

**SPECIAL INVESTIGATORY COMMITTEE ON JEA**

**SESSION #11**

DATE: Monday, October 26, 2020

TIME: 8:00 a.m. - 8:35 a.m.

PLACE: Zoom

COUNCIL MEMBERS PRESENT:

Brenda Priestly Jackson, Chair, District 10  
Randy DeFoor, District 14  
Scott Wilson, District 4  
Tommy Hazouri, Council President, Group 3  
Ronald Salem, Group 2

ALSO PRESENT:

Steve Cassada, IT Administrator  
Melanie Wilkes, Council Support Services  
Eric Grantham, Council Support Services  
Jeff Clements, Chief of Research  
Yvonne Mitchell, Council Research  
Phillip Peterson, Council Auditor's Office  
Heather Reber, Council Auditor's Office  
Peggy Sidman, Office of General Counsel  
Jason Gabriel, Office of General Counsel  
Steve Busey, Smith, Hulsey & Busey  
Kurtis Wilson, JEA  
Sandra Homrighouse, Ethics Office

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

2 CHAIRPERSON PRIESTLY JACKSON: Good  
3 morning. This meeting on the Special  
4 Investigatory Committee on JEA is called to  
5 order. The time is 8:00 a.m. Will we have  
6 all Committee Members please identify  
7 themselves for the record, as well as all  
8 visiting Council Members.

9 COUNCIL MEMBER DeFOOR: Hi. I'm Randy  
10 DeFoor.

11 COUNCIL MEMBER WILSON: I'm Scott  
12 Wilson, District 4.

13 COUNCIL MEMBER SALEM: Ron Salem, Group  
14 2 At-Large.

15 COUNCIL PRESIDENT HAZOURI: Tommy  
16 Hazouri, substitute for Scott Wilson, who is  
17 there, but I'm going to be here anyway for a  
18 while.

19 Welcome back, Scott.

20 CHAIRPERSON PRIESTLY JACKSON: And  
21 Brenda Priestly Jackson, SIC Chair and  
22 Council Member for District 10.

23 We will now have the invocation and  
24 Pledge of Allegiance led by Council Member  
25 DeFoor.

1 COUNCIL MEMBER DeFOOR: Thank you, Madam  
2 Chair.

3 Dear Lord, we -- I ask you to bow your  
4 heads.

5 Dear Lord, we ask that you be with us  
6 today, give us the strength and courage to  
7 -- and guidance and give us discernment to  
8 your words and for your work. In your name  
9 we pray, amen.

10 If you'll join us now in the Pledge of  
11 Allegiance.

12 (Pledge of allegiance.)

13 CHAIRPERSON PRIESTLY JACKSON: Thank  
14 you. Thank you, Council Member DeFoor.

15 We will now move to the Outside Counsel  
16 update with Steve Busey, Esquire.

17 Mr. Busey.

18 We can't hear Mr. Busey. We can't hear  
19 him.

20 MS. MITCHELL: He's -- hold on, because  
21 he's unmuted from our end. Yes, he's  
22 unmuted from our end.

23 Mr. Busey, if you would put yourself on  
24 mute and then unmute yourself, we'll try to  
25 see if that will reset it.

1           Okay. Now, try to unmute yourself. No,  
2           sir. They may need to turn up his volume on  
3           his side, because it's not showing that...

4           CHAIRPERSON PRIESTLY JACKSON: I think  
5           he has able assistants coming in the  
6           background.

7           MS. MITCHELL: Yes, ma'am.

8           Will you say something, Mr. Busey? No.

9           Steve suggests that you log out and come  
10          back in, because we see that you are not  
11          muted and we see your video, but we're not  
12          connecting, so his suggestion is to log out  
13          and come back in.

14          CHAIRPERSON PRIESTLY JACKSON: While  
15          that's happening, I want to -- I don't want  
16          them not to be on for our Office of General  
17          Counsel update, as well. So what I will  
18          do -- share with the public at this time is  
19          we have the next meeting of the SIC after  
20          today scheduled for November 16th at  
21          5:00 p.m. and the following meeting is  
22          November 30th at 5:00 p.m. Those are the  
23          two meetings that we have scheduled to take  
24          public comment and input. And those  
25          meetings may very well be in Council

1 Chambers, which is our hope at that time as  
2 well, so to let the public know that those  
3 two meetings are scheduled. For that time,  
4 those are our only meetings in November.

5 And we moved from the second and fourth  
6 Tuesdays because of conflicts with the  
7 calendar scheduling and also information  
8 requested by the SIC.

9 Our close-out meeting for this year is  
10 anticipated for Monday, December 7th at  
11 5:00 p.m., as well. And that will be the  
12 final meeting of the SIC Committee on JEA  
13 for this year and should coincide with the  
14 conclusion of our charge absent being  
15 extended by Council President at the request  
16 of either Outside Counsel or General  
17 Counsel.

18 All right. I was just giving that  
19 update.

20 Mr. Busey, are you ready now to share?

21 COUNCIL MEMBER DeFOOR: He may have to  
22 phone in. Something is up with his  
23 computer.

24 MS. MITCHELL: Steve, we still can't  
25 hear him. So what do we suggest?

1           Yeah, that's the recommendation. He  
2           needs to dial in. We can keep him video,  
3           but he needs to dial in. Their audio isn't  
4           working.

5           CHAIRPERSON PRIESTLY JACKSON: Okay.  
6           Did you hear that, Mr. Busey? If you can  
7           just dial in, but we'll keep the video going  
8           and you will just talk to us through the  
9           dial in, as well.

10          MR. BUSEY: All right. We'll do that.

11          MS. MITCHELL: There he is.

12          Don't touch anything. Do not touch  
13          anything.

14          MR. BUSEY: There is some expertise that  
15          I don't have.

16          CHAIRPERSON PRIESTLY JACKSON: That's  
17          okay. We appreciate it.

18          We're now for Outside Counsel update,  
19          Steve Busey, Esquire.

20          Mr. Busey.

21          MR. BUSEY: Steve Busey. Thank you,  
22          Madam Chair.

23          Since we last -- since the Committee  
24          last met, the Rules Committee voted last  
25          Tuesday to serve subpoenas on Tim Baker.

1           And they were served that evening and  
2           accepted early the next morning. And so  
3           we're waiting on Mr. Baker's response to the  
4           Rules Committee subpoena.

5           Also since that time, we've taken the --  
6           we've interviewed under oath Husein Cumber  
7           and we've tried to talk to April Green, but  
8           she declined. Deno Hicks declined. Lisa  
9           Strange Weatherby has agreed to be  
10          interviewed. And we're trying to schedule  
11          that date now. Joey Greive, the City's  
12          treasurer, has agreed to be interviewed;  
13          that's scheduled for November 17. John  
14          Campion unfortunately is deceased; we're not  
15          going to be able to interview him.

16          We're still trying to get in touch with  
17          Camille Lee-Johnson. And we have -- are  
18          reaching out to a number of City Council  
19          people regarding their responses to the  
20          Committee regarding who they met with during  
21          the cone of silence.

22          We've looked at a predictive coding on  
23          over 600,000 documents. And we're well  
24          underway now in beginning to draft our  
25          report, which we should have within the time

1 frame that's been permitted by Council  
2 President Hazouri. So that's a short  
3 report, but we're on track.

4 CHAIRPERSON PRIESTLY JACKSON: Okay.  
5 Committee Members, questions? Committee  
6 Members DeFoor, Wilson or Council President  
7 Hazouri?

8 COUNCIL MEMBER DeFOOR: Madam Chair, I  
9 have no questions.

10 COUNCIL PRESIDENT HAZOURI: I have none,  
11 yet.

12 CHAIRPERSON PRIESTLY JACKSON: Is  
13 Council Member Wilson here?

14 COUNCIL MEMBER WILSON: I don't have any  
15 questions, ma'am.

16 CHAIRPERSON PRIESTLY JACKSON:  
17 Wonderful, thank you.

18 Any visiting Council Members, any  
19 questions?

20 Thank you, Councilman Salem.

21 Thank you so much, Mr. Busey, for that  
22 update. We now move to the Office of  
23 General Counsel, Jason Gabriel, Esquire.

24 We can't hear you either, Jason. I  
25 think it's Big Brother. I think we're being



1 hacked.

2 MS. MITCHELL: You have to unmute  
3 yourself.

4 MR. GABRIEL: All right. I think I did  
5 it.

6 All right. Good morning. I think  
7 Mr. Busey covered the subpoenas. They've  
8 been served and accepted.

9 Our office is doing a quick review of  
10 about 1,500 new documents that we've pulled.  
11 Those should be completed today. Let's see  
12 here. Just going down my list.

13 JEA is gathering a few additional items  
14 per the request, and I think that's about  
15 it. We continue to work with Special  
16 Counsel, and I think we're bringing this in  
17 for a landing in the time frame, and I think  
18 everything thus far has been going pretty  
19 smoothly.

20 Lastly, I'm in the process of completing  
21 an index disclosure. I think we spoke about  
22 this a few weeks ago. Basically, a list, an  
23 index of all -- any and all opinions and  
24 legal guidance that our office provided  
25 during the previous privatization

1 discussions over the years. This will go  
2 back a few years. I am putting that  
3 together along with links to the actual  
4 opinions and legal guidance memos so it's  
5 kind of like a one-stop-shop index so you  
6 can look at it and, you know, see sort of --  
7 it's kind of a good chronology that takes  
8 you through time over the past, I don't  
9 know, three years or so. And that should be  
10 completed soon.

11 I'm trying to make sure -- every now and  
12 then I feel like I've got it complete and  
13 then there is some, you know, guidance or  
14 memo that I had forgotten about that popped  
15 up and I put it in. So I just want to make  
16 sure it's exhaustive and complete, but I'm  
17 working on that and that should be finalized  
18 pretty soon.

19 Other than that, like I said, we  
20 continue to work with Outside Counsel and,  
21 you know, so far so good. And I think we  
22 should be bringing this in, you know, for a  
23 landing here soon. So that's all I have,  
24 Madam Chair.

25 CHAIRPERSON PRIESTLY JACKSON: And would

1           you forward -- you shared the process when  
2           we were at the Rules Committee meeting, but  
3           I'm certain the public wants to know the  
4           process at this meeting, as well.  Would you  
5           just give the timelines relative to the  
6           Rules Committee's actions on the -- on last  
7           week, which was the 20th, in terms of the  
8           subpoenas and then when the responses are  
9           due and what happens if it is partial  
10          compliance, substantial compliance,  
11          noncompliance, then it goes back to Rules  
12          and then to the Council as a whole.  Would  
13          you just give that timeline for the public,  
14          please.

15                 MR. GABRIEL:  Sure.  You want me to do  
16                 it orally right now?

17                 CHAIRPERSON PRIESTLY JACKSON:  Yes.

18                 MR. GABRIEL:  No problem.  So the SIC  
19                 Committee had -- and we'll use the Tim Baker  
20                 and the affiliated corporate entities as the  
21                 examples since that's the set of subpoenas  
22                 that's out there right now.

23                 And this would apply to any subpoenas,  
24                 obviously.  But the SIC Committee had made a  
25                 recommendation on the 20th of October to

1 recommend approval of and issuance of a set  
2 of subpoenas. That travelled to the  
3 Committee of reference, which was the Rules  
4 Committee, last week, whatever date that  
5 was, the --

6 CHAIRPERSON PRIESTLY JACKSON: The 20th,  
7 that was actually the 20th.

8 MR. GABRIEL: I'm sorry. Yeah. Let me  
9 rephrase this for the public's benefit.

10 The SIC Committee prior to October 20th  
11 had made that recommendation. October 20th  
12 was actually the Rules Committee meeting  
13 where the Rules Committee took up the  
14 recommendation and actually approved and  
15 issued the subpoenas, which was last  
16 Tuesday. Within, I think, 24 hours of that,  
17 the subpoenas were prepared, issued,  
18 executed and actually served and accepted, I  
19 think, within 24 hours. It may have been  
20 within 48 hours. And so those are underway.

21 There is a deadline set in those  
22 subpoenas for November 16th at 5:00 a.m.,  
23 which essentially coincides with your next  
24 SIC Committee meeting on the 16th. And so  
25 we'll see, you know, what transpires by

1           then.

2           And obviously, if they're adhered to,  
3           then that settles it and you review the  
4           documentation and we go from there. If it's  
5           not, if it's partially or completely  
6           non-complied with, then at that point in  
7           time the SIC Committee, on the 16th, will  
8           have a consideration of that and decide  
9           whether it wants to continue down the road  
10          of enforcing those subpoenas. And if it  
11          decided to do so -- if it decided not to,  
12          then it ends there, as well. If it decides  
13          to do so, then it would make its  
14          recommendation, which would then travel --  
15          along this expedited timeline, it would  
16          travel -- the next available Rules Committee  
17          to consider the SIC Committee's  
18          recommendation from the 16th would be the  
19          17th, which would be that Tuesday, November  
20          17th at the Rules Committee, which then the  
21          Rules Committee would take it up, take a  
22          consideration of the recommendation. And  
23          then should it decide that it wants to  
24          continue to force the subpoena, it would  
25          make that recommendation, which would then

1 travel as a resolution and order. We would  
2 prepare that documentation. We would file  
3 it the 18th, which is that Wednesday of  
4 committee week, which would be a filing  
5 deadline. We would file it by then if the  
6 Rules Committee so decided, which would then  
7 go to City Council on the 24th as an  
8 emergency.

9 And then the Council will decide on the  
10 24th whether it wants to reissue the  
11 subpoena or not and then it goes from there.  
12 If the Council decides to reissue the  
13 subpoena, it does so, there is another  
14 deadline. And then if that's not adhered  
15 to, then the Council rules with a  
16 consideration and recommendation and Council  
17 will have to decide whether it wants to take  
18 it to circuit court or not.

19 CHAIRPERSON PRIESTLY JACKSON: Okay.

20 MR. GABRIEL: So that, essentially,  
21 generally completes that sort of timeline.

22 CHAIRPERSON PRIESTLY JACKSON: Okay.

23 Only question I have relative to what you  
24 just shared, before we take questions from  
25 Committee Members and Council President and

1 other Council Members, what -- is there just  
2 -- since the response is due on 11/16/20,  
3 which is the next SIC meeting, is there --  
4 there is no action to be taken by the SIC at  
5 that time other than to note whether the  
6 responses have been forwarded to the actual  
7 -- action item was taken by the Rules  
8 Committee.

9 So you mentioned that the SIC then would  
10 decide what would be the determination or  
11 decision of the SIC on the 16th. I didn't  
12 think there was anything else for us to do  
13 other than to make note whether we received  
14 the information or not and then it goes back  
15 to the Rules Committee. Can you just share  
16 that?

17 MR. GABRIEL: Yeah. I mean that -- you  
18 know, this is a new, completely new, process  
19 that we're all working through. And what  
20 I'm relaying to you is, essentially,  
21 extrapolated straight from the code. The  
22 code, obviously, leaves some informational  
23 gaps to be filled.

24 So, yeah, I mean, on the 16th, if --  
25 let's just assume for a minute there is a --

1           you know, it's not adhered to in some way.  
2           The SIC Committee, you can do nothing at  
3           all; you can note that it had occurred and  
4           leave it at that; or you're in a position to  
5           make a recommendation to the Rules  
6           Committee. But, no, there is no action that  
7           you need to take or have to take on the  
8           16th. Yeah, let me be clear about that.

9           Now, and for that matter, the same with  
10          the Rules Committee on the 17th. You know,  
11          again -- and I'm not suggesting this, but,  
12          you know, one of the things you can do is  
13          drop it and leave it alone and not do  
14          anything. But if you wanted to -- I'm sure  
15          there will be a consideration of what  
16          occurred, if anything. And then the Rules  
17          Committee on the 17th also will decide, you  
18          know, does it want to leave it at that and  
19          move on or, you know, make the report  
20          recommendation to the Council to proceed  
21          with the subpoena.

22          That's right, Madam Chair. So the SIC  
23          Committee can do something as far as a  
24          recommendation, that's about as far as it  
25          can go on the 16th, or it can just leave it



1 at that and let the Rules Committee take it  
2 up on the 17th.

3 CHAIRPERSON PRIESTLY JACKSON: Okay.  
4 Thank you.

5 And I made this request, so we're not  
6 going to anticipate noncompliance at this  
7 point; we will see what happens. But I  
8 requested on behalf of the SIC, as well as  
9 information that would go before the Rules  
10 Committee, that we have -- and I'm just  
11 going to restate this for the record now --  
12 that, Mr. Gabriel, you work in coordination  
13 with Mr. Busey's office. I'd like for us to  
14 have a memorandum from each of you that's  
15 ready for the 16th in the event that there  
16 is not compliance or insuffic- -- not  
17 substantial compliance or there is an  
18 objection made.

19 And what I want in that legal  
20 memorandum, sort of what you did when we  
21 talked about legislative purpose and the  
22 policy basis for us issuing the subpoenas,  
23 would you tell us, answer a couple  
24 questions -- and I'm going to look to my  
25 other Committee Members to chime in, as

1 well, for this. But would you tell us, in  
2 addition to the cost for every step of  
3 enforcement if that was an action taken by  
4 the Rules Committee and then before the City  
5 Council, would you include what that cost  
6 would be? Would you also answer the  
7 question, if there is any other way for us  
8 to receive the information that we think  
9 that we're going to receive, that we're  
10 requesting from the five corporate entities  
11 and Mr. Baker individually.

12 And then, Mr. Busey, more specifically,  
13 if there is another way to get that  
14 information, if there is a way to make a  
15 logical inference based on what other  
16 information we have, does that lack of  
17 substantial compliance or noncompliance  
18 negatively impact your ability to complete a  
19 final report for us consistent with the  
20 charge of the SIC, okay.

21 But I would like for that, before the  
22 Rules Committee takes any action, if there  
23 is not compliance on the 17th. So that's  
24 kind of drafting with the thought if it's  
25 not, which we would know maybe by that

1 Friday before if we can have that  
2 information, I think that would be very  
3 beneficial before any further action is  
4 taken: Legal memorandum on what's  
5 requested, does it impede our charge if  
6 there is noncompliance with subpoenas, and  
7 then the cost intended at every step, which  
8 means Rules Committee, full Council, past  
9 all that. So that's my request.

10 Council Member DeFoor, do you have  
11 anything you would like to add?

12 COUNCIL MEMBER DeFOOR: No, Chairwoman.  
13 My understanding was -- and I would like to  
14 know also in the process, I think the final  
15 step, if the Council were to issue the  
16 subpoena and it was refused, I think  
17 Mr. Gabriel said it goes to circuit court,  
18 but I also understood it could go to the  
19 State Attorney's Office. And I just think  
20 it -- I don't care which way, I just think  
21 we need to have the entire analysis done of  
22 exactly what the options are, if that's  
23 okay, as well.

24 CHAIRPERSON PRIESTLY JACKSON: Yep,  
25 sounds great.

1           MR. GABRIEL: May I address that real  
2 quick?

3           CHAIRPERSON PRIESTLY JACKSON: Yes.

4           MR. GABRIEL: Yeah. Ms. DeFoor brings  
5 up a good point. The code itself, and it  
6 was written a long time ago, actually only  
7 refers to at the end of this whole thing, if  
8 it's not complied with, only refers to  
9 sending it to the state attorney. And that  
10 has been some sorts of internal discussion  
11 as to what exactly that means.

12           What we've said, though, is that the  
13 Council, in situations like this, for  
14 enforcement, always has the inherent right  
15 to perfect or enforce something in circuit  
16 court.

17           But to Ms. DeFoor's point, we can sort  
18 of maybe elaborate on that a little bit more  
19 in our memo that you're asking for, because  
20 we did a previous memo actually back in '18  
21 when the previous JEA committee was led by  
22 Council Member Crescimbeni at the time. We  
23 had a whole thing on subpoenas and the whole  
24 process, et cetera. In that one, if you  
25 read it, it kind of takes you through

1 everything we're talking about here. But it  
2 ends with just the end point of state  
3 attorney. So, yeah, this issue of circuit  
4 court we can flesh out a little more.

5 COUNCIL MEMBER DeFOOR: Thank you, Madam  
6 Chair. And the reason I raise that is  
7 because the cost issue. So I think it's  
8 important that -- thank you for that,  
9 Mr. Gabriel.

10 CHAIRPERSON PRIESTLY JACKSON: Committee  
11 Member Wilson, do you have any questions?

12 COUNCIL MEMBER WILSON: No, ma'am.

13 CHAIRPERSON PRIESTLY JACKSON: Okay.  
14 Thank you.

15 Mr. President, Council President  
16 Hazouri?

17 COUNCIL PRESIDENT HAZOURI: Thank you,  
18 Madam Chair. My question would have been  
19 and General Gabriel answered them all, I  
20 wanted to hear the timeline so the public  
21 could know exactly where we are. It's still  
22 a little bit, I'm sure, confusing for some  
23 who haven't been keeping up with this.

24 Also, to Steve Busey, Steve, when will  
25 the -- not just the subpoenas for Mr. Baker

1 and the five corporate entities, but you'll  
2 be receiving testimony from Mr. Greive and  
3 Ms. Strange and others in between all of  
4 this. How is that -- what is your timeline  
5 on that?

6 And also, to Madam Chair, will there be  
7 public comments at that point or you're just  
8 going to vote or are you going to receive  
9 public comments, not just from Council  
10 Members who aren't on the Committee but from  
11 the public in general?

12 CHAIRPERSON PRIESTLY JACKSON: So I'm  
13 going to let Mr. Busey -- Mr. Busey, you  
14 want to answer the question Council  
15 President posed?

16 And then I'll address our meeting  
17 format, Mr. President.

18 MR. BUSEY: Yes, yes. To the  
19 President's question, we anticipate  
20 completing those interviews, which I  
21 mentioned, during the month of November. We  
22 have several scheduled now and we expect to  
23 deliver our report, absent further  
24 developments on the subpoenas, during  
25 December, consistent with the President's

1 charge.

2 COUNCIL PRESIDENT HAZOURI: Okay. And  
3 as far as the subpoena itself, you're just  
4 subpoenaing Mr. Baker and the five  
5 corporate, is that how you did it or --

6 MR. BUSEY: That's all that we've done  
7 so far, yes.

8 COUNCIL PRESIDENT HAZOURI: Okay. This  
9 is kind of a loaded question, and you may  
10 have mentioned it before. I just want to  
11 make sure that the public understands where  
12 we're going with this and why -- what other  
13 information other than whatever you've  
14 received so far that we're looking for. And  
15 I think that's important, because we're not  
16 just haphazardly sending out subpoenas just  
17 to look like we're the top dog or something.

18 I mean, we know that the U.S. attorney  
19 is looking at it and potentially the state  
20 attorney, but to wrap up our mission and our  
21 charge, I just want to find out exactly what  
22 we're looking for, whether they agree to  
23 come or not so -- that we haven't done that  
24 we need to gather again that we haven't  
25 received so far in your interviews with

1 Mr. Baker and others. I don't know that  
2 you -- I can't remember whether you've even  
3 heard from Mr. Baker. But what are we  
4 looking for that's different than what we've  
5 already received.

6 CHAIRPERSON PRIESTLY JACKSON: May I  
7 interject for just a moment?

8 Council President, we -- I'm not certain  
9 if you're aware, we sent all five of the  
10 subpoenas, along with the one for Mr. Baker,  
11 so it kind of outlines specifically what the  
12 request was. If you can review those, and  
13 just because I think it may run us over  
14 time, and perhaps reach out directly with  
15 Mr. Busey if you have any follow-up  
16 questions on any of that, then I think that  
17 would be probably more advantageous to you,  
18 as the same offer is extended to all Council  
19 Members, if you're okay with that.

20 COUNCIL PRESIDENT HAZOURI: It does.  
21 Yeah, I am. I think it's important that  
22 we're not just haphazardly going after  
23 something that's -- you know, we have rhyme  
24 and reason on what you're doing, what the  
25 SIC Committee is doing. We have a lot of



1 testimony, you remember, from some of the  
2 other members last time, and I don't want us  
3 to be in a position where people are  
4 posturing for or against the subpoena or for  
5 or against Mr. Baker; it's just for our  
6 information and what's important for us to  
7 complete our mission. Thank you.

8 CHAIRPERSON PRIESTLY JACKSON: Right.  
9 And that's why in advance of the Rules  
10 Committee meeting last week, those -- the  
11 copies of the proposed subpoenas, all five  
12 of the ones for the corporate entities, as  
13 well as personally, were forwarded to all  
14 Rules Committee Members and all Council  
15 Members in advance. So that -- and then  
16 your question to me was relative to public  
17 comment. We will have public comment at the  
18 SIC meeting on the 16th, as well as the SIC  
19 meeting on the 30th.

20 And if there is an action item before  
21 the Rules Committee on the 17th, we will  
22 look at the ability to accommodate public  
23 comment and finish our agenda that we were  
24 unable to complete last time. So that's  
25 kind of moving far ahead.

1           You gave us time constraints for the  
2 meeting, so I have to kind of see if we can  
3 get through all that. We'll have public  
4 comment at the Rules Committee meeting.

5           COUNCIL PRESIDENT HAZOURI: Will the  
6 public comment be limited to the subpoenas  
7 only at the Rules Committee?

8           CHAIRPERSON PRIESTLY JACKSON: If we  
9 have the time. I can't honestly say,  
10 Mr. Council President, we're going to have  
11 the time. We left off with about three  
12 items last time and then there is a new  
13 agenda --

14          COUNCIL PRESIDENT HAZOURI: Right. I  
15 saw that.

16          CHAIRPERSON PRIESTLY JACKSON: So I  
17 will -- we will definitely try to make it  
18 and accommodate it if at all possible and be  
19 mindful of that, okay.

20          COUNCIL PRESIDENT HAZOURI: Thank you,  
21 Madam Chair.

22          CHAIRPERSON PRIESTLY JACKSON: I see  
23 Council Member Salem. You have a question?

24          COUNCIL MEMBER SALEM: Thank you, Chair.  
25 Just a comment. I'm told by a couple of

1 constituents that the Committee meeting  
2 today is not online and is not on TV, as it  
3 normally is. I notified Paul to that fact,  
4 but just wanted everyone to know, unless  
5 that's been fixed over the last few minutes,  
6 we are not streaming.

7 CHAIRPERSON PRIESTLY JACKSON: Thank  
8 you.

9 And, Ms. Mitchell, if you all will give  
10 us an update on that before we get off  
11 today.

12 MS. MITCHELL: Thank you, ma'am.

13 CHAIRPERSON PRIESTLY JACKSON: We will  
14 now move on to Item E, witnesses, subpoenas,  
15 documents and related issues. Is there  
16 anything further, Mr. Busey or Mr. Gabriel,  
17 for Item E?

18 MR. BUSEY: Nothing further from the  
19 Special Counsel.

20 CHAIRPERSON PRIESTLY JACKSON:  
21 Mr. Gabriel?

22 MR. GABRIEL: No, ma'am. Nothing from  
23 my end either.

24 CHAIRPERSON PRIESTLY JACKSON: Okay. We  
25 now move to Item F, Council Members'

1 disclosures. We've not received any  
2 additional disclosures since the last SIC  
3 meeting, which means to date we've received  
4 17 Council Members' voluntary disclosures.  
5 And as Mr. Busey shared, they are kind of  
6 reviewing those and will reach out  
7 individually to Council Members relative to  
8 information they included that was in their  
9 disclosures.

10 We now move on to Item G, Council  
11 Members' one-on-one meetings with Outside  
12 Counselman Steve Busey.

13 Mr. Busey extended an offer for Council  
14 Members to continue to meet with you, that  
15 is still the standard case?

16 MR. BUSEY: Yes, ma'am, that's still the  
17 case. We have not had any Council People  
18 since the last meeting ask to meet with us,  
19 but we are available and will make ourselves  
20 available if any Council Person wants to  
21 talk to us about the investigation.

22 CHAIRPERSON PRIESTLY JACKSON: Okay.  
23 Thank you.

24 Moving right on. Mr. Gabriel, I did  
25 want to follow up on something you shared,

1           and I'm encouraged that you are going to  
2           have your office kind of do an index of  
3           legal guidance and memos you've done  
4           relative JEA since you have been the General  
5           Counsel. The only official thing that I  
6           would add is I would not say go back to the  
7           last Committee and conversation. I think  
8           that, through the review of the timeline  
9           that we have been able to do with Mr. Busey  
10          and the attorneys in his office, it actually  
11          predates all of that. So I think if you can  
12          just look at whatever index might have been  
13          starting shortly, probably a year or two  
14          shortly after the prior Council assumed  
15          office in July of '15, that might be best,  
16          that way we would not miss anything for that  
17          index or memos that were provided.

18                 And I'll share with the public we're  
19                 asking for that because what has become  
20                 somewhat obvious at this point was there was  
21                 a covert operation relative to the  
22                 privatization and there was an overt  
23                 operation relative to the privatization.  
24                 And so there is a flexible timeline on when  
25                 things were done.

1           So just to make certain that any  
2           guidance provided by your office  
3           contemplates any time frames that we may be  
4           dealing with this issue, I would just ask to  
5           extend the review of your legal memorandums  
6           and advice your office provided to the City  
7           Council or JEA not just to the 2018 date,  
8           but probably looking back to 2015, that's  
9           the only thing I would say. You may have  
10          given it for one thing, it may have been  
11          used for another. That's all I have for  
12          that.

13           Other business from any Committee  
14          Members?

15           I think the Council President has  
16          something he would like to share.

17           MS. MITCHELL: He's got to unmute  
18          himself.

19           CHAIRPERSON PRIESTLY JACKSON: Unmute  
20          yourself.

21           And I'm told we're streaming now; is  
22          that --

23           MS. MITCHELL: Yes.

24           CHAIRPERSON PRIESTLY JACKSON: Thank  
25          you, Councilman Salem for calling that to

1           our attention.

2           COUNCIL PRESIDENT HAZOURI: Am I unmuted  
3           now?

4           CHAIRPERSON PRIESTLY JACKSON: Yes.

5           COUNCIL PRESIDENT HAZOURI: I just have  
6           -- it really kind of concerns me on the  
7           Council Member disclosures. So we have two,  
8           Ms. Cumber and Mr. Bowman, who haven't done  
9           the disclosures. Maybe they don't feel like  
10          they have to, and they don't. But they've  
11          testified the other day, I saw, on voting  
12          against -- being against the subpoenas.

13          Now, to Mr. Busey, you said that you may  
14          or maybe you are going to be interviewing  
15          some Council Members. If these Council  
16          Members, among all the others, have done --  
17          or did their disclosures, would that satisfy  
18          some of the concerns you have or whatever  
19          they may put down or not put down that you  
20          would be interviewing these people, and I  
21          don't know who you're talking about, that  
22          you would be interviewing them anyway? Does  
23          that make sense?

24          In other words, if they haven't done --  
25          if two of them are the ones that hadn't done

1           the disclosure and you needed to talk to  
2           them, I'm not saying you do or don't, but  
3           would you, in spite of the fact that they  
4           didn't do a disclosure, which may save you  
5           some time of interviewing, that you would be  
6           interviewing them anyway regardless of  
7           whether they did a disclosure or not?

8           MR. BUSEY: We will likely do that. The  
9           disclosures are very helpful to us because  
10          they tell about communications that happened  
11          during the cone of silence regarding this  
12          process. And we're going to make inquiries  
13          with the Council People who made those  
14          disclosures. If we had them from the two  
15          Council Members that you asked, that would  
16          be helpful. But we'll probably talk to them  
17          even in the absence of those disclosures to  
18          see if they have anything they can add to  
19          the picture for us.

20          COUNCIL PRESIDENT HAZOURI: Well, as  
21          Council President, I would encourage them to  
22          do so. They may have their reasons and they  
23          may not like the Investigative Committee, I  
24          think that's what Mr. Bowman said, but it  
25          sure would be helpful to bring this -- our



1 SIC Committee to a good wrap-up. And I know  
2 you've been working on it and, if not, then  
3 just do what you need to do.

4 And I would encourage all the Council  
5 Members to participate. And it's not saying  
6 -- I think the disclosure did a great job  
7 with that, Madam Chair, in asking for this.  
8 And I think it's important that we all  
9 participate, that we all know that, when we  
10 vote, that we're voting in good conscience  
11 and we're voting because we want to bring  
12 this to a conclusion and we want to make  
13 sure that the job of the SIC Committee --  
14 and thank you again, Mr. Wilson, for  
15 appointing this -- and that the job is  
16 complete. So thank you very much.

17 And thank you, Mr. Busey.

18 MR. BUSEY: Thank you, Mr. President.

19 CHAIRPERSON PRIESTLY JACKSON: Any other  
20 hands raised or any other comments from  
21 Committee Members or Council Members?

22 And I want to go on the record just to  
23 kind of state I am very encouraged by the 16  
24 other Council Members, as well as myself,  
25 that did the disclosures. And I just want

1 to share -- I mentioned the issue of  
2 disclosures by Council Members in February  
3 of 2020, that's when I initially mentioned  
4 it. And that was at the time we were  
5 thinking of asking for all this information  
6 from everyone else, and I said we had to  
7 hold ourselves to the same standard, same  
8 high standard. So this was not a new  
9 iteration for me or a new item.

10 So again, we are seeking the truth and  
11 seeking our ability to address concerns that  
12 arose from this matter with legislative  
13 changes, and we need all information  
14 available to be able to do that.

15 No other business. Seeing no other  
16 hands raised for any other business, this  
17 meeting is adjourned at this time. Thank  
18 you.

19 (Meeting adjourned at 8:35 a.m.)

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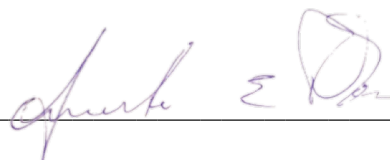
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## CERTIFICATE OF REPORTER

STATE OF FLORIDA  
COUNTY OF DUVAL

I, Amanda E. Robinson, Registered Professional Reporter, Certified Realtime Captioner, do hereby certify that I was authorized to and did report the foregoing proceedings; and that the transcript, pages 1 through 34, is a true record of my stenographic notes.

DATED this 12th day of November, 2020.



Amanda E. Robinson,  
Registered Professional Reporter,  
Certified Realtime Captioner