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|  | **OFFICE OF THE CITY COUNCIL** |  |
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May 9, 2018

(1:00 P.M.)

**TASK FORCE ON OPEN GOVERNMENT**

**MEETING MINUTES-AMENDED**

**CHAIRS:** Hank Coxe, Esq. and Dr. Sherry Magill

**MEMBERS:** Ywana Allen

Rachael Fortune

The Honorable Alberta Hipps

Ron Littlepage

Michael Lockamy

Audrey Moran

The Honorable Jim Overton

Sabeen Perwaiz

Cleve Warren

**Also:** Colleen Hampsey- Council Research; Kim Taylor-Council Auditor’s Office; Jon Phillips-Office of

General Counsel

**Panel:** AG Gancarski-Florida Politics; Mary Kelli Palka-The Florida Times-Union; Jessica Palombo-

WJCT

For all other attendees, please see sign in sheet.

**Meeting convened:** 1:04 pm  **Meeting Adjourned:** 4:19 pm

**Introductions**

The Co-Chairs, Hank Coxe and Sherry Magill, called the meeting to order. The Task Force members approved the minutes from the April 24, 2018 meeting.

**Media Panel**

The media panel was comprised of AG Gancarski-Florida Politics, Jessica Palombo-WJCT and Mary

Kelli Palka-The Florida Times-Union, who attended to join a discussion about media access to

government and the methods by which the public accesses government. The conversation focused

primarily on public records and how they are accessed and received by the media. According to the

panelists, there are often delays and unexpected costs associated with public records requests, which

according to [*Florida Statute*](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0119/0119.html) should be provided at a “reasonable” cost in a “reasonable” amount of time.

Ms. Palka also said that some readily available public records appear to go through political review before

being shared with the media, and the delays sometimes give the impression of being intentionally

obstructive.

It was noted by the panelists that there are frequent delays in receiving the Sheriff’s Office public records.

Ms. Palka said that on average the *Times-Union* spends $500-$800 per month on public records. Ms.

Palombo said that WJCT has a small budget for records, $400 per year, which does not last long. Ms.

Palombo said that there are some positive aspects to the records request process when dealing with certain

agencies, specifically that JEA is responsive and the State Attorney’s Office has been taking steps to

improve their public records procedures.

It was mentioned that in recent years, public officials have become less candid with the media, often

refusing to make statements on the record, and that City department directors are not accessible at all. The

lack of candor may increase the demand for public records requests, in an effort to get information and

convey an accurate picture of what is happening in City government to the public. Remedy options for

public records delay complaints are limited, some are received by 630-City and some are directed to the

Ethics Office. If public records posting were more standardized and frequent, it would be less

burdensome on City employees upon retrieval. While legal steps, which the *Times-Union* has done on

occasion, can be taken to get access to delayed records requests, litigation is costly and time consuming

which is prohibitive to some media outlets and public citizens.

On the topic of public records in the form of elected officials’ emails, Mr. Gancarski commented on the

selective upload of the Mayor’s emails, which do not contain any internal communications from his staff.

Additionally, although they are released with a public records request, the only City Council emails which

are publically posted are those addressed to the Council as a whole, not for individual Council members.

Text messages between elected officials and other parties are not catalogued and freely available on the

website, despite occurring on City-provided phones. Additionally, while the Mayor’s daily public

schedule is posted, the schedules for Chief of Staff Brian Hughes and CAO Sam Mousa are not.

When asked about the City’s website, the panelists said that for legislative bill searches it is easy to use

but for other purposes it is essential to know exactly what to search for. Mr. Gancarski also said that the

City website seems more promotional than informational and that the Duval Elections site could use some

improvements.

Before the conclusion of the panel discussion, the media attendees made several recommendations that

may enhance transparency: weekly press briefings (Mayor’s Office and Council); public radio

appearances- which are open to any elected official who may wish to speak directly to the public about

issues; legislation could be enacted to clean up the records process- possibly with timelines; more

sunshine on dark PAC campaign contributions; make records easier and cheaper to get; incorporate public

records sharing as a regular part of government.

**Closing Comments**

The Task Force re-approved the minutes from the April 17, 2018 meeting, which had to be amended to

clarify language.

The group discussed some items which may be included in their final report: local transparency laws

related to PAC campaign contributions, the posting of all Council Member emails, administrative labor

fee uniformity for public records.

Jon Phillips, Office of General Counsel, expressed doubts about the public records obstacles and delays

described by the media panel. For the next meeting, it was requested that City Department Directors

who receive the most records requests come to speak to the Task Force about public records requests

from their perspective, including the quantity and how they are handled.

Mr. Greg Bugbee will be at the May 24, 2018 meeting to make a presentation on data and municipal

governments. Former Mayor Stephen Goldsmith (Indianapolis) or a member of his team at Data Smart

City Solutions, may also virtually attend that same meeting. The Task Force would also like to speak to

the Mayor’s Chief of Staff Brian Hughes and possibly Council Vice President Bowman at a future

meeting as well.

**Public Comment**

John Nooney spoke about the need for more ethics training for City employees and how the public should

have more opportunities to speak at committee meetings.

Conrad Markle spoke about the need for the public to be persistent for the disclosure of public records.

Both comment cards are on file.

With no further business, the Co-Chairs adjourned the meeting at 4:19 pm.

**The next Task Force Meeting will be Thursday, May 17, 2018 at 1:00 pm in the Don Davis Room, 117 West Duval Street, 1st Floor.**

Minutes: Colleen Hampsey, Council Research Posted 5.11.18 12:00 pm