

**OFFICE OF THE CITY COUNCIL**

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**City Council Committee of the Whole on**

**Ordinances 2016-1 and 2016-2 – Meeting Minutes**

**February 18, 2016**

**3:00 p.m.**

**Location:** City Council Chamber, City Hall – St. James Building; 117 West Duval Street,

**In attendance:** Council Members Greg Anderson (President), Danny Becton, Aaron Bowman, Lori Boyer, Anna Lopez Brosche, Katrina Brown, Reginald Brown, Doyle Carter, John Crescimbeni, Garrett Dennis, Al Ferraro, Reggie Gaffney, Bill Gulliford, Tommy Hazouri, Jim Love, Joyce Morgan, Sam Newby, Matt Schellenberg, Scott Wilson

**Also**: Jason Gabriel, Peggy Sidman, Paige Johnston and Stephen Durden – Office of General Counsel; Kirk Sherman– Council Auditor’s Office; Dana Farris, Carol Owens, Jessica Morales, Katrin McDonald, Crystal Shemwell, Philip Zamarron – Legislative Services Division; Steve Cassada – Council Staff Services; Sam Mousa, Kerri Stewart and Ali Korman Shelton – Mayor’s Office

**Meeting Convened**: 3:02 p.m.

President Anderson convened the meeting and the council members introduced themselves for the record. Mr. Anderson explained the ground rules and procedures for the meeting.

Council Member Hazouri thanked his council colleagues for their time and attention to this matter and encouraged proponents for the ordinance to keep meeting and trying to refine a proposal to expand the coverage of the City’s anti-discrimination ordinances.

**Motion** (Hazouri): recommend withdrawal of pending ordinance 2016-2

Council Member Gulliford announced that his offer to withdraw his bill (2016-1) was contingent upon Council Member Hazouri agreeing to withdraw his bill permanently. Since it now appears that Mr. Hazouri intends to reintroduce a similar bill at a later time, he will not move to withdraw 2016-1.

Council Member Katrina Brown took great exception to a recent article in *Folio* magazine implying that she and several other council members were induced by the mayor to vote for withdrawal of the bills by promises of funding for projects in their districts or in which they are particularly interested.

Council Member Crescimbeni announced that if 2016-2 is withdrawn at this meeting and 2016-1 is not withdrawn, then he will move to reconsider the withdrawal of 2016-2 so that both bills are kept pending together and dealt with at the same time.

Council Member Boyer reminded the council members that any action the council may take on these bills is not the final word; whether they are ultimately approved or denied, any council member can re-introduce another ordinance on the same subject to reverse or amend the action taken now.

In response to a question about his intention to re-introduce his bill, Council Member Hazouri said it was his intention to re-introduce the bill after the community has had more time to digest what is being proposed and to suggest improvements that might make the new ordinance more palatable to a larger portion of the community and to a majority of the council.

Council President Anderson supported the withdrawal of 2016-2 in order to honor the desire of the bill’s sponsor and in order to determine the effects the Mayor’s executive order on the subject may have.

Several council members advocated for and against withdrawal of the bills.

The Hazouri motion to **recommend** **withdrawal 2016-2 was approved 12-7**.

**Motion** (Gulliford): recommend approval of ordinance 2016-1

Council Member Gulliford suggested that it is fairer to allow the public to vote on the ordinance to expand the City’s non-discrimination protections than to leave the decision to the City Council which is subject to intense pressure by lobbyists and political campaign contributors. He also suggested that if the public decides the issue by referendum it is far more likely that the issue will stay resolved; the Council has been very reluctant to overturn the results of referenda by subsequent ordinances.

Council Member Bowman felt that if the matter is put to a referendum vote, then Jacksonville will become a national and international spectacle for 6 months while the debate rages and out-of-town interest groups flood Jacksonville’s airwaves and mailboxes with advertising both for and against the proposition.

Council Member Boyer agreed with Council Member Bowman’s fear that a referendum campaign will become a battle of national forces taking place in Jacksonville and expressed concern that holding the referendum could severely impact the chances of success for the mayor’s proposed sales tax extension to fund accumulated pension liability, assuming that bill emerges from the Florida Legislature. Council Member Crescimbeni echoed the concern over the potential impacts of a non-discrimination ordinance referendum on a potential referendum on sales tax extension for pension amortization, which may be the most important issue affecting Jacksonville’s future.

**Motion** (Crescimbeni): recommend withdrawal of ordinance 2016-1 –

In response to a question from Council Member Boyer, Deputy General Counsel Peggy Sidman explained the Council Rules concerning postponement or deferral of pending bills. Council Member Crescimbeni reminded the Council of the ramifications of withdrawing a bill versus voting to defeat it on the ability to re-introduce a substantially similar bill.

The Crescimbeni motion to **recommend withdrawal of 2016-1 was approved 18-1**.

Kerri Stewart representing the Mayor’s Office explained the Mayor’s directive of January 29, 2016 to the General Counsel, Employee Services Department and Procurement Division regarding changes to City hiring policies and contracts prohibiting discrimination on the basis of all currently protected categories as defined by the U.S. Equal Opportunity Employment Commission interpretations, including “sex”, which shall now be interpreted to include sexual orientation and gender identity. Specific instructions will be developed for the City’s vendors to explain the new interpretation. Ms. Stewart answered questions about enforcement and training on the new policy. In response to a question she stated that the Mayor’s policy does not apply to the independent authorities.

General Counsel Jason Gabriel reported that his office will be studying the question of whether the Mayor’s policy can be made mandatory for the independent authorities.

President Anderson thanked the council members for their passion and civility in debating this contentious issue.

**The Committee of the Whole was in recess from 4:34 to 4:42**

The Floor Leader explained the rules for the public comment period and noted that the first speakers will be called from cards submitted by speakers who did not get the opportunity to speak due to time constraints at the first Committee of the Whole meeting two weeks ago.

Thirty-three speakers spoke during the public comment period both in favor of and in opposition to 2016-1 and 2016-2

The Council President adjourned the Committee of the Whole meeting to convene a special called meeting of the full council to consider the committee’s recommendations.

**Meeting adjourned:** 5:46 p.m.

Minutes: Jeff Clements, Council Research

2.18.16 Posted 6:00 p.m.

Tapes: City Council Committee of the Whole on 2016-1 and 2016-2 meeting – LSD

2.18.16