had submitted excusals for this meeting and that the point of everyone submitting their availability is to get maximum participation in future meetings.
- Charles Griggs: Mr. Griggs asked how to submit recommendations for issues and guest speakers outside of the formal meetings.
- Chairman Brock: Mr. Brock asked that everyone submit their requests directly to staff. He also stated that they will be review the transcripts from the first two meetings and compiling a list of issues that will be circulated to the commissioners prior to the next meeting.
- Emily Lisska: Ms. Lisska asked if Carla Miller of the Ethics Office could come back and give recommendations instead of an ethics trainings session.

Chairman Brock ended the meeting and stated that the next meeting is August 29th in Council Chambers.

Meeting adjourned: 11:18 a.m.

Minutes: Anthony James Baltiero, Council Research Division
abaltiero@coj.net (904) 255-5157

8.20.19 Posted 3:00 p.m.