

SPECIAL INVESTIGATORY COMMITTEE ON JEA MATTERS

AGENDA MEETING

DATE: Tuesday, March 3, 2020
TIME: 1:00 p.m. - 1:30 p.m.
PLACE: Conference Room A
Fourth Floor
City Hall at St. James Building
117 West Duval Street
Jacksonville, Florida 32202

COUNCIL MEMBERS PRESENT:

Scott Wilson, Council President, District 4
Rory Diamond, Chairman, District 13
Al Ferraro, District 2
Scott Wilson, Council President, District 4
Brenda Priestly Jackson, District 10
Randy White, District 12
Randy DeFoor, District 14
Ronald Salem, Group 2
Tommy Hazouri, Group 3
Sam Newby, Group 5

ALSO PRESENT:

Council Staff:

Dr. Cheryl Brown, City Council Director
Carol Owens, Legislative Services
Steve Cassada, IT Administrator
Melanie Wilkes, ITD Systems
Jeff Clements, Chief of Research
Peggy Sidman, Office of General Counsel
Kyle Gavin, Office of General Counsel
Adina Teodorescu, Office of General Counsel
Kyle Billy, Council Auditor
Makenzi Conner, Executive Council Assistant
Brooks Dame, Executive Council Assistant
Carla Miller, Ethics

1 P R O C E E D I N G S

2 CHAIRMAN DIAMOND: This pre-agenda
3 meeting of the Special Investigatory
4 Committee on JEA will come to order. And
5 why don't we go around the room.

6 COUNCIL MEMBER PRIESTLY JACKSON: Brenda
7 Priestly Jackson, Member of the Special
8 Investigative Committee, Council Member,
9 District 10.

10 COUNCIL MEMBER SALEM: Ron Salem, Group
11 2 At-Large, visiting.

12 COUNCIL MEMBER HAZOURI: Tommy Hazouri,
13 Group 3 At-Large.

14 MR. BUSEY: Steve Busey, Special Counsel
15 for the Committee.

16 MS. SIDMAN: Peggy Sidman, Office of
17 General Council.

18 MR. BILLY: Kyle Billy, Council Auditor.

19 MR. CLEMENTS: Jeff Clements, Council
20 Research.

21 MS. OWENS: Carol Owens.

22 COUNCIL MEMBER NEWBY: Sam Newby, Group
23 5 At-Large, just visiting.

24 MS. BROWN: Cheryl Brown, Director,
25 Council Secretary.

1 COUNCIL PRESIDENT WILSON: Scott Wilson,
2 District 4.

3 COUNCIL MEMBER DeFOOR: Randy DeFoor,
4 District 14, Special Investigative
5 Committee.

6 MS. DAME: Brooks Dame, assistant for
7 Council Member Randy DeFoor, District 14.

8 MS. LEHMAN: Amber Lehman, Staff.

9 MS. MILLER: Carla Miller, Ethics.

10 (Inaudible.)

11 MS. GOODE: Renee Goode, JEA.

12 MS. VEASY: Nancy Veasy, JEA.

13 MR. GAVIN: Kyle Gavin, OGC.

14 MS. DWYER-FRAZEE: Ivy Dwyer-Fraze, e,
15 OGC.

16 MR. MENDENHALL: Mike Mendenhall,
17 Jacksonville Daily Record Reporter.

18 MR. NOONEY: John Nooney, Joe Q. Public.

19 MS. SCOTT: Stanley Scott, with the
20 African American Economic Recovery Think
21 Tank.

22 CHAIRMAN DIAMOND: Appreciate it, sir.

23 And Rory Diamond, District 13.

24 The purpose of these meetings is at the
25 kind of first two Special Investigatory

1 meetings we talked about essentially having
2 an Investigatory Committee hearing for three
3 hours kind of every other week is kind of
4 what we're aiming for. And particularly, we
5 were trying to do one in the morning and
6 flip to the afternoons so people who can't
7 make morning meetings can make afternoon and
8 vice versa.

9 In order to make sure we have an agenda
10 that the Committee is really comfortable
11 with and feels fully behind, I thought it
12 made sense to have these. I think it was
13 Peggy Sidman's idea to have these 30-minute
14 pre-agenda meetings before Rules. Everybody
15 here kind of goes to Rules, and so that made
16 the most sense with who's on the committee.

17 And so what we have is a couple of
18 documents in front of us. And since this
19 isn't like super formal, don't be shy to
20 talk about these things. But starting with
21 this, the Special Investigatory Committee
22 hearing for March 9th, which is from 5:00 to
23 8:00, right now this is a draft agenda, just
24 call to order, Pledge of Allegiance, to have
25 Michael Brost come and testify.

1 Randy, do you want to explain who
2 Michael Brost is? You know him pretty well.

3 COUNCIL MEMBER DeFOOR: Michael Brost
4 was the head of the electric side of the
5 JEA. And I actually sat in his deposition,
6 and it was very informative as to some of
7 the matters that transpired before he exited
8 the JEA.

9 CHAIRMAN DIAMOND: Okay. And he is
10 appearing. And so a transcript of his
11 deposition with OGC -- who in OGC, Peggy,
12 did that?

13 MS. SIDMAN: Chris Garrett.

14 CHAIRMAN DIAMOND: And we'll have a
15 transcript available sometime soon for
16 committee members to review.

17 MS. CONNER: It was sent out
18 electronically last night.

19 CHAIRMAN DIAMOND: So we'll start with
20 him. And then Brian Roche is someone we
21 wanted to have. Unfortunately, he's taken a
22 new job in Orlando. He's made himself
23 available to do kind of a weekend
24 deposition. So we will, unless anybody
25 opposes, kind of take him up on that

1 opportunity to make sure he's deposed on a
2 weekend at some point. And then if we need
3 to bring him before the Committee properly
4 down the road, we can do that.

5 COUNCIL PRESIDENT WILSON: Can we just
6 have a committee meeting on a weekend that
7 week?

8 CHAIRMAN DIAMOND: It's fine by me.

9 COUNCIL PRESIDENT WILSON: Same thing.

10 MS. SIDMAN: I didn't hear what you
11 said.

12 COUNCIL PRESIDENT WILSON: Holding a
13 meeting on the weekend instead of during the
14 week. We just need 24-hour notice; right?

15 MS. SIDMAN: We could, yeah.

16 COUNCIL PRESIDENT WILSON: If that's the
17 only time the person can come, that's when
18 we have to do it.

19 MS. SIDMAN: Okay.

20 CHAIRMAN DIAMOND: What I suspect,
21 because he has a brand new job, that he just
22 needed a round or two so he can -- I'm sure
23 he would be able to make it, especially 5:00
24 to 8:00, but if we have to do a weekend,
25 it's fine by me. I'm working anyways.

1 So we have another potential witness,
2 Mr. McInall. Who is --

3 MS. SIDMAN: Kyle Gavin from our office
4 was reaching out to him. Do you know of
5 any --

6 MR. GAVIN: Yeah. I spoke to him this
7 morning. He's available. Quite frankly, he
8 requested a later time just so he can
9 prepare, review his former transcript, that
10 sort of thing. I told him I didn't know if
11 the Committee was amenable.

12 CHAIRMAN DIAMOND: Can you explain who
13 he is just so everyone understands?

14 MR. GAVIN: Yeah. He's an engineer,
15 professional engineer. And, you know, he
16 provided testimony to OGC. And, you know,
17 again, just to be fully prepared, so he's
18 not up there saying, Gee, I haven't looked
19 at this document in six months and that sort
20 of thing.

21 So I don't know if the Committee is
22 willing to give him additional time or not.

23 COUNCIL MEMBER PRIESTLY JACKSON: State
24 the name and spell it.

25 CHAIRMAN DIAMOND: Yeah. Can you say

1 his name.

2 MR. GAVIN: McInall, M-c-I-n-a-l-l.

3 MS. VEASY: I was just going to say --

4 CHAIRMAN DIAMOND: Can you state your
5 name for the record?

6 MS. VEASY: I'm sorry. Nancy Veasy,
7 JEA. Steve McInall is the Vice President of
8 Energy and Water Planning.

9 CHAIRMAN DIAMOND: Gotcha. I would
10 still like to pursue Monday. You know, you
11 have the whole weekend and the rest of the
12 week. In addition to that, what -- unless
13 Committee Members tell me otherwise, what we
14 need to talk to him about is really rather
15 specific, which is, essentially, the
16 economic health of JEA and the departments
17 he was overseeing. I don't suspect that we
18 are after any gotcha or anything out of the
19 box that he wouldn't be able to speak to off
20 the top of his head. We're just trying to
21 understand the economic health of the
22 entity.

23 And given the review of his transcript,
24 there is a couple of other things, but I
25 don't think any of them are super

1 surprising. So he should review his
2 transcript, which is probably, at least as
3 far as my questions go, will come from
4 there. So let's go ahead and have him come,
5 if he's available, if he's working at JEA,
6 so --

7 MR. GAVIN: He's available.

8 CHAIRMAN DIAMOND: Exactly. So we'll
9 have him second, and that will be our agenda
10 as far as witnesses. Are we comfortable as
11 a Committee with those witnesses for Monday,
12 is my question.

13 COUNCIL MEMBER DeFOOR: Yeah.

14 COUNCIL MEMBER PRIESTLY JACKSON: Yeah.
15 Those witnesses, those are fine.

16 CHAIRMAN DIAMOND: Now we have this
17 properly printed out, because my assistant
18 is awesome. Circulate these around the
19 room.

20 It would probably make sense to talk
21 about document request update. Who from OGC
22 can talk about our document request update,
23 because we need to talk about this on
24 Monday.

25 MR. GAVIN: I can.

1 CHAIRMAN DIAMOND: Please. State your
2 name again for the record.

3 MR. GAVIN: It's Kyle Gavin, with OGC.
4 We are working. I met with JEA about
5 putting together and responding to the
6 documents, document request. You know,
7 there are issues with housing this size, you
8 know, the data, and providing it in a way
9 that makes it searchable. We're working
10 through that issue.

11 I don't have a time frame for that right
12 now because it, is the request, some of
13 them, fairly broad. My guess is that at
14 some point we'll -- in the very near future,
15 maybe even later this week, try to reach out
16 to Mr. Busey and others at OGC who have been
17 working on this to see if some of the
18 requests can be narrowed or at least agree
19 on a set of search terms that we can use to
20 search for some of the information.

21 Some of the requests, I think, are
22 broad, maybe unintentionally broad, that we
23 can all agree could be narrowed in certain
24 fashion.

25 CHAIRMAN DIAMOND: Just time-out there

1 for a quick second. This is for the
2 Committee Members, because we really haven't
3 had a chance to talk about this in kind of
4 a -- in a while. But we issued an 84-point
5 document request, and that was a month ago
6 Monday. We have been working through OGC to
7 get our documents. And we're now a month
8 down the road. And I am extremely
9 frustrated with the speed at which this is
10 going.

11 I understand it's a large request, I get
12 that. But this is not rocket science. Many
13 lawyers have dealt with many documents this
14 size in the past. And so my understanding
15 is that JEA has retained a vendor, a law
16 firm, to help gather the documents to go.
17 This is a vendor they chose. Maybe someone
18 from OGC can explain or JEA can explain why
19 this law firm was hired, Hill Ward, in
20 Tampa.

21 MR. GAVIN: Basically, they -- up to a
22 certain amount that they can, in essence,
23 house the documents, there has to be a
24 process that we have to go through for
25 exemptions. For example, we have to make

1 sure documents that we provide aren't
2 privileged in the sense of ongoing
3 litigation or there could be collective
4 bargaining, things like certain addresses
5 and social security numbers and bidder
6 information that the bidders claim are trade
7 secret.

8 CHAIRMAN DIAMOND: So let me pause you
9 there. And I appreciate what you're saying.
10 So my understanding of the best way to do
11 this, and this is what I've talked about
12 with our Outside Counsel, our Special
13 Counsel, and OGC is that, if we take all the
14 documents that are responsive from JEA and
15 try and push them through the filter of
16 exemptions and all the rest, we're going to
17 be here for a year.

18 But instead of doing that, if we have
19 all those documents in one database that is
20 controlled by JEA, and then we do selective
21 searches for all the things we're looking
22 for, like Project Scampi and Aaron Zahn and
23 all those, then we'll have a much smaller
24 subset of documents. And then we can push
25 them through the filter of exemptions and

1 all the rest, which should compress the time
2 dramatically so that we can actually get
3 documents.

4 Because at the end of the day, we've got
5 this agenda and we can't get to the senior
6 leadership team, we can't get to the key
7 witnesses here until we get the documents.
8 Otherwise, we're just shooting at the hips.

9 If you can state your name.

10 MR. BUSEY: Steve Busey, Special Counsel
11 for the Committee. I share your
12 frustration. We've been at this for a
13 month. We really can't get to where the
14 Committee wants to go until we see the
15 communications, the billing statements,
16 which we now have the emails.

17 I think the Committee deserves, by
18 Monday evening, a definitive answer to the
19 question you just asked, What are we going
20 to get and when are we going to get it? I
21 suggest we have the appropriate people from
22 OGC, the appropriate people from JEA, and
23 our firm meet before Monday evening and come
24 to a point that we can give you a definitive
25 answer.

1 CHAIRMAN DIAMOND: I mean, so unless the
2 Committee disagrees, the message to OGC and
3 our Special Counsel, and to our friends at
4 JEA is we need an answer to this question,
5 because we need to get the documents, which
6 we're essentially in a holding pattern
7 talking to other witnesses who are -- you
8 know, who are informative and very helpful,
9 but we don't need the documents to talk to
10 them. So we're stuck right now until we
11 unstick this, and it's a month down the
12 road. I mean, it doesn't take this long. I
13 know it doesn't, no matter what.

14 MR. GAVIN: And I apologize if I didn't
15 understand the request. As I understood the
16 request, it was get all of these documents
17 and provide them, which means we have to vet
18 them all first but -- and I'm sorry if
19 this -- if I was out of the loop, but if
20 it's JEA -- we don't have to vet documents
21 for JEA to corral them, but --

22 CHAIRMAN DIAMOND: Right, which is the
23 whole point of having JEA have the vendor
24 and JEA have the database, and then we do --
25 meaning the Investigatory Committee's

1 attorneys, either Special or OGC, do
2 searches and then push them through this
3 filter to make sure we're not producing,
4 like, collective bargaining documents.

5 But I'm telling you right now, I talked
6 about that three weeks ago, that those
7 landing pads made the most sense.

8 MR. GAVIN: Okay. I apologize if that
9 wasn't understood.

10 CHAIRMAN DIAMOND: I'm not blaming you.
11 I'm just saying let's finish this pipeline
12 and get it cleared up so we can get this
13 done.

14 COUNCIL MEMBER DeFOOR: I'm just trying
15 to figure out how much has been done to
16 date.

17 MR. GAVIN: Well, to date, we've
18 identified probably about -- in terms of 50
19 gigs of data, but that's probably only about
20 15 percent of the universe that has been
21 asked for.

22 COUNCIL MEMBER DeFOOR: Okay. And where
23 is that? Where are you in that process of
24 the 15 percent that's been --

25 MR. GAVIN: They've been identified,

1 those. But this changes the metrics a
2 little bit if we don't have to vet those.

3 COUNCIL MEMBER DeFOOR: Okay. That's
4 what I'm trying to say. Have you vetted the
5 15 percent?

6 MR. GAVIN: No.

7 COUNCIL MEMBER DeFOOR: So what -- let
8 me understand what has happened. So you're
9 saying you just collected the data and no
10 one has vetted it at this point?

11 MR. GAVIN: At this point that's
12 correct. Well, some of these documents have
13 been produced pursuant to public record.

14 COUNCIL MEMBER DeFOOR: This is a public
15 record request.

16 MR. GAVIN: Of course, it is. So I
17 can't say none of it has been vetted, but we
18 haven't taken this group --

19 COUNCIL MEMBER DeFOOR: But in relation
20 to this request, how much -- how many of the
21 documents have been vetted in relation to
22 this request?

23 MR. GAVIN: I can't answer that.

24 COUNCIL MEMBER DeFOOR: Because what it
25 sounds like to me is we're getting the stiff

1 arm. It sounds like to me that this -- the
2 Committee is not receiving the information
3 it's requested, that we're just going to
4 play it out and see -- let's see how long we
5 can wait until we have to provide them with
6 that information.

7 MR. GAVIN: I've never been given that
8 direction nor have I been proceeding in that
9 fashion.

10 COUNCIL MEMBER DeFOOR: Well, I don't
11 understand then in a month's time how none
12 of these documents have been vetted.

13 MR. GAVIN: Like I said, some of them
14 have in connection with other requests. I
15 just can't tell you I've identified those
16 yet.

17 CHAIRMAN DIAMOND: Ms. Priestly Jackson.

18 COUNCIL MEMBER PRIESTLY JACKSON: This
19 is what -- I was going to suggest this
20 later, but I think it's an appropriate time,
21 with our Outside Counsel. I think we need
22 to identify what issues we want to tackle,
23 right, which ones we want to tackle, whether
24 it's a Charter issue, whether it's a JEA
25 policy and procedures issue, whether it was

1 outside consultants issue, that needs to be
2 narrowed down. The documents on the list
3 that are requested, those that we think with
4 guidance of Outside Counsel that might be
5 germane to that issue request, those, and
6 get each one, get those documents for the
7 next meeting.

8 And I would propose that we have that
9 type of structure review going forward for
10 all of our meetings so we know what we're
11 looking at, because I think all of us are
12 aware that we can bury focus in documents
13 and you get absolutely nothing done. I want
14 the information relevant to whatever our
15 initial inquiry is. And I'd like guidance
16 from Outside Counsel to say if this is the
17 first point that we're looking at, what
18 these issues are at this point, this is the
19 first thing that we're tackling.

20 I think we owe it to the public to
21 narrow our focus down. We're not just
22 having general inquiry, investigative
23 meetings every week. We're not doing that.
24 Either we're looking at some from the
25 Charter, either we're looking at something

1 secret for JEA, or we're looking at
2 something that we think may be an ethical or
3 potentially criminal issue. And that's what
4 we want information relative to.

5 So I would ask Outside Counsel to assist
6 us with kind of coming up with which way we
7 want to structure our ask and which of those
8 documents in the 84 requests are needed for
9 next week.

10 What I have started doing on my own is
11 taking a calendar and going back to 2015,
12 end of '14 and checking to see what happened
13 when back then and moving forward. That, to
14 me, is a look at whether I see it was a
15 Charter issue, a JEA Board issue, whether
16 there was some outstanding issue, whether
17 there was a contract entered into with
18 somebody back then that is something that's
19 in play now. So that is what I would
20 suggest for us to go forward.

21 CHAIRMAN DIAMOND: Might I suggest this
22 as a way to build consensus on what we're
23 asking for is that, if Mr. Busey, OGC, and
24 y'all are going to meet about these
25 documents soon so we have a definitive

1 answer --

2 MR. BUSEY: Before Monday evening.

3 CHAIRMAN DIAMOND: -- is that we also --
4 if you'll meet with each of the members here
5 briefly and make sure you have the highest
6 priority.

7 COUNCIL MEMBER PRIESTLY JACKSON: Why do
8 you say briefly?

9 CHAIRMAN DIAMOND: Well, however long.
10 I'm just trying to save money. We don't
11 need hour-long meetings to say these are the
12 three things, ITN, PUP. In the first
13 meeting we kind of went through our top six
14 issues that we wanted to look at. And then
15 see if we can't rise the most important ones
16 to the top so the search can be done first.

17 MR. BUSEY: Let me help you with this.
18 We were only informed this week that JEA has
19 selected a vendor, that we can put the
20 documents in without having to screen them
21 for privilege. And so that saves us a lot
22 of time, saves us from what Kevin -- Kyle
23 was having to worry about.

24 We should be able to take the data when
25 we get it from JEA, put it in the platform

1 and within -- I'm told by people who know
2 what they're talking about, within two weeks
3 we can do the searches to get the
4 information you want, Ms. Priestly Jackson.
5 It's doable. We just have to get the data
6 and get it in the JEA computer so that we
7 can search it. And that's what I want to
8 try to find out, precisely the schedule for
9 that and give it to you on Monday evening.

10 COUNCIL MEMBER PRIESTLY JACKSON: Okay.
11 And if I can add, I think it's incumbent
12 upon us to show that we are heading
13 someplace in some direction, and this is not
14 a goal of this Committee just to have random
15 questions out there just to make the public
16 feel good. We're trying to get to the root
17 of what happened at whatever time.

18 So I think we identified certain issues,
19 I don't know that it's exhaustive. I think
20 each day we find out something new. And so
21 I look forward to having opportunity to sit
22 down with you and talk about these are the
23 issues that I'm looking at. And I'm certain
24 my other Investigative Committee Members
25 would do the same thing when documents are

1 produced.

2 MR. BUSEY: When you tell us that
3 individually, then we can do the searches
4 and answer your questions.

5 CHAIRMAN DIAMOND: Perfect.

6 Scott, do you have anything on this?

7 COUNCIL PRESIDENT WILSON: I'm good.

8 CHAIRMAN DIAMOND: Any other Members of
9 the Council?

10 COUNCIL MEMBER SALEM: There are a
11 couple issues I care about.

12 CHAIRMAN DIAMOND: On the documents or
13 witnesses, shoot.

14 COUNCIL MEMBER DeFOOR: I got witnesses
15 too.

16 COUNCIL MEMBER SALEM: PUP and employee
17 contracts would be the two searches I
18 would --

19 CHAIRMAN DIAMOND: Gotcha. And those
20 are on the list for sure.

21 COUNCIL MEMBER SALEM: I just want to
22 make sure.

23 CHAIRMAN DIAMOND: I appreciate that.
24 Randy.

25 COUNCIL MEMBER DeFOOR: I wanted to see

1 if we can bring in the board members that
2 were on the board at the time that Zahn was
3 appointed. I think it's important that we
4 bring them in and ask them some questions.

5 CHAIRMAN DIAMOND: Yeah. And so I spoke
6 with in -- my meeting with OGC and Special
7 Counsel was to see if they would reach out
8 to all those board members, find out if we
9 just, you know, have a brief call to find
10 out if they even answer our call to figure
11 out what avenue we're going down, whether or
12 not it's subpoena or if it's -- have we
13 started that yet?

14 MR. BUSEY: We started it, we have
15 reached out, but what we need to know, we
16 would need direction from the Committee, we
17 should talk to those board members
18 individually and find out what they know and
19 what they don't know, and then talk with
20 y'all about it. And you can tell us which
21 ones you want to interview in a public
22 meeting or which ones you want lawyers to
23 interview and give you the transcripts.
24 It's your call.

25 COUNCIL MEMBER PRIESTLY JACKSON: But

1 also, I recall in my meeting with General
2 Counsel that they stated that they had
3 interviewed members of the current board,
4 some of them served before, but they did not
5 have transcripts for those members. So I
6 asked for a summary of those conversations
7 with those individuals to then determine
8 whether we needed something additional in a
9 transcript. So I would like that as a
10 preliminary. I made that request a while
11 back.

12 COUNCIL MEMBER DeFOOR: Just a follow-up
13 on that, just anybody they met with, not
14 just board members, anybody they met and
15 spoke with that was not transcribed, I'd
16 like a summary of those.

17 COUNCIL MEMBER PRIESTLY JACKSON: That
18 one came up because that was a specific ask
19 I had when we met, where are the board
20 members and --

21 MR. BUSEY: I think your Chair asked the
22 General Counsel that this week, asked to
23 give those summaries.

24 COUNCIL MEMBER PRIESTLY JACKSON: I
25 asked for it like four weeks ago.

1 CHAIRMAN DIAMOND: The turnaround time
2 right now on stuff is extremely slow. I
3 don't find that acceptable.

4 COUNCIL MEMBER PRIESTLY JACKSON: I'm
5 just saying I asked for that -- if we're
6 going to meet with General Counsel and ask
7 for information as Members of the
8 Investigative Committee, I just want a
9 timely response to that. I don't know if
10 it's our purview at that point to let our
11 Council President know that we have --
12 timely response to me is within a week of
13 the request being made that it's followed,
14 you know, or response is --

15 COUNCIL MEMBER HAZOURI: Mr. Chairman.

16 CHAIRMAN DIAMOND: Yes, sir.

17 COUNCIL MEMBER HAZOURI: I just want to
18 ask -- this is a general question, not
19 specific to what we're doing -- like, is
20 Steven McInall, are they all -- are you
21 going to have everybody -- I just want to
22 get a bigger picture -- everyone who has
23 been deposed or others that haven't been,
24 just those that y'all know have been deposed
25 are going to come here or no?

1 CHAIRMAN DIAMOND: So there are two
2 issues: One is right now we don't have all
3 the emails and communications and billing,
4 so there is people we would like to get to
5 that have been deposed that we can't get to
6 until we have a little bit more information,
7 so that's one set.

8 The other is that there are people that
9 OGC or Special Counsel would depose that we
10 never bring forward because there is really
11 nothing more to learn. We can just take the
12 transcripts and enter them into our record,
13 and we're done.

14 And then the third will be people who
15 have been deposed or interviewed and that we
16 do want to have public. But I suspect it
17 will be rare, unless we are dealing with a
18 subpoena situation where we go to court and
19 compel testimony, that we'll have somebody
20 before us that we haven't had some sort of
21 interview or deposition with.

22 COUNCIL MEMBER HAZOURI: All right. And
23 last one would be: Is it y'all's mission to
24 also bring -- well, with a subpoena or
25 without, the Aaron Zahns and others who are

1 at the top of the list?

2 CHAIRMAN DIAMOND: We're going to try
3 and get as many as we possibly can.

4 COUNCIL MEMBER HAZOURI: It's just so
5 important -- well, I know y'all are. But is
6 that your intention --

7 CHAIRMAN DIAMOND: Yes, sir.

8 COUNCIL MEMBER HAZOURI: -- at some
9 point?

10 Do you know when at that stage -- we're
11 just going to play it by ear?

12 CHAIRMAN DIAMOND: We're starting at the
13 bottom and working our way up. We have to
14 get the documents first, which is why we've
15 been hammering it.

16 And I'll just say this just so it's
17 clear to our folks at JEA and to anyone else
18 listening, I want to send the message out to
19 Melissa Dykes and to the entire JEA Board
20 that we expect these documents or we're
21 about to ratchet up the pressure to a very
22 high degree, because it's unacceptable to me
23 that we're a month down the road and we
24 still don't have a single response to our
25 84-point request or a single interrogatory

1 answer.

2 COUNCIL MEMBER HAZOURI: I appreciate
3 you saying the stalling part. I don't know
4 if it is or not.

5 CHAIRMAN DIAMOND: The motivation --

6 COUNCIL MEMBER HAZOURI: Passive
7 prolong, so we know what we had expected,
8 not just from the JEA, from others as well.
9 Your 48-hour thing was a -- kind of hit on
10 the issue.

11 So I think that, you know, the -- I
12 appreciate you saying that you're trying to
13 expedite, not to just rush through it, and
14 rush to judgment, but at least get to the
15 core as you were talking about Brenda, get
16 the core of the issues and get a result
17 other than the PUP, that's the final straw,
18 you know, the 24th of December, so
19 everything built up to that is where you're
20 going, it sounds like.

21 CHAIRMAN DIAMOND: Well, you'll never
22 get an argument from me about giddy-up. We
23 also may find corruption somewhere else, and
24 we'll follow it.

25 COUNCIL MEMBER HAZOURI: And that's

1 fine.

2 COUNCIL MEMBER PRIESTLY JACKSON: This
3 is, on the document request, my concern at
4 this point, is I know we asked for the 84
5 item, and we can talk about which ones of
6 those relate to the particular issues, but
7 that is not an exhaustive list, as we have
8 other issues that come up that might take
9 precedence.

10 For example, I'm just going to state
11 what is my concern, my concern is that the
12 acts that were able to facilitate the
13 recapitalization or desire to sell JEA was
14 actually embedded in what was -- we might
15 have thought were traditionally
16 administrative acts of JEA for the last three
17 to four years. So whether it was a padding
18 of a budget to accommodate for something in
19 the future or something else like that and
20 that's really what I want to talk about and
21 that's the information that I want in real
22 time.

23 And so my -- if it was traditional
24 outside counsel or consultant agreements,
25 but underneath this we actually knew it was

1 leading to this, that, to me, is what we are
2 to report on, and that is the accountability
3 we owe the public as good agents to see how
4 it got that far down.

5 So that is what I wanted to know, that
6 we can amend this and bump some things up.
7 And that's what I really want to talk with
8 you about. And that's why my position is to
9 start four, five years ago. So looking at
10 every budget from this year on and what were
11 the expenditures from that, that ties into
12 anything that happened in the last several
13 months, I think, is going to be very
14 informative.

15 CHAIRMAN DIAMOND: And there is nothing
16 in the world that says we can't issue more
17 requests that are targeted and, you know,
18 that get you everything you're asking for.

19 COUNCIL MEMBER PRIESTLY JACKSON: And I
20 think that becomes a priority, because
21 they're going to be dealing with their
22 budget for the next year coming up, and I
23 don't want our municipal utility hamstrung
24 and operating what it needs to operate, but
25 there were some operations for the last two

1 or three years that may have not been what
2 the public thought was going on and that's
3 allowed this 13, 14 million dollars of
4 expenditures to something that was against
5 the will of the people, I want to be real
6 clear. And the only way you can have it is
7 already in the budget, it's already covered.

8 COUNCIL MEMBER DeFOOR: Just one last
9 thing too that you hit on, something I was
10 reminded of, McKinsey and some these
11 vendors, is it possible to get with them and
12 find out when they -- I think we need
13 information from them, because I think there
14 was a lot of padding in the -- I mean,
15 Zahn's deposition.

16 CHAIRMAN DIAMOND: What are you looking
17 for?

18 COUNCIL MEMBER DeFOOR: When were they
19 exactly hired and what were they exactly
20 hired to do? We don't know that
21 information. And --

22 MR. BUSEY: We have what's public, and
23 it's ambiguous, and our job is to get behind
24 it and answer your questions.

25 COUNCIL MEMBER PRIESTLY JACKSON: Right.

1 I think that -- kind of picking up to what
2 Councilman DeFoor said, that's when you go
3 back and say, I want the consultants, legal,
4 bond counsel, anybody else, compensation,
5 for the last four years that were in the
6 budget on what they did. I do. I want to
7 know, because my concern is that it was
8 embedded in that, that actually was leading
9 the road down to where we are now.

10 MR. BUSEY: I understand. We're on it.

11 CHAIRMAN DIAMOND: Okay. We have three
12 minutes. Did you have more?

13 COUNCIL MEMBER SALEM: No. I'm pleased.
14 I mean, to me, Melissa Dykes is the only
15 person in the senior leadership team that
16 has not been deposed in some fashion. And
17 I'd like to see that occur. It sounds like
18 we need to get documents to move that up.

19 COUNCIL MEMBER DeFOOR: I totally agree
20 with you.

21 COUNCIL MEMBER SALEM: We've heard
22 nothing from her.

23 CHAIRMAN DIAMOND: How about this then:
24 Unless anyone on the Committee disagrees,
25 can we ask OGC to put on their list of

1 things to do to do that interview under oath
2 just like they did with the rest of the
3 Aaron Zahn investigation?

4 COUNCIL MEMBER DeFOOR: We've asked them
5 that at every meeting.

6 CHAIRMAN DIAMOND: I think it's time.

7 COUNCIL MEMBER SALEM: Is that something
8 we can witness?

9 CHAIRMAN DIAMOND: We can figure out
10 logistics, but let's get that train going
11 because it's the only deposition transcript
12 I haven't been able to review, because it
13 doesn't exist. And I would like to review
14 it.

15 COUNCIL MEMBER SALEM: If they've asked
16 her and she's given an excuse, I would like
17 to know that.

18 COUNCIL MEMBER DeFOOR: Why don't we get
19 an update on that? Has she been asked?

20 MR. GAVIN: I don't know the answer to
21 that.

22 COUNCIL MEMBER PRIESTLY JACKSON: I
23 would also suggest -- and, Mr. President, if
24 you're okay with it -- that each of the
25 colleagues, the other 16, have an

1 opportunity to discuss with Outside Counsel
2 or General Counsel, because there may be
3 reasons why there are not certain
4 transcripts not available. And I don't want
5 to step into any other quagmire of what
6 anybody else might be doing. I think
7 everybody needs to go have a conversation on
8 what they think we're missing with General
9 Counsel or Outside Counsel first, because I
10 think we all have different understandings
11 of why certain information may or may not be
12 available.

13 COUNCIL PRESIDENT WILSON: So you're
14 asking if other Members can talk to the
15 Outside Counsel or General Counsel? They
16 certainly can.

17 COUNCIL MEMBER PRIESTLY JACKSON: If
18 there is something that's missing that we
19 said we haven't requested at the Committee
20 level, probably because we may have a
21 different understanding or reason why, I
22 think Council Members need to be free to ask
23 Outside Counsel or General Counsel why that
24 is or why that may not be. And then we can
25 kind of --

1 COUNCIL PRESIDENT WILSON: Sure.

2 COUNCIL MEMBER SALEM: They can always
3 show up here, if they can't, if they have a
4 scheduling conflict --

5 CHAIRMAN DIAMOND: We have to end this
6 meeting. I apologize, but we have to get
7 down to Rules.

8 Mr. Scott, I do have your card, but we
9 ran out of time. I promise I will get to
10 you whenever we have time.

11 Is Rules downstairs?

12 MS. BROWN: Rules agenda is here.

13 CHAIRMAN DIAMOND: Well, then,
14 Mr. Scott, please, while we're waiting for
15 our chair of Rules.

16 MR. SCOTT: Stanley Scott with the
17 African American Economic Recovery Think
18 Tank. I have one question at this time.
19 Why --

20 (Inaudible crosstalk.)

21 MR. SCOTT: Can I get respect too?

22 CHAIRMAN DIAMOND: Sir, please,
23 continue.

24 MR. SCOTT: Can I get respect?

25 CHAIRMAN DIAMOND: Absolutely.

1 MR. SCOTT: The question from my
2 community is why do we have all these
3 professionals working for JEA that's
4 qualified, why would the leadership bring in
5 an unqualified person to lead JEA? That is
6 the question at this present time.

7 CHAIRMAN DIAMOND: Thank you, sir.
8 All right. This meeting is adjourned.
9 (Meeting adjourned at 1:30 p.m.)

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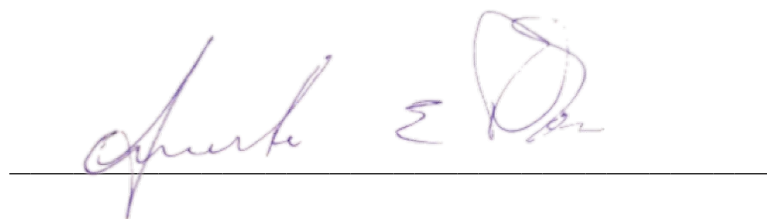
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CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF DUVAL

I, Amanda E. Robinson, Registered
Professional Reporter, do hereby certify that I
was authorized to and did report the foregoing
proceedings; and that the transcript, pages 1
through 36, is a true record of my stenographic
notes.

DATED this 24th day of March, 2020.



Amanda E. Robinson,
Registered Professional Reporter