**CHARTER REVIEW COMMISSION ORGANIZATIONAL MEETING**

DATE: Wednesday, July 31, 2019

TIME: 9:35 a.m. - 12:10 p.m.

PLACE: Jacksonville City Council Chamber First Floor

City Hall at St. James Building

117 West Duval Street Jacksonville, Florida 32202

BOARD MEMBERS PRESENT:

Lindsey Brock, Chairperson

Ann-Marie Knight, Vice Chairperson Jessica Baker, Board Member

Frank Denton, Board Member

William "W.C." Gentry, Board Member Charles Griggs, Board Member

Chris Hagan, Board Member Nick Howland, Board Member Heidi Jameson, Board Member Emily Lisska, Board Member Nelson McCoy, Board Member Celestine Mills, Board Member Betzy Santiago, Board Member

Hon. Matt Schellenberg, Board Member Scott Shine, Board Member

This cause came on to be heard at the time and place aforesaid, when and where the following

proceedings were reported by:

Amanda E. Robinson, RPR, Notary Public, State of Florida

First Coast Court Reporters 2442 Atlantic Boulevard

Jacksonville, Florida 32207

904-396-1050

1. P R O C E E D I N G S
2. CHAIRPERSON BROCK: Call the
3. organizational meeting of the Charter
4. Revision Commission to order. I'm Chair
5. Lindsey Brock. And our first order of
6. business is a welcome by City Council
7. President Scott Wilson. Come on down.
8. COUNCIL PRESIDENT WILSON: Good morning.
9. I didn't know where I was at in the agenda,
10. so thank you for recognizing me. I just
11. want to welcome everyone to the Chambers
12. this morning. And thank you for your
13. service to the City of Jacksonville.
14. This is a process we go through every 10
15. years. And I know Council Member Bowman
16. selected each and every one of you for a
17. strategic reason. And I think there is a
18. diverse group from the entire community,
19. which is great.
20. I would ask that you be thoughtful and
21. fair when you deliberate and discuss any
22. changes to the Charter you may consider or
23. recommend.
24. And I would also like to just mention
25. that we have great staff working here, and
26. they're here to help you. Our research
27. division, headed by Jeff Clements, is now
28. standing group. Jeff has been with the City
29. for a long time. He has staffed previous
30. Charter Review Commissions. So he'll be a
31. great resource; make sure you use that.
32. I look forward to your recommendations
33. over the next several months. I believe
34. eight months is the period of time that you
35. have, and look forward to those
36. recommendations coming back to the Council
37. so we can debate and deliberate those. And
38. thank you for having me here this morning.
39. CHAIRPERSON BROCK: Thank you.
40. All right. Next is the introduction of
41. the Chair and Vice Chair. And I've not seen
42. our Vice Chair -- I turned it off.
43. All right. So the next item is the
44. introduction of the Chair and Vice Chair.
45. And, unfortunately, it looks like Ann-Marie
46. Knight -- I know there was an issue with her
47. email, but hopefully everything is good with
48. her, and we will be seeing her today.
49. My name is Lindsey Brock. A little bit
50. about me: Came here as, I like to say, by
51. the grace of God in the Louisville and
52. Nashville Railroad. Originally from
53. Kentucky. My father has been with the
54. railroad, that's what brought us here to
55. Jacksonville in 1978. And since then I have
56. made it my home.
57. I've practiced here as an attorney doing
58. maritime and transportation commercial
59. litigation, and have just had a passion to
60. serve the community.
61. I appreciate the honor by Aaron Bowman,
62. by the City Council, in being on this
63. Commission. We're going to do important
64. work. We're going to work hard to see how
65. we can make our community better, more
66. efficient and more transparent.
67. Couple of housekeeping items: If you
68. parked in the garage that's by the museum --
69. what's it called? The one where if you go
70. left when you walk out of here, in that
71. parking garage that's down there at Main
72. Street, if you parked there, let the staff
73. know, and they will get you a parking pass
74. for that garage. And so for any of our
75. future meetings, park there, you get the
76. parking pass, and that will take care of
77. that.
78. One of the other things that I'm hopeful
79. we can do, and we'll probably do it after we
80. move down to item number 10 to kind of think
81. through this, is my goal for us is to meet
82. probably every two weeks for the next six
83. weeks. Then after that, to have another
84. meeting of the whole where we will figure
85. out what our issues are going to be. At
86. that meeting we will prioritize them, we'll
87. rank them. We'll have a facilitation
88. discussion for that.
89. And then my intention is to have chairs
90. for each of those issues. Probably have
91. something like five to seven is my first
92. guess. So as we go through and if there are
93. issues that you are passionate about, you
94. know, those kinds of things, make sure to
95. let us know, because I'll need to be
96. appointing chairs to work on those issues.
97. That will be then subcommittee work.
98. And your goal, if you're on one of those
99. subcommittees for the issue, will be to go
100. in and to get deeper into the weeds with the
101. stakeholders on that issue, to then come
102. back, and we will meet monthly as a whole
103. where those subcommittees will report back
104. what you've learned, the directions that
105. you're going, the options that you're
106. looking at. You'll get input from the rest
107. of us of thinking, hey, have you looked at
108. this, have you talked to this person, what
109. about this issue. And in that way, we'll
110. all be up to date, but we will have
111. individual subcommittees really working and
112. spending the time that's needed.
113. One of the things that I learned from
114. talking with folks involved in this process
115. in the past is that the eight months goes by
116. (indicating) like that. So I think if we
117. divide it up, we'll be able to do that in a
118. very efficient way, and we'll be able to
119. keep everyone well informed.
120. We're going to -- if you look in your
121. white notebook -- and, by the way, Cheryl,
122. you guys, the staff here, have done an
123. excellent job. I appreciate this notebook.
124. This does give us a lot of the resources
125. going through here. You've got the Charter
126. in there. We have the letter from Council
127. President Wilson with our charge. Please
128. take time to read that. And this notebook
129. is going to be a great resource.
130. One of the other things that I will make
131. sure you get again, I think all of us got it
132. early in the process, was the Charter
133. Revision Commission Report from 10 years
134. ago, when Wyman Dugan shared it, as well as
135. the Consolidated Government Task Force that
136. was led by Council Member Lori Boyer and
137. those findings.
138. I want to make sure everybody gets that
139. and looks at it because we're going to be
140. going over, I suspect, a lot of the same
141. issues. So a lot of work has been done in
142. these areas. And if we can look at that
143. work that's already been done, it might help
144. us when we're in those subcommittees of
145. getting more efficient and more targeted in
146. who we're talking to and what we're looking
147. at on there.
148. And I just want to read from -- this is
149. Chapter 17 in the ordinances on the Charter
150. Revision Commission, because this is what
151. we're here to do, this is Section 17.103,
152. powers and duties: The Commission shall
153. make recommendations to the Council and the
154. member of the legislature representing Duval
155. County concerning those provisions in the
156. Charter and other special acts of the
157. legislature affecting the Consolidated City
158. of Jacksonville. In making its
159. recommendations, the Commission shall
160. consider whatever factors are relevant to
161. the establishment of a relationship between
162. the state and local units of government in
163. the Consolidated City of Jacksonville, and
164. which are best calculated to fulfill the
165. needs of the citizens of the Consolidated
166. City of Jacksonville.
167. That's pretty broad. But as we see and
168. we go through this process, I believe that
169. there will be a small set of issues that
170. rise to the top that will need our
171. attention.
172. And with that, let's go around and have
173. everyone tell us your name, tell us a little
174. bit about yourself, maybe a fun fact.
175. I'll give you a fun fact about me. I
     1. actually sang the National Anthem at Terry
     2. Parker High School for the basketball games
     3. and baseball games. So there you go.
     4. We'll start here with Mr. Shine.
     5. BOARD MEMBER SHINE: Thank you,
     6. Mr. Chairman. Like you, I'm a transplant to
     7. Jacksonville. I came here about 30 years
     8. ago, from Richmond, Virginia. And it's
     9. interesting. Richmond is an old south town.
     10. In fact, the airline pilots, when they would
     11. fly in, they used to say, "Weather fair and
     12. sunny in Richmond, Virginia, and the local
     13. time is 1863." So, yeah, I've seen a lot of
     14. problems related to history.
     15. But I've served the City of Jacksonville
     16. on the Waterways Commission, the Ethics
     17. Commission, School Board, and now I'm very
     18. proud to be on the Charter Revision
     19. Commission. I would like to thank Former
     20. Council President Aaron Bowman for that
     21. appointment.
     22. But I live out at the beach, the
     23. Intracoastal area. Been married for 25
     24. years, probably my greatest success, longest
     25. time I've ever done anything. But in
176. general, I like to keep a low profile, and
177. that's going to be my plan here on the
178. Charter Revision. Thank you, Mr. Chairman.
179. CHAIRPERSON BROCK: Thank you.
180. BOARD MEMBER MILLS: Celestine Mills.
181. CHAIRPERSON BROCK: You have to hit the
182. white button. Sorry, that's the one button
183. that actually works on the --
184. BOARD MEMBER MILLS: Got it. I'm here.
185. Celestine Mills, born and raised in
186. Jacksonville, Florida. Fun fact about me, I
187. did my first comedy show with my son two
188. weeks ago, had a really good time, got a lot
189. of applause, so I may start taking my show
190. on the road.
191. I'm very passionate about Jacksonville,
192. love Jacksonville, ran for City Council
193. District 10 twice. I wasn't successful at
194. securing the seat, but very successful with
195. meeting people, digging in deep to find out
196. what are the main issues within the
197. community, reaching out to others outside
198. the community, and just want to make a
199. change, want to make sure that I'm here to
200. be effective and work cohesively across with
201. everyone that's here and to make sure that
202. we bring some type of change to our
203. wonderful city so people can continue to
204. come to Jacksonville to live, work, play and
205. retire.
206. BOARD MEMBER McCOY: Hey, everybody. My
207. name is Nelson McCoy. I am also a
208. transplant. I was born and raised in Los
209. Angeles, California. I went to
210. Bethune-Cookman, which got me to Florida,
211. and then moved to Jacksonville a year after
212. graduation. Currently a Ph.D. student at
213. Florida State University, studying education
214. policy and evaluation. So this is like
215. perfect for some extra credit that I'm going
216. to use.
217. Fun fact about me, I just finished
218. planning and executing a family reunion, and
219. nobody lives in Memphis, but we still pulled
220. it off and made it a great time. And it was
221. the first time since the Civil War that four
222. descendant lines of my family were together
223. in one place.
224. BOARD MEMBER HOWLAND: My name is Nick
225. Howland --
     1. CHAIRPERSON BROCK: Push the button.
     2. BOARD MEMBER HOWLAND: There we go.
     3. Thank you. Still learning.
     4. My name is Nick Howland. I've lived in
     5. Jacksonville for about 13 years by way of
     6. Chicago, born and raised. And came down
     7. here for a company called Armor Holdings to
     8. work as an executive there. And I've
     9. subsequently worked in a handful of other
     10. manufacturers in the city. I'm a Navy
     11. veteran and formerly served locally on the
     12. Environmental Protection Board for about
     13. eight years. I was thrilled when then
     14. Council President Bowman asked me to
     15. participate in the Charter Revision
     16. Commission.
     17. And fun fact about me is I'm a huge
     18. college basketball fan. So my only question
     19. for then Council President Bowman was when
     20. is the report due for the Commission. As
     21. long as it was due by March, I was happy.
     22. My priorities on the Commission will be
     23. crime and education. And I'm going to add
     24. one: Lately, with everything going on in
     25. the city in the last several weeks, I would
226. like to figure out if there is anything we
227. can do to recommend ways that the
228. consolidated government can better
229. coordinate and work together. Thank you.
230. (Tenders microphone.)
231. BOARD MEMBER GENTRY: Thank you. That
232. helps me. I don't have to push a button
233. that way.
234. I'm W.C. Gentry. I am not a transplant.
235. I was born and raised here a long, long,
236. long time ago. Grew up on Talleyrand
237. Avenue. I've seen some bad things here in
238. the city, which led to consolidation. And
239. I've seen a lot of great things happening
240. here.
241. I was happy to serve as Special Council
242. to Mayor Hazouri a number of years ago. We
243. had a terrible odor problem here in
244. Jacksonville. And with the help of Ed
245. Austin, we were able to bring charges
246. against the polluters and ultimately clear
247. the air.
248. I have been on a number of commissions
249. and things. And like Scott, served on the
250. School Board.
     1. Fun fact about me is I have seven
     2. grandkids, one which is at lacrosse camp. I
     3. have to pick him up around noon, so I hope
     4. we don't run too long.
     5. CHAIRPERSON BROCK: Well, and I will say
     6. another fun fact is that -- you probably
     7. don't remember this but I do -- as a young
     8. attorney, playing in the attorney flag
     9. football league against you. You guys beat
     10. us, though.
     11. BOARD MEMBER BAKER: Well, good morning,
     12. everyone. I'm Jessica Baker, and I am also
     13. a transplant. I grew up in Naples, Florida.
     14. And I went to law school at Florida State,
     15. go Noles. And came here to Jacksonville
     16. about four years ago. I've worked in
     17. government relations, and as an attorney,
     18. and I've worked also here in City Hall in
     19. the Mayor's Office for a couple years for
     20. Mayor Curry. So I'm excited to use my
     21. knowledge of what I've learned about the
     22. function of government for this Commission.
     23. Fun fact, I'm raising, basically, two
     24. under two babies. My son just turned two
     25. last week and I have an
251. eight-and-a-half-month-old daughter. So
252. that's what I do in my spare time.
253. BOARD MEMBER DENTON: My name is Frank
254. Denton. I am a retired journalist. I came
255. to Jacksonville about 12 years ago to be
256. editor of the Times Union. Before that I
257. was reporter and editor in several states,
258. and an editor on the Detroit Free Press, the
259. executive editor of the Wisconsin State
260. Journal and of the Tampa Tribune before I
261. came to Jacksonville. I live in Riverside.
262. Fun fact about me, it's a little
263. amusing, I'm also on the City Crime
264. Commission. So I had, of course, went
265. through the ethics training that we're about
266. to go through and the Sunshine training.
267. I'm also on the board of the First Amendment
268. Foundation of Florida. In fact, I'm
269. treasurer in the executive committee, so I'm
270. deeply involved also as a journalist in the
271. enforcing part of Sunshine. And I will
272. admit that being on the Crime Commission
273. and, I'm sure, on this, will -- is awkward
274. because the Sunshine, as essential as it is,
275. but I will admit personally that being on
276. the receiving end of Sunshine is different
277. from on the demanding end.
278. BOARD MEMBER GRIGGS: Good morning. My
279. name is Charles Griggs. I'm a resident,
280. lifelong Jacksonville native. I am the
281. President of 100 Black Men of Jacksonville.
282. My day job is I do government relations and
283. media relations, mostly outside of
284. Jacksonville, not here in town.
285. Fun fact about me is that, through
286. mentoring, I enjoy challenging our mentees
287. to basketball. It is one of the things that
288. helps get their attention. And when we do
289. that, when they lose, I get their attention
290. and we can start to make some headway in
291. terms of progress with their life skills.
292. BOARD MEMBER HAGAN: Good morning.
293. Thank you, Mr. Chairman.
294. Little bit about myself, I'm Chris
295. Hagan. A little bit about myself, I'm born
296. and raised in Jacksonville, third generation
297. Jacksonvillian. Served in several different
298. industries, primarily focusing on
299. governmental affairs, governmental
300. relations, things like that. Currently own
301. my own business and recently was -- expired
302. my duties as Planning Commissioner after
303. seven years, seven great years on the
304. Planning Commission, learned a lot there.
305. Fun fact about myself is, to tie into
306. maritime law -- Mr. Chairman, I think you
307. and I shared this -- is that I have a
308. 100-ton captain's license, which is
309. completely useful in the industry that I'm
310. in. So that's just a fun little fact about
311. myself. I enjoy fishing, things like that.
312. So thank you.
313. BOARD MEMBER JAMESON: Hi there. Heidi
314. Jameson, I reside in Atlantic Beach,
315. Florida, with my husband and our
316. two-year-old puppy. My husband is a JAG at
317. Naval Station Mayport, so he's active duty
318. Navy. I come from -- Tallahassee is where I
319. was raised. I went to Florida State. So
320. Jessica and Nelson, I think, we'll get along
321. just fine.
322. After I graduated from school, I moved
323. up to D.C., actually, and I was in D.C. for
324. about 10 years. I worked for the federal
325. government for Congressman Connie Mack in
326. Southwest Florida. And then I also -- when
327. I left the Hill, I was in government
328. relations for primarily health care clients.
329. I moved down here about two years ago and
330. now I work at JAXUSA Partnership.
331. Fun fact about me is my husband and I
332. just bought a boat last weekend, actually,
333. so we are adjusting very well to the
334. Jacksonville lifestyle.
335. BOARD MEMBER LISSKA: Heidi, thank you.
336. Mr. Chairman, my name is Emily Lisska.
337. I'm a native of Jacksonville, like several
338. on the Commission. Let's see, I attended
339. all public schools. I'm currently the
340. President of the Florida Historical Society.
341. I'm the Former Executive Director for the
342. Jacksonville Historical Society. And in
343. that capacity, I took in the only known
344. major consolidation collection, so the
345. history of consolidation, the papers of the
346. many committees, groups, legislative body
347. that worked on -- on, of course,
348. consolidation. The -- I created the 50th
349. Anniversary Consolidation Exhibit that was
350. in City Hall. And I have worked on the 50th
351. edition of Quiet Revolution, which should be
352. out any day now. So that's some background
353. with the -- related to the Commission.
354. As far as a fun fact, most people would
355. tell you there are none related to me
356. whatsoever. But, normally, I'd stand up
357. when speaking in this body, because I give
358. tours of City Hall still. And one of the
359. things I tell all the students is you're
360. required to stand when speaking.
361. I want to thank you, Mr. Chairman, that
362. you brought a casualness to this that I
363. think everybody appreciated, and it's been
364. informative.
365. And, finally, I guess, the thing you
366. should know, I just returned from what is my
367. bucket list, and that is visiting all the
368. presidential homes and libraries. And so I
369. just visited Calvin Coolidge's home on the
370. back roads of Vermont. I can assure you
371. I've come a long way to be here this morning
372. and happy to be back in my home,
373. Jacksonville, Florida.
374. BOARD MEMBER SANTIAGO: Good morning,
375. everybody. My name is Betzy Santiago, and I
376. am honored to be here with you today. I was
377. born in Puerto Rico, moved a lot growing up,
378. ended up in Jacksonville 25 years ago.
379. And so in 2010 I was President of the
380. First Coast Hispanic Chamber. As a result I
381. met all of our inbound mayors and served on
382. the transition team for Mayor Alvin Brown,
383. served on his team as the international
384. officer, protocol officer for the City of
385. Jacksonville. So I worked with a lot of
386. multicultural groups, still very active with
387. a lot of those groups, actually.
388. Today I am a strategist for FSCJ. And
389. so I represent the college and try to get
390. involved with the community wherever I can.
391. And so I guess I stay very active as much as
392. I can.
393. And so fun fact for me is that in two
394. weeks I'll be taking a motorcycle class to
395. see if I can learn how to drive a
396. motorcycle. So that should be fun. And I
397. look forward to serving with you.
398. BOARD MEMBER SCHELLENBERG: Matt
399. Schellenberg. First of all, thank you very
400. much, Chair, for going around. But I also
401. want to thank my friend, Aaron Bowman, for
402. allowing me to be on the CRC Committee.
403. I've been here since '62 when my parents
404. moved here from D.C. And I have enjoyed the
405. experience. And I just got term limited out
406. on City Council.
407. Mr. Denton over there, he didn't like
408. his representation that I had, so he decided
409. to move to the Riverside away from his
410. Council person.
411. Ms. Lisska, we disagreed, but she still
412. was a wonderful constituent.
413. One of the great things about that
414. experience was you don't always have to
415. agree with the other person, but you're
416. going to have to have a dialogue. And I can
417. tell you that the 70,000 people that I
418. represented, I am pretty sure they didn't
419. agree with me 100 percent of the time. And
420. even when they didn't, they were -- we were
421. able to have an honest, thoughtful
422. conversation to understand one another and
423. what direction we were going.
424. The only other fun fact that I have,
425. come February 20th of next year, I will have
426. 20 years of a liver transplant.
427. CHAIRPERSON BROCK: Wow.
428. Congratulations on that.
429. All right. So now we've got a good idea
430. of who we are. Everybody, there will be a
431. quiz at the end as to the fun facts. We
432. might have a bingo or something and see who
433. can match up what.
434. And I do want to take a little bit of --
435. first, a bit of housekeeping. I have to
436. note that Ms. Knight is, indeed, on her way,
437. so that's good news. And I wanted to take
438. the opportunity as Chair to recognize now
439. Councilman Aaron Bowman, who is the one
440. responsible for having us assembled here.
441. COUNCILMAN BOWMAN: Thank you,
442. Mr. Chair. And thank you, President Wilson.
443. I know how serious you take this and how
444. serious this is to me.
445. I want to thank all of you personally.
446. Y'all have touched my life in many ways and
447. all dear friends and I look forward to --
448. this is probably one of the things I thought
449. about the longest and hardest, was who best
450. to pick to represent the City. So it's not
451. an accident that any of you are up there.
452. You were all fully vetted by me and a lot of
453. thought. And then, of course, approved by
454. all of my 18 colleagues on City Council. So
455. I fully recognize the commitment you've
456. given, you just heard. The good news is I
457. didn't see anybody get up and start running
458. out the door.
459. But I was talking to my wife this
460. morning, she goes, "Are you paying these
461. people?" And I kind of chuckled. I said,
462. "No. These people care enough about
463. Jacksonville to give this amount of time to
464. this effort."
465. And so all I'll say is you've got
466. complete 100 percent access to me. If you
467. need stuff, if you are trying to do
468. research, probably better than anything, I'm
469. the connection guy. I know about everybody
470. in town, because, I suspect, some of you
471. have some ideas of where you're going to
472. want to go on this. I suspect some of you
473. haven't gotten there yet. And then all of a
474. sudden it will hit you at 2 o'clock in the
475. morning and you'll call me up.
     1. Good news is you can talk to me. I'm
     2. not on this Board, but I can -- I will -- my
     3. promise is to you that I will always be
     4. available and help you out in any way I can.
     5. So it's great to see this group up here
     6. and get started. And I look forward to
     7. watching what you do.
     8. And, you know, a lot of things have
     9. changed in 10 years. Think about 10 years
     10. ago, the Charter Revision Committee, these
     11. things didn't exist when they were doing
     12. their process. So if you will think about
     13. what has changed in Jacksonville, our
     14. demographics, our population, the businesses
     15. that have moved here, I think you'll see
     16. that now probably more than ever at our 50th
     17. anniversary is an appropriate time to come
     18. through and look at everything we're doing,
     19. get rid of the stuff that doesn't belong
     20. there anymore. But more importantly, think
     21. about where we want this city to be 50 years
     22. from now, 5 years from now.
     23. And when you do your out brief, my
     24. commitment to you is that I will do
     25. everything I can to make sure we look at
476. everything you recommend and with the path
477. forward, I know the president, it will be
478. under his watch that he gets the report, but
479. I do not take this lightly at all, and I
480. know you don't.
481. So thank you for being here. And I'm
482. going to be watching you the whole way. And
483. I'm excited about what you get to do.
484. So thank you, Mr. Chairman.
485. CHAIRPERSON BROCK: All right. Thank
486. you.
487. Well, if this Commission is the wheel,
488. there are others that provide the power and
489. the grease so that it can turn slowly; and
490. that would be our staff here. Ms. Johnston,
491. you're not out of this. Go ahead and
492. introduce yourself so that we all know who
493. you are and why you're here.
494. MS. JOHNSTON: Thank you. Through the
495. Chair to the Commission, my name is Paige
496. Johnston. I'm an attorney with the Office
497. of General Counsel. I'm in the Legislative
498. Affairs Division. Peggy Sidman is also an
499. attorney with that division. And depending
500. on your schedule, you may see one or both of
501. us here.
502. I have a fun fact, just in case you were
503. going to ask.
504. CHAIRPERSON BROCK: Absolutely.
505. MS. JOHNSTON: Besides the fact that I
506. know several of you from different
507. commissions, I sat with the Waterways
508. Commission so I know Lindsey and Scott
509. through that. I know Chris through the
510. Planning Commission.
511. But the fun fact about me is today is my
512. seven-year anniversary with the City of
513. Jacksonville.
514. CHAIRPERSON BROCK: Very good.
515. And, Ms. Brown, if you would introduce
516. yourself, as well as the folks we have here
517. in the pit.
518. MS. BROWN: Good morning. My name is
519. Cheryl Brown, and I'm the Director, Council
520. secretary for the Jacksonville City Council.
521. It is my pleasure to be here today to serve
522. you in this Commission.
523. The staff are from the legislative body,
524. Jeff Clements is my Chief of Research; and
525. then I have Richard, that's not here, but
526. most of the time he does the backup for us.
527. But we have Steve, and we have Brook, and
528. Anthony, and Crystal, and my right and left
529. arm, Carol. And Carol is with us. And she
530. is also former military, so she makes sure
531. that we walk to the right beat.
532. But we are here. And the books and
533. everything that you have before you, it's
534. our pleasure to serve you and make sure that
535. you have all the information and the tools
536. to be successful. You can call on us at any
537. time, providing us -- and we will provide
538. you with the information that you need to be
539. successful.
540. The fun fact is that I came on to the
541. City Council in 1990. My first project was
542. Charter Revision Commission. So it's
543. amazing how I've come full circle. I take
544. this seriously and I look forward to working
545. with you all to make this a fun event.
546. CHAIRPERSON BROCK: All right. Thank
547. you very much. Again, we appreciate the
548. staff and all the hard work we know that
549. they'll be putting in to help this be
550. successful.
     1. Let's now move over to Government in the
     2. Sunshine, Ms. Miller. Everyone should have
     3. the handout as well, this government ethics
     4. book.
     5. MS. MILLER: Good morning, Mr. Chair and
     6. Commission Members. My name is Carla
     7. Miller, and I'm the Ethics Director for the
     8. City of Jacksonville. I've worked in Ethics
     9. for the City of Jacksonville for the last 22
     10. years; 10 years as a volunteer and then 12
     11. years as the Ethics Director.
     12. I am a graduate of FSU and University of
     13. Florida. And I was a federal prosecutor in
     14. the early 1980s investigating corruption
     15. into City Hall. And so that became my life
     16. purpose, to see if I could do something at
     17. the front end to prevent some of the things
     18. that we saw in our city in the early '60s
     19. and also in the early '80s.
     20. So this isn't a fun fact, but this is an
     21. interesting fact, I think. I was sitting
     22. there and thinking about the last Charter
     23. Revision Commission. And you'll see in the
     24. recommendations that there was a
     25. recommendation for the independence of the
551. Ethics Commission. There were several other
552. recommendations, but the only recommendation
553. of the Charter Revision Commission from 10
554. years ago that actually successfully was
555. implemented into the law and into the
556. Charter was the independence of the City's
557. Ethics Commission.
558. So the reason I'm standing here today
559. and the reason for the success of my office
560. is because of the Charter Revision
561. Commission from 10 years ago. So I'm
562. expecting great things from you this 10
563. years.
564. Now, getting into Sunshine, we have some
565. people here who could teach this course. We
566. have Scott Shine, who was on the Ethics
567. Commission. W.C. Gentry, of course, could
568. teach this course, and he's been through my
569. training a few times. Frank Denton, of
570. course, you know, his perspective from a
571. journalistic standpoint on the Sunshine is
572. excellent. And then, of course, Matt
573. Schellenberg has been in so many ethics
574. trainings that I've done. So I am not going
575. to go over details of this, because a lot of
576. you are familiar with it.
577. Now, some of you are not as familiar.
578. You can call me at any time. It's like, if
579. you want to put up, like, a back call for
580. me, it's ethics@coj.net; please call.
581. Now, realize this is part of your
582. training, that everything you write to me is
583. a public record. So if it's, please call, I
584. saw someone violating the Sunshine Law and
585. here is the person's name and when it --
586. don't -- like, everything is a public
587. record. If you need me, send an email at
588. [ethics@coj.net.](mailto:ethics@coj.net) We will respond probably
589. within a half an hour.
590. My staff is here today. Kirby
591. Oberdorfer. Kirby was a former law
592. professor. And she is brilliant on conflict
593. of interest and ethics laws. Andrea Myers
594. is our training director. She takes a lot
595. of the complicated law and puts it into
596. plain English. So you see her work in this.
597. You know, and if we can do anything in
598. ethics all in pictures, that's what I would
599. do, because some of it is very complex. So
600. call us at any time.
     1. What I'm going to give you are the
     2. things that, particularly for this
     3. Commission, that I think could be a danger
     4. area for you. But take a look at your book.
     5. I know you're all eager to read this now
     6. during the morning. Tonight take it, look
     7. only at part one. Part one is the only one
     8. that applies to you. Flip through it, just
     9. make sure that you know everything in part
     10. one. I'm not going to read it to you.
     11. So let's take a look at some of the
     12. things I think could be a problem. First of
     13. all, Florida has probably the most stringent
     14. Sunshine laws in the United States, which
     15. means that we have the most stringent laws
     16. in the world. And I've worked with many
     17. people across the world and they say, you
     18. mean every time two people from a board have
     19. to talk to each other, it has to be noticed
     20. to the public; how do you do that? And
     21. they're impressed with it.
     22. So it puts a very high burden on all of
     23. you. And so it's appreciated by the
     24. citizens. It is not easy and sometimes it's
     25. counterintuitive. So thank you in advance
601. for listening to this and complying with
602. this.
603. So first of all, the Sunshine Law is
604. very easy. It's in the application that
605. people get a little confused. Discussions
606. between two or more of your Commission
607. Members fall under Sunshine. If you want to
608. talk to anybody sitting on this dais up
609. here, except for Cheryl Brown and your
610. attorney, of course, as a Member, take a
611. look at the new people you have met. Do not
612. talk to them outside of a noticed meeting
613. about anything that could conceivably come
614. in front of you. So that's easy. You see
615. someone, like, at Publix, you can say hello.
616. You can say, how is it going, you know,
617. there is a sale over here on something. Do
618. not talk about anything conceptually that
619. you could be talking about here. That is
620. the Sunshine Law.
621. Your meetings will be noted by Cheryl
622. Brown's competent staff. Minutes are being
623. taken so you don't have to worry about that.
624. All you have to worry about is being
625. unfriendly to the other people on your
626. Commission. Like, you see them, you smile,
627. you pass on; you do not talk to them.
628. Now, it applies to any communication.
629. And this is the tricky part for people.
630. This means emails. You can't send an email
631. to each other, "Hi, just had a good idea."
632. You know, you can't communicate in emails.
633. Text messages, just don't text in
634. connection with the -- that's the easy rule:
635. Don't text. If you're texting in a meeting,
636. like let's say the public is watching you
637. and you're busy texting back and forth, what
638. are they going to be thinking? That you're
639. texting each other. So just don't do it.
640. Facebook, Facebook, you put out
641. something that you believe in. And then you
642. see it, you're a friend with someone here,
643. Scott is a friend of Matt, you know, so he
644. sees Matt post something on his Facebook
645. account. And Scott puts, "Yeah, you're
646. right about that," they've broken the
647. Sunshine Law because they communicated.
648. Thumbs up on Facebook violates the Sunshine
649. Law. So that's why any kind of
650. communication, smoke signals, Facebook,
651. anything, you do not communicate with the
652. people that are up here on your Commission.
653. So you have, and your Chair read, the
654. broad purpose to look into any part of the
655. Charter. That means really there isn't much
656. you can talk to any of the other people
657. about, you know. So it's so broad. So just
658. keep that in mind.
659. All meetings are covered. That means
660. when you break into your subcommittees,
661. people always call me, I'll tell you this in
662. advance, "Well, we're a subcommittee; we
663. don't have to follow the Sunshine Law." No,
664. no. If two of you meet, if a subcommittee
665. meets, if you have a hiring committee,
666. workshops, anything where you're talking
667. with another member of this Board, you have
668. to notice it.
669. Areas to watch, passing around articles.
670. So you get an article, you're reading the
671. paper and you see something that, "Gosh, you
672. know, Memphis just had a charter revision
673. commission and look what they did; I need to
674. get this to all the members." The best way
675. to do that is to get it to your staff, with
676. Cheryl Brown. They will distribute it.
677. Now, don't reply all, "Hey, this is a
678. really good idea. I intend to vote in favor
679. of this if it comes up in front of our..."
680. Do not reply to all on anything.
681. No phone meetings, which is difficult at
682. times. If any of you are deathly ill and
683. you want to attend the meeting, don't come
684. with your germs. You can call in and you
685. are not counted for the quorum, but you can
686. call in and listen to the meeting and
687. participate and vote. So, yeah, no phone
688. meetings. And you're not going to have any
689. bus tours, but you can't do that either in
690. Florida.
691. So who can you talk to? Lots of people,
692. just not these people; city staff, like OGC,
693. Ethics. You can always give me a call with
694. any issues that you've got. Friends, anyone
695. who is not a commissioned member.
696. Liaisons, an important thing is the
697. independence of this Commission. So if you
698. have liaisons like someone -- it could be
699. someone that's lobbying you for a particular
700. issue, and they come up to you and say,
701. "I've talked to a lot of people on your
702. Commission. And it looks like this issue is
703. a really good one that you're going to
704. consider this." What they're doing is
705. doing, like, an informal vote counting for
706. you. And I tell people in the training that
707. you know how, like, when you're in a
708. business meeting, you want to go to the
709. business meeting prepared and you got a new
710. idea. So, typically, like in a law practice
711. or any kind of business, you call up people
712. on your board saying, you know, "I'm
713. thinking of presenting this idea. Do you
714. think you would go along with it? I mean,
715. can I give you any background on why this is
716. a good idea?" And you line it up so when
717. you go to your actual meeting, you know that
718. it's pretty favorable, people like the idea,
719. you know, and you're prepared.
720. Well, it's the opposite in city
721. government. And I tell people, if you walk
722. into this Commission meeting and you're
723. clueless as to what the people are going to
724. say about your idea, that's good. You need
725. to be clueless, like shockingly, you know,
726. this person is voting against it, I didn't
727. know they would do that.
728. If you think, I got this in the bag, I
729. know I got the votes for this, someone has
730. come to me and lobbied me and told me that
731. this is coming out of your group, that is in
732. the area of shaping your independence. And
733. of anything that we don't want to have
734. happen for the citizens of Jacksonville is
735. that your thinking and your independence is
736. shaped. I mean, listen to people, get
737. ideas, but if anyone says you got this in
738. the bag because I've already talked to four
739. other people, that's a violation of the
740. Sunshine Law. It's using a liaison to build
741. your consensus.
742. So public comment, every meeting before
743. you take a final vote on something, citizens
744. have the right to be heard.
745. So this is an informational meeting.
746. You're not voting on anything, you don't
747. have any final action, you're just getting
748. some origination. So the law would say you
749. don't have to have public comment for this
750. type of meeting, but you can always
751. optionally have public comment.
752. Any time before you take a vote, a final
753. vote, say, anyone in the public wants to
754. comment on this, and allow the public. And,
755. of course, the Chair knows this rule, and
756. Cheryl Brown knows the rules, so that will
757. be worked into your agenda.
758. Public records, everything you write
759. now, whatever you're writing now is a public
760. record, unless it's a shopping list. You
761. know, if it's anything like, "Gosh, I just
762. got a good idea of something I want to do
763. for the Commission," you have created a
764. public record. You know, you have to hold
765. on to that.
766. And if you keep it after you end your
767. time on the Commission in your garage and it
768. gets flooded with a hurricane, you have
769. destroyed public records. So keep your
770. public records of what you're creating in,
771. like, one folder or something. And when
772. it's over, you can scan it, you can give it
773. to City Council to scan and hold on to as a
774. record so you don't have to worry about your
775. garage flooding in a hurricane. You cannot
776. destroy public records. So you have to keep
777. everything, emails, text messages,
778. handwritten notes, even if they're on your
779. own personal computer or phone.
780. So what if your next-door neighbor knows
781. you're on this Commission and they send you
782. an email. They know your personal email
783. address, so they send, "Hello, neighbor. I
784. have a good idea for your Commission," and
785. they send it on your personal computer, that
786. is a public record; you have to maintain it.
787. Well, after it gets buried with a thousand
788. other emails, it's very hard to pick those
789. out.
790. So if you get any emails like that or
791. text messages or anything from people in the
792. public that are trying to communicate
793. Commission business to you, forward it to
794. your city liaison. Then you don't have to
795. worry about finding it later or preserving
796. it. Just get rid of it from your personal
797. devices.
798. Conflicts, now there are many different
799. ways you can have conflicts with the City.
800. Now that you're on an official board of the
801. city, you're under Florida Conflict Law.
802. This is not an easy area of the law to
803. summarize, but I will do it with just about
804. three slides. If this touches you in any
805. way, you email [ethics@coj.net,](mailto:ethics@coj.net) say, call me.
806. And we'll drill down some of these conflict
807. things, like, for instance, in the crime
808. task force took hours and hours to work out.
809. So here is what you have to be thinking
810. about with conflicts of interest. You've
811. got your work on the Charter Commission,
812. you've got business associates, and you've
813. got family and friends. What we're talking
814. about conflicts is that intersecting area.
815. Anybody from your family or your friends
816. that are interacting with the City, any of
817. your business associates, people you're
818. contracting with, people that you have any
819. kind of business connection with, your law
820. partners that have an interaction with the
821. City, you have to work out whether or not
822. there is a conflict under Florida law.
823. So we're talking about -- I mean, if you
824. could just stay here for the whole eight
825. months and not talk to anybody and just
826. interact with each other, that would be --
827. but you're going to go out in life, and
828. you're going to meet people, and you're
829. going to interact with your business
830. partners and your family. And they're
831. saying, "Gosh, what a great thing. You're
832. going down to City Hall for a Commission
833. meeting. Well, I have a bid that I'm
834. putting in for the City right now. Could
835. you take it with you when you're going down
836. for your meeting?" Any interaction of your
837. family, friends or business partners with
838. the City has to be looked at to make sure
839. you're not violating Florida law. We have
840. some more materials about that in this book.
841. You can call us at any time on that.
842. So the area that is of most concern for
843. boards is doing business with the City.
844. Anybody that you know, family, friends,
845. business associates doing business with the
846. City, let us kind of work out whether there
847. is a conflict. This includes nonprofits
848. that you're on the board with. Your
849. chairman of the board of a nonprofit, they
850. get money from the City, you can have a
851. conflict.
852. Areas to watch, any selling to the City,
853. consulting or working with a company that
854. does business with the City. Your family
855. does any kind of business with the City,
856. your business partner or firm contracts with
857. the City, any city connection, okay, give us
858. a call. And I'd say 80 percent of the time
859. it's okay under Florida law. But you need
860. something from us in writing that it's okay
861. to protect yourself. So you can't vote,
862. this is voting conflicts. You can't vote on
863. any issue in which you or your relatives or
864. partners have a financial interest. I can't
865. see anything like that that would come in
866. front of the Charter Commission, you know,
867. that someone is going to have a financial
868. interest in something, but just keep that in
869. mind in case there is an oddball situation
870. that falls under that.
871. So that is basically a summary of the
872. danger areas that I think could affect you.
873. And like I said before, my staff, Kirby,
874. Andrea, myself will respond to you within an
875. hour if you've got any questions. And I
876. wish you lots of luck on the Commission.
877. And I thank the Commission again for 10
878. years ago for the independence of the ethics
879. office. Thanks.
880. CHAIRPERSON BROCK: Wait. I have
881. someone on the queue.
882. Mr. Schellenberg.
883. BOARD MEMBER SCHELLENBERG: Through the
884. Chair to Ms. Miller, you've touched on a lot
885. of things. And there's been some recent
886. articles about possibly some ethics issues
887. or issues with the School Board in hiring
888. outside things.
889. So is it you, did you have to have
890. somebody contact you or did they have to
891. contact the state attorney? How does this
892. process to make sure that the citizens are
893. aware of the transparency in these kind of
894. issues so they don't believe anything is
895. behind the scenes or pay to play kind of
896. thing?
897. MS. MILLER: Through the chair to the
898. Commission Members, I take the independence
899. and the neutrality of my office very
900. seriously. And so when I get inquiries --
901. what about this, what about that, you know,
902. what do you think about this -- I say, take
903. a look at the law that we have on the books
904. for our local Ethics Commission. We have
905. the Ethics Code posted online and we have
906. the procedure for the Ethics Commission. We
907. follow that law exactly.
908. And I don't ever -- I mean, I guess my
909. husband knows my personal opinions on
910. things, but other than that, I hope to keep
911. my personal opinions and my general
912. preferences about what's good or bad or
913. transparent to myself. And if anybody has
914. any concerns, they take their concerns to
915. either the State Attorney's Office, the
916. Inspector General's Office or my office with
917. the written procedures that are in the code,
918. our Jacksonville code, and we stick with
919. that law.
920. BOARD MEMBER SCHELLENBERG: A follow-up:
921. So you have to be contacted, or you can't
922. see something that you think is not kosher
923. and act on it? You actually have to be
924. contacted before you do anything?
925. MS. MILLER: Through the Chair, I don't
     1. have the code right in front of me. The
     2. Ethics Director can make recommendations for
     3. any changes to the law to City Council. So
     4. certainly I have the ability and I have in
     5. the past, every year there is a crop of
     6. things that need to be changed, procedures
     7. that I comment on.
     8. CHAIRPERSON BROCK: All right. Next
     9. we've got Mr. Griggs.
     10. BOARD MEMBER GRIGGS: Thank you,
     11. Mr. Chairman.
     12. Thank you, Ms. Miller, for your
     13. presentation. This may be more of a
     14. procedural thing, but I would imagine, as we
     15. go along, that we'll have a significant
     16. amount of public participation or request
     17. for public participation from groups outside
     18. of this organization. If we were to go and
     19. speak to or be asked to address, say, a
     20. citizens group, should we make sure that the
     21. staff knows that or are we required to do
     22. anything along those lines? What -- how
     23. should we handle that if groups from outside
     24. or public groups or citizens would like
     25. someone from the Commission to come and talk
926. to them about what's going on around the
927. Commission?
928. MS. MILLER: Excellent question. And
929. through the Chair, here is what happens:
930. Like, you'll become very popular and
931. everybody will want you to speak to their
932. groups. If it's just one of you going out
933. and speaking to a group, great, go do it.
934. If it's two or more of you who are -- let's
935. say three of you are invited to a League of
936. Women Voters meeting, and they want three of
937. you to come. Well, that is a problem,
938. because if they say, "Well, what do you
939. think of this particular issue in front of
940. the Charter Review Commission?" And they
941. ask you, then ask you, and you say, I differ
942. from Emily and I differ from Matt, then what
943. you're doing is you're actually having a
944. discussion of the merits of the case, you
945. know. If you want to go there to the
946. meeting and just sit there and say nothing,
947. then that's okay. But who wants to do that?
948. So if you go to a group, like a Rotary
949. Club wants you to come and speak, go and
950. speak. But if any of the rest of you there
951. see Mr. Griggs, you go, okay, I'm going to
952. sit in the back and be very quiet, I'm not
953. going to engage back and forth; well,
954. Mr. Griggs just said such and such, what do
955. you think about it. No, you don't get --
956. you sit in the back and you're quiet if you
957. discover that someone else is there if the
958. meeting has not been noticed.
959. Now, let's say three of you want to go.
960. There is a huge Rotary meeting and they want
961. everybody to come from the Charter Revision
962. Commission and discuss all the issues for
963. their members. You can do it if Cheryl
964. notices that meeting, and if we pick an
965. accessible spot for the public, and it gets
966. noticed.
967. So go speak individually. But don't
968. speak or be there with another member unless
969. you sort out ahead of time who is going to
970. say things and who is going to be quiet,
971. have a notice of the meeting. Does that
972. answer your question?
973. BOARD MEMBER GRIGGS: Yes. I'm probably
974. more concerned with individual
975. opportunities.
     1. MS. MILLER: Individually go forth and
     2. speak.
     3. BOARD MEMBER GRIGGS: And we should push
     4. that information to the staff, let them know
     5. that we're participating?
     6. MS. MILLER: You can. I mean, I guess
     7. it's a courtesy, I spoke to the following
     8. five groups. You know, the Chair will know
     9. that you're out there talking to groups.
     10. It's good for the community to know what
     11. you're doing. You might get some good ideas
     12. from the community if you go out and do
     13. that.
     14. CHAIRPERSON BROCK: I think it would be
     15. a good idea, if any of us are asked to go
     16. speak somewhere, that you let the staff know
     17. so they can make sure we're all aware of who
     18. is going out --
     19. MS. MILLER: Individually.
     20. CHAIRPERSON BROCK: Individually, yes.
     21. The quick thing I learned was do not hit
     22. reply all to any emails that come from
     23. staff.
     24. MS. MILLER: Exactly.
     25. CHAIRPERSON BROCK: All right. I don't
         1. see anyone else on the queue. Thank you
         2. very much, Ms. Miller, we appreciate that.
         3. MS. MILLER: Thank you.
         4. CHAIRPERSON BROCK: Moving along, we are
         5. on item number six of the agenda. And we
         6. are honored to have Rick Mullaney come talk
         7. to us about history and background of
         8. consolidation. Good morning.
         9. MR. MULLANEY: Good morning. Morning,
         10. everyone. It's great to be with you. My
         11. name is Rick Mullaney. I'm the Director of
         12. the Public Policy Institute at the
         13. Jacksonville University. At the Institute
         14. we do graduate study and public policy,
         15. leading to a master's in public policy
         16. degree, not a Ph.D., but a master's degree
         17. in public policy.
         18. As part of that program, I teach a
         19. course in law and public policy, which
         20. covers Jacksonville's consolidated
         21. government, as well as something that I
         22. think is of great interest, of course, to
         23. this Commission; and that is, the
         24. relationship between governmental structure
         25. and public policy.
             1. And some of you may know, because I know
             2. a lot of the Commission Members, I had the
             3. great privilege for 20 years as serving as
             4. legal counsel and an advisor to
             5. Jacksonville's consolidated government in
             6. Mayors Ed Austin, John Delaney and John
             7. Peyton.
             8. Interesting fact, I thought I would
             9. mention one, my youngest daughter was born
             10. at 1 pound, 11 ounces. My wife was only 26
             11. weeks, six days pregnant when my daughter
             12. was born. Then she dropped to a pound and a
             13. half. She is now 20 years old. And it's
             14. terrific, she's expensive and she argues
             15. with my wife; it's great.
             16. But my oldest daughter, who is now 29 --
             17. I have three children -- came to me once and
             18. said, "Dad, how come we're all so small?"
             19. And I said, "Well, sweetheart, in our family
             20. the good Lord -- I mean, the good Lord gives
             21. us all different things. In our family,
             22. there is no height, there is no speed, there
             23. is no strength, but there is low
             24. cholesterol." So in case you're wondering,
             25. the Mullaneys have low cholesterol.
                 1. I do want to say, as someone who had the
                 2. great privilege of working for the City of
                 3. Jacksonville for 20 years, a congratulations
                 4. to each and every one of you for your
                 5. selection to serve on this Commission. And
                 6. thank you, thank you for your service to
                 7. Jacksonville, for being a part of
                 8. Jacksonville history.
                 9. I have been asked to speak briefly,
                 10. which is hard for the Irish, but to speak
                 11. briefly on the background to Jacksonville's
                 12. consolidated government, with the particular
                 13. focus, because of this Commission, on the
                 14. Charter and the structure of our government.
                 15. I will tell you that 10 years ago at
                 16. this time in 2009, I testified before this
                 17. Commission as General Counsel for the City.
                 18. And at that time I will mention to you, I
                 19. mentioned to the Commission then that the
                 20. Florida legislature had taken a great
                 21. interest in our Charter, in our consolidated
                 22. form of government. And I testified for
                 23. three hours the year before for a separate
                 24. committee who was taking a look at what we
                 25. were doing because they were so interested.
976. And I had gotten calls at that time from
977. around the State of Florida and around the
978. country on our form of government, which
979. I'll be talking about in a second.
980. Since 2009 that interest has continued.
981. I've gotten calls throughout the state and
982. around the country. Most recently a couple
983. years ago I flew up to New York at the
984. request of the governor of New York, went up
985. to Albany to talk about this topic, our
986. Charter and our consolidated form of
987. government, because so many around the
988. country look to it in so many ways as a
989. model.
990. But in particular, I do want to mention
991. this, and I mentioned this 10 years ago:
992. The Florida legislature was considered at
993. the time, because of the 2008 financial
994. crisis, and in New York when they talked to
995. me, they wanted to talk about streamlining
996. government and the potential for cuts in ad
997. valorem taxes, savings in ad valorem, what
998. you may call ad valorem dividend to our form
999. of government.
1000. And what I stressed before the Florida
      1. legislature, what I stress to you, what I
      2. stressed to New York is that, while I would
      3. never minimize the importance of an ad
      4. valorem dividend, I do want to suggest to
      5. you that there is much more to this
      6. consolidated government than that. And
      7. that's part of what I'm going to try to talk
      8. about today.
      9. In fact, I've always been a believer,
      10. and we'll see in the discussion if at the
      11. end you come to agree with this, is that
      12. Jacksonville's form of government gives us a
      13. potential structural advantage in public
      14. policy creation and addressing particular
      15. issues such as infrastructure,
      16. transportation, the environment, financial
      17. issues that are helpful to address on a
      18. county-wide or even regional basis. And in
      19. the discussion today, I hope, with some
      20. background, to discuss that this government
      21. is far more than just an ad valorem
      22. dividend, much bigger than just that.
      23. And so whether you're new to
      24. Jacksonville, which some of you are, or
      25. whether you've been around for a while, I
1001. think everybody in the Commission would
1002. agree we have the most unique form of local
1003. government in the State of Florida. Would
1004. you agree with that? And in fact, we have
1005. one of the most unique forms of local
1006. government in the country.
1007. Back in 1968 when we adopted the Charter
1008. and consolidated -- and by the way,
1009. consolidation was simply one piece of the
1010. restructuring, there were a couple other
1011. pieces that I'm going to mention, that's the
1012. one that got the most attention.
1013. At the time of the restructuring then
1014. and today, it was the most significant local
1015. government restructuring in the history of
1016. the State of Florida. And, in fact, was one
1017. of the most significant local government
1018. restructurings in the history of the
1019. country.
1020. At the time it happened, the mayor at
1021. the time, Hans Tanzler, said, "We have
1022. become the envy of the State of Florida."
1023. Ed Austin, who many of you know, a former
1024. mayor, a former general counsel, would later
1025. say, in his opinion, we have the best form
1026. of local government in the State of Florida.
1027. We have the best form of local government in
1028. the country, which obviously leads to the
1029. question of how did this happen and why does
1030. it matter.
1031. I think most of you would probably
1032. agree, particularly those of you who have
1033. been around for a while, that the
1034. Jacksonville of 2019 is very different from
1035. the Jacksonville of the 1960s. In the
1036. 1960s -- and, obviously, I must have been
1037. very young. But in the 1960s I was living
1038. on Jacksonville's Westside off of 103rd
1039. Street and Jammes. And in those days, we
1040. were viewed by many, if you agree with those
1041. who were here at the time, as a slow-moving
1042. southern town with an inferiority complex.
1043. And as a Former Charter Member would
1044. say, up until the time W.C. Gentry corrected
1045. this, many would say we were a smelly
1046. slow-moving southern town with an
1047. inferiority complex in the 1960s.
1048. And the problem with that assessment was
1049. that not only was that the view of some of
1050. the state and the country, that was the view
1051. that many of us had of ourselves.
1052. I will suggest that in the years that
1053. followed, that thinking began to change.
1054. And people began to look at Jacksonville
1055. post-consolidation, began to ask some
1056. questions: How did Jacksonville get an NFL
1057. team? How did Jacksonville, when it was
1058. failing all around the rest of the state,
1059. how did Jacksonville do a $2.2 billion
1060. investment in infrastructure when sales tax
1061. referendums were failing all over the State
1062. of Florida? How did Jacksonville launch the
1063. largest local government land acquisition
1064. program in the state, one the largest in the
1065. country and acquire 10 percent of the county
1066. for environmental recreational purposes?
1067. How did Mayor Curry accomplish these
1068. significant -- the incredible accomplishment
1069. of going to the Florida legislature, the
1070. City Council, public referendum and the
1071. unions to accomplish pension reform? And by
1072. the way, how in the world did Jacksonville
1073. get this consolidated form of government?
1074. And that's one of the pieces of the question
1075. I would like to answer for you today.
      1. In answering that question and its
      2. fundamental background for your
      3. deliberations, I always like to start that
      4. discussion in 1934. And if you remember
      5. nothing else from my conversation today, I
      6. hope you'll remember this piece: In 1934
      7. the 1885 Florida Constitution was amended to
      8. put in a provision that related just to
      9. Jacksonville. It's called the JCA, the
      10. Jacksonville Constitutional Amendment.
      11. That amendment to the Florida
      12. Constitution in 1934 was extraordinary. It
      13. gave Jacksonville the constitutional
      14. structural authority to abolish the county
      15. government, abolish the city government and
      16. to put in its place whatever Jacksonville
      17. saw fit.
      18. If nothing else, when you talk to the
      19. community, and I do it a lot, you ask how
      20. many of you are familiar with the 1934
      21. amendment to the Florida Constitution,
      22. almost no one. But I hope in this
      23. Commission, you'll take a look at that
      24. amendment.
      25. Here is another thing that it did, it
          1. completely changed the presumption on home
          2. rule authority. It granted to Jacksonville,
          3. under the amendment, the potential for the
          4. most extraordinary home rule authority in
          5. the state. At that time the only home rule
          6. authority for municipalities and counties
          7. was the authority granted to it by the State
          8. of Florida.
          9. This would give Jacksonville all home
          10. rule authority to make whatever decisions it
          11. wanted unless it was prohibited to it. See
          12. that distinction? Which would you rather
          13. have, only those powers specifically given
          14. to you or all powers unless prohibited? So
          15. the 1934 amendment to the 1885 Florida
          16. Constitution establishing the JCA was a
          17. significant structural piece in Florida's
          18. Constitution that would later be the
          19. foundation for the most significant local
          20. government restructuring in the history of
          21. Florida. And it passed in 1934.
          22. And, of course, some of you are new to
          23. Jacksonville, and if you've been around for
          24. a while, it's a fair question to ask, why,
          25. why in 1934 was the Florida Constitution
1076. amended to put in a provision just for
1077. Jacksonville that would give Jacksonville
1078. this extraordinary constitutional authority
1079. to restructure its government in such a
1080. profound way?
1081. Two pieces to that answer: One was the
1082. 1930s was the first of what would be three
1083. waves of very significant public corruption
1084. in Jacksonville. Grand juries were meeting,
1085. indictments were issued, really significant
1086. in the 1930s.
1087. The second wave would come in the 1960s,
1088. and the third wave when I was a prosecutor
1089. in the 1980s would be the third wave of
1090. public corruption.
1091. The second piece of the motivation to go
1092. to Tallahassee to get this changed was this
1093. local government -- the structure
1094. conversation. Jacksonville's local
1095. government structure, in the description of
1096. Former Mayor Ed Austin, was, if you wanted
1097. to create a model of inefficiency, waste,
1098. and lack of accountability, Jacksonville's
1099. local government structure was that
1100. pre-1968. We had a City Commission. We had
1101. a City Council. We had a Budget Commission.
1102. We had constitutional officers. It was
1103. overlapping. It was duplicative.
1104. We had a weak mayor form of government,
1105. which I'll be talking about in a second.
1106. The mayor served on the City Commission,
1107. there was no executive branch; it was headed
1108. up by the mayor.
1109. Legal services pre-'68 were delivered in
1110. the traditional way, which was everybody had
1111. their own lawyer. And Jim Rinaman and
1112. others describe pre-'68, raising fees,
1113. slowing down the government and creating
1114. terrific problems in terms of the operation
1115. of government. But the other pieces were
1116. the overlap, the lack of accountability.
1117. By the way, if you look at local
1118. government structure around the state, you
1119. can see that the local government model is
1120. different from the federal model. In
1121. Miami-Dade, for example, 2.6 million people,
1122. 1.2 million in the unincorporated areas, 35
1123. municipalities, 35 public works departments,
1124. 35 city attorney's offices, 35 fire
1125. departments. By the way, there is a big
1126. difference between juris disputes among
1127. jurisdictional entities that are distinct
1128. and battles between coequal branches of
1129. government.
1130. In Palm Beach, 38 municipalities;
1131. Orlando is one of 13 in Orange County. I
1132. remember talking to the chief of staff for
1133. Miami-Dade once, and I said, give me your
1134. governmental structure. This goes to the
1135. question of structure in public policy. How
1136. do you get anything done? To which he said,
1137. we don't, we don't.
1138. So in the face of that corruption, in
1139. the face of Jacksonville's duplicative and
1140. overlapping jurisdictions and its
1141. governmental structure at the time,
1142. civic-minded people, Charlie Towers' dad, in
1143. particular, Daughtry Towers and others, went
1144. to the Florida legislature and got the
1145. Florida Constitution amended to put in this
1146. provision just for Jacksonville.
1147. And then the question becomes, of
1148. course, which I'll pose to you: Did it
1149. happen in 1934? And the answer is it did
1150. not. For the same reason I flew up to
1151. Memphis, the chamber of commerce had asked
1152. me to come up there, they were talking about
1153. the consolidation of Shelby County in the
1154. city of Memphis; went up to New York, had
1155. this conversation; went up to Escambia
1156. County. And as I told them, absent crisis
1157. and statesmanship, it's unlikely to get this
1158. massive restructuring. Lots of reasons, we
1159. can talk about it separately sometime when
1160. we have a little bit more time.
1161. But there is built-in resistance to it.
1162. Government employees get concerned that
1163. they'll lose their jobs; anti concerns about
1164. keeping the status quo; those with vested
1165. interest in the current system. Lots of
1166. reasons why it doesn't happen. So in the
1167. 1930s it did not happen.
1168. And then 30 years later, in the 1960s,
1169. and I teasingly say, Jacksonville was
1170. blessed, I say that teasingly. Jacksonville
1171. was blessed in the 1960s with one of the
1172. most profound crises in the history of our
1173. city. In the 1960s four of nine City
1174. Council Members got indicted; two of the
1175. five City Commissioners got indicted; the
1176. Property Appraiser was called before the
1177. Grand Jury, took the Fifth Amendment and
1178. then resigned. In part, we had the lowest
1179. per capita -- he had artificially lowered
1180. assessments on property taxes. It was the
1181. lowest per capita spending on education in
1182. the State of Florida leading to the
1183. disaccreditation of our schools in 1964.
1184. I do want to talk about one note about
1185. this, I know the Former School Board Members
1186. know this well, but there is a general
1187. misconception -- I don't want to talk about
1188. the structural piece -- that because of
1189. consolidation we have a big school district.
1190. That is not correct.
1191. I just want to clarify that the Florida
1192. Constitution makes each county in Florida a
1193. school district. And because the Florida
1194. Constitution makes each county a school
1195. district, we have large school districts in
1196. the State of Florida. Six of the largest 20
1197. in the nation come from Florida. And we
1198. have a large school district, but that
1199. doesn't have anything to do with
1200. consolidation. That's a separate
1201. discussion.
1202. But in terms of the crisis of the 1960s,
1203. indictments, disaccreditation of schools,
1204. sewage being dumped into the river, services
1205. not being provided. And last fall in forum
1206. at Jacksonville University, we had all the
1207. mayors in the history of Jacksonville, all
1208. the living mayors in the history of
1209. Jacksonville's consolidation for a forum.
1210. And John Delaney eloquently described the
1211. eroding tax phase as we were heading towards
1212. potential bankruptcy in the 1960s.
1213. And about that time the people of
1214. Jacksonville, people like you in this room,
1215. all came together and said, in the midst of
1216. this crisis -- remember that 1934 amendment
1217. to the Florida Constitution, remember that
1218. authority we have to restructure what's
1219. going on here. And some civic-minded people
1220. all came together and put together a
1221. charter, short-term for a local
1222. constitution, put together a charter that
1223. would be very, very different from the rest
1224. of the state. I'll describe it in just a
1225. second.
      1. And in August of 1967, the people of
      2. Jacksonville went to the poles. And then
      3. something that had failed in Tampa, failed
      4. in Gainesville, failed in other places
      5. around the state, and in August of 1967
      6. people went to the poles, by a two-to-one
      7. margin, abolish the city government, abolish
      8. the county government and put in its place a
      9. new charter. The most significant local
      10. government change, the most significant
      11. restructuring in the history of Florida.
      12. And that charter went into effect on

13 October 1st, 1968.

1. Last time when I was here, I remember
2. the Commission saying, what is a charter
3. exactly? On October 1st, 1968, the Charter
4. goes into effect and one of the things I
5. mentioned is, in simplistic terms, our
6. Charter is our local constitution. Just
7. like the federal government's constitution,
8. the State of Florida has a constitution,
9. this is our constitution.
10. And that's important because some of you

24 may have policy preferences. And with all

25 due respect, in my way of thinking, this is

1. really not about policy preferences. This
2. is about the structure. This is about the
3. framework for our government. This is about
4. the entities we create, the distribution of
5. authority, the distribution of power. It's
6. how a constitutional framework operates.
7. And you can see in this Charter it
8. creates the entities from Article Five with
9. the Council, Article Six with the Mayor,
10. number of articles dealing with
11. constitutional officers, the independent
12. authorities, you'll have a chance with Jason
13. Gabriel to go through specific pieces. But
14. keep in mind that the Charter is our local
15. constitution.
16. Second point on this, and this is pretty
17. extraordinary, our Charter rejected the
18. approach of most local government structures
19. around the state and around the country.
20. And instead we adopted something you may
21. think is extraordinary, but in some ways is
22. commonsense, I think it was due to the
23. brilliance of the people at the time and
24. maybe just good luck. We adopted the
25. federal model. We adopted checks and
26. balances, separation of powers, and a strong
27. executive branch, which I'll talk about in
28. just a second.
29. The reason I say that is that is not the
30. model for most local governments around the
31. state. And when I talk about weak mayor and
32. strong mayor in just a second, over 90
33. percent of the more than 400 municipalities
34. in the State of Florida have a weak mayor
35. form of government. Of the 67 counties in
36. the State of Florida, only three have a
37. strong mayor form of government. So when we
38. did do the Charter, we did something that
39. followed the Madisonian model.
40. And by the way, on this notion of
41. structure versus -- in public policy, our
42. constitution went into effect in 1789, that
43. has been in place for 230 years, was
44. obviously -- I know the people on the civics
45. side -- was our second constitution. Our
46. first constitution from 1781 to 1789 was the
47. Articles of Confederation and that was the
48. structure that would not work. For the 13
49. colonies, they all had a veto authority.
50. There was no presidential authority. You
51. couldn't tax. Despite the leadership and
52. talent, it was a structure that would not
53. work.
54. And the new constitution, our current
55. constitution that went into effect in 1789,
56. as difficult and challenging as it is,
57. separation of powers, checks and balances,

8 may be the most extraordinary political

1. document in history, not easy but
2. extraordinary.
3. Winston Churchill, I'm fond of quoting
4. him, you know, democracy is the worst form
5. of government in the history of mankind
6. except for all the rest.
7. And so what we decided as a community
8. was to adopt that federal model. And what
9. our Charter created was the Mayor's Office,
10. 19 City Council Members -- there could be a
11. discussion on that number; there's lots of
12. historical reasons why we have, 19 with 14
13. districts and 5 at large -- 5 constitutional
14. officers, 7 independent authorities, the
15. General Counsel's Office, boards and
16. commissions, you can take a look at the
17. Charter for those pieces. And Jason Gabriel
18. can cover those in detail.
19. Briefly, five, what I call five sort of
20. defining characteristics of this
21. restructuring: Number one was consolidation
22. itself. This is the one that gets the most
23. attention. Sometimes this is called the
24. combination of county and city. Instead, I
25. would suggest the consolidation which got
26. the most attention was actually something
27. different; it was the abolishment of the
28. county government, it was the abolishment of
29. the city government, and it was creation of
30. a one unified government with county-wide
31. jurisdiction. That alone is an
32. extraordinary departure from local
33. government structure around the State of
34. Florida and about local government around
35. the country.
36. As I mentioned earlier, if you look at
37. the other 67 counties in the state, many of
38. them with multiple municipalities and
39. overlapping jurisdictions within the county,
40. Jacksonville's consolidation provided a
41. unified government with county-wide
42. jurisdiction.
    1. Number two -- and these sometimes get
    2. commingled as though it's identical, but
    3. it's separate, but it's critically
    4. important. Number two is the Charter
    5. created a strong mayor form of government.
    6. And, of course, let me be clear on what
    7. I mean by that. When I say strong mayor
    8. form of government, I'm not talking about
    9. the personalities of the mayor. I'm not
    10. talking about the effectiveness of the
    11. mayor. I'm talking about structure.
    12. A weak mayor form of government is one
    13. in which the mayor serves as a member of a
    14. City Council on the legislative body. And
    15. they have a vote. And they're subject to
    16. Sunshine Law. They don't present a budget.
    17. They don't appoint department heads. They
    18. don't carry out what the Council does, weak
    19. mayor.
    20. Strong mayor is a different notion.
    21. Strong mayor, the mayor does not serve on
    22. the City Council, but instead heads up an
    23. executive branch of government.
    24. Lenny Curry gave a budget address a few
    25. weeks ago here because we have a strong
43. mayor form of government, in which he heads
44. up the executive branch. He appoints
45. department heads. He appoints deputies. He
46. has veto authority. That is all part of the
47. strong mayor form of government.
48. We in Jacksonville take that for
49. granted. We think that's the way it is
50. everywhere. That is not the way it is
51. everywhere. This is the federal model.
52. And by the way, when you combine
53. consolidation with county-wide jurisdiction
54. with a strong mayor form of government, that
55. is very, very significant and very powerful.
56. Not only does the Mayor's Office become
57. significant, but the City Council becomes
58. significant as one of the most significant
59. legislative bodies in the State of Florida
60. with its 19 members.
61. Wholistically, about a
62. four-to-five-point-billion-dollar operating
63. budget for the entire consolidated
64. government, which is bigger than six states,
65. over a billion dollar operating budget for
66. the City of Jacksonville on its own. So
67. characteristic number one is consolidation.
68. Characteristic number two was strong mayor
69. form of government.
70. Number three, this is used a little bit
71. lately, the delivery of legal services. I'd
72. invite you to invite Jim Rinaman to come
73. speak on this. Pre-1968 the model for the
74. delivery of legal services was everybody had
75. their own lawyer. And as you will hear from
76. other speakers, I'm sure, that increased
77. fees, which I've never been opposed to as a
78. lawyer, it slowed things down, and it helped
79. ensure that nothing took place.
80. But in 1968 the model was different.
81. There was the creation of the General
82. Counsel's Office with the notion that there
83. would be one law firm, one legal place that
84. would represent the entire consolidated
85. government, the Mayor's Office, the City
86. Council, the five constitutional officers,
87. the independent authorities, the boards and
88. the commissions.
89. As Ed Austin said, who I'm fond of
90. quoting, he was my boss for a number of
91. years, this would be the glue, he said, that
92. would hold consolidated government together.
93. Not only did it represent all entities of
94. the consolidated government, it would be the
95. chief legal officer for the consolidated
96. government. And in the significant
97. provision, gave the General Counsel's
98. Office, as John Delaney would call it, the
99. ability to be sort of the Supreme Court for
100. the consolidated government to issue binding
101. legal opinions.
102. I mention very briefly, since 1968 there
103. have been nearly 400 binding legal opinions,
104. nearly 200 of those were by the first
105. General Counsel, Bill Durden. And I used to
106. tell his daughter, Judge Mallory Cooper,
107. that when I served as General Counsel, my
108. goal was to be the second best General
109. Counsel in the history of Jacksonville's
110. consolidated government, because the most
111. significant and the most significant and
112. best was Bill Durden in the early years of
113. trying to get the government working.
114. When I served as General Counsel for
115. nearly 13 years, I did 11 legal opinions,
116. binding legal opinions, not 200. He served
117. for 2 years and did 200. I served for 13
118. and did 11. He laid the foundational piece.
119. By the way, as I said to the Commission
120. 10 years ago, I want you to picture -- I
121. didn't say Apple back then; I used General
122. Electric as an example -- picture Apple or
123. Google or Facebook, picture a disagreement
124. within their corporation suing each other,
125. picture a corporate entity suing itself.
126. One of the thinking pieces behind this was
127. for Jacksonville to potentially develop
128. consensus to act as a municipal corporation
129. to speak with one voice. And, in part -- I
130. got this question from a fine lawyer in
131. Tallahassee -- how has Jacksonville managed
132. to avoid an intragovernmental litigation
133. that plagues the rest of the state where
134. municipal entities are suing each other all
135. the time. I said, well, Mark, it's pretty
136. simple, we gave them all the same lawyer,
137. which is part of the answer. But it's also
138. part of the structural design of it.
139. So under legal services it became a
140. unique and defining characteristic of this
141. restructuring. But the Office of General
142. Counsel and the Charter would serve as legal
143. counsel to all entities of the consolidated
144. government.
145. And I happen to agree with the words of
146. Ed Austin that it would become the glue that
147. would hold it together, although it would be
148. difficult at times and would be
149. misunderstood by some. Very unique
150. provision.
151. Number four, central services,
152. particularly as it relates to budget and
153. procurement, again with the notion of
154. creating a municipal corporation that could
155. act as one. That's the fourth piece,
156. something Judge Durden used to emphasize a
157. lot on this Commission years ago, how
158. critical the centralized authority was for
159. budget approvals and for finance.
160. And number five, and this is slightly a
161. nuance, so let me explain it this way: To
162. make this work, part of what the founding
163. fathers did in creating this structure was
164. basically require that each entity of the
165. consolidated government, that includes the
166. Mayor's Office, the City Council, but it
167. also -- in particular the independent
168. authorities and constitutional officers
169. would have to give up some of their
170. sovereignty and some of their autonomy to be
171. a part of this consolidated government.
172. Now let me tell you what I'm talking
173. about. Independent authorities is not a
174. term you'll find that applies around the
175. rest of the state. Around the rest of the
176. state, if you talk about airport authorities
177. or seaport authorities, they're going to
178. tell you, yeah, you're talking about special
179. districts. There is a legal term, there is
180. a legal definition in the statutes that
181. talks about special districts. Special
182. districts are units of local government that
183. are not a city municipality or school
184. district. They are provided for a specific
185. purpose, not a general purpose. And they're
186. very autonomous around the rest of the
187. state. History goes well back as to how
188. special districts were created.
189. Jacksonville, in its Charter, however,
190. ironically, would call our special districts
191. independent authorities, which has always
192. been interesting to me because around the
193. rest of the state, they're actually more
194. independent than they are here. We make
195. them less independent because we want them
196. to be a part of consolidated government.
197. What does that mean in terms of the
198. relationship, how are they less independent?
199. Well, for one thing, mayoral appointments.
200. For the JEA, it's seven appointments; for
201. the JPA, it's four appointments; for the
202. JTA, three, one and three, one is mayoral
203. appointments.
204. Second piece, legal services. The whole
205. idea that everybody would have common legal
206. counsel would help keep this municipal
207. corporation, this unique restructuring in
208. place.
209. And third and finally would be budget
210. review. Sometimes that's more form than
211. substance, but the motion is the budget
212. would have to come here.
213. So when you put those five
214. characteristics together and you're looking
215. at our Charter, it is much more than simply
216. consolidation, which gets the headline;
217. strong mayor, general counsel's office,
218. centralized services, this sort of
219. sovereignty piece.
220. And on the sovereignty piece, let me
221. tell you this, there is a healthy tension --
222. I certainly dealt with it when I was General
223. Counsel -- where the constitutional
224. officers, because they're elected
225. separately, want to be very independent of
226. City Hall. And the same is true -- it was
227. particularly true during the Cecil Field
228. days with the JAA. It happens with various
229. independent authorities, and it's
230. understandable.
231. Through their eyes, rightfully, and you
232. want them -- their most important mission is
233. the mission of their entity or their office.
234. And they see it through their eyes.
235. The City itself, including the Mayor, is
236. the one uniquely positioned to look more
237. globally as to what the interest of the
238. consolidated government is; and therefore,
239. that somehow has to be structured in a way
240. that we can do this in which we act together
241. and not separately. So the pieces that have
242. risen -- when I was General Counsel,
243. tensions would arise, for example, I'll give
244. you one illustration, the property appraiser
245. was going to be audited by the City Council
246. auditor's office. The property appraiser
247. said, I'm not doing it, I'm a separately
248. elected constitutional officer, I'm not
249. going to submit to it. The council auditor
250. says, it's in our Charter that everyone is
251. subject to audit.
252. So they came to me for a binding legal
253. opinion. And I gave a binding legal opinion
254. that basically said, this is one of my 11,
255. under our Charter, all entities of
256. Jacksonville's consolidated government are
257. subject to audit. The property appraiser's
258. office is an entity of the consolidated
259. government. You too are subject to audit.
260. And two things happened: One, was the
261. property appraiser's office was audited; and
262. the other, and this is just a coincidence,
263. the assessed value on my rental property
264. skyrocketed in the years following the
265. opinion. I don't know if it's related, but
266. I just thought I'd throw that out.
267. But the point was is I would have lots
     1. of those. And they would often be about
     2. sovereignty or authority. One is the City
     3. Council came to me, a City Council Member
     4. said, is special legislation, special relief
     5. legislation, legal. The previous year 100
     6. pieces of legislation had been passed or so
     7. by the City Council, in which they would
     8. pass a piece of legislation just to benefit
     9. a particular constituent, one. And they
     10. liked it, because a church or people would
     11. come to them and they would pass legislation
     12. that would help that particular constituent.
     13. They came to me for a binding legal
     14. opinion. The City Council wanted to have
     15. that authority. I gave an opinion that
     16. said, on an equal protection basis, it had
     17. to be applicable to everybody similarly
     18. situated, and basically found that special
     19. relief legislation was illegal, making the
     20. General Counsel's Office extraordinarily
     21. unpopular with the City Council.
     22. There would be -- I had another one with
     23. Mayor Delaney in which there was a dispute
     24. between the legislative branch and the
     25. executive branch as to whether Mayor Delaney
268. could do something without approval of City
269. Council. He was adamant about doing it.
270. My legal opinion said, you can be as adamant
271. as you'd like, but under our Charter you
272. have to go to the City Council for approval
273. on this, the umpire, the Supreme Court of
274. the consolidated government with those sort
275. of consolidated government disputes.
276. So if you put these five pieces
277. together, what you get is what I described
278. earlier, the most unique form of local
279. government in the state, the most
280. significant restructuring in the history of
281. Florida. And over the last 50 years, on the
282. ad valorem dividend, for many, many years,
283. we, in fact, had the lowest ad valorem rates
284. in the State of Florida. We could have a
285. big discussion on that, the pension and
286. other things that caused those rates to
287. creep up in recent years, but, make no
288. mistake, there was a big ad valorem
289. dividend.
290. Secondly, as many would point to, as the
291. Florida legislature did, that this form was
292. less regulatory and was less duplicative,
293. less bureaucratic, which made it more
294. streamline for economic development. With
295. Ed Austin and a trip to Escambia County, in
296. talking to their chambers, said, there are
297. three advantages to this structure:
298. Accountability, accountability and
299. accountability, were the words of Ed Austin
300. in that trip to Escambia County.
301. Another piece would be, over the last 50
302. years, fortunately, the lack of
303. intragovernmental litigation as the result
304. of the structure, in addition to this lower
305. ad valorem taxes, this efficiency piece,
306. this lack of intragovernmental litigation.
307. And as I mentioned earlier, there was a
308. public policy piece in which Jacksonville
309. has an opportunity with the leadership and
310. structure to address policy issues that
311. transcend municipal boundary lines.
312. Transportation goes beyond an individual
313. boundary line. The environment and the
314. river go beyond an individual boundary line.
315. Finance can. And so, therefore,
316. Jacksonville had an opportunity county-wide
317. and to even be a regional leader in public
318. policy formation.
319. But I do want to leave you with one last
320. thought on advantage, this is from Ed
321. Austin, not mine, who I admire very much.
322. And he said this, we were -- we went to
323. Escambia County with Mr. Corrigan, the
324. Council president at the time, because
325. Escambia County looked at us and they said,
326. "Over the last four years Jacksonville has
327. taken off; we haven't. We've looked at your
328. structure. We like it. Can you come over
329. here? We would like Pensacola, and Escambia
330. County, Pensacola, to consolidate. Will you
331. come over and talk to us?"
332. So we made a lot of appearances before
333. the Chamber and their media. And Ed Austin
334. was talking, he said, yes, there are all
335. these businesses, there's the tax issue,
336. there's the efficiency issue, there's
337. intragovernmental litigation. There's a law
338. enforcement advantage, by the way; try
339. dealing with multiple police departments and
340. what that looks like versus a county in
341. which you have one.
342. But Mr. Austin said, this is what I want
     1. to leave you with, and he labelled it and he
     2. called it, shorthand, clout. To which I
     3. said, "What do you mean by that?"
     4. And upon further explanation, what he
     5. said was, when you combine consolidation
     6. with a strong mayor form of government, and
     7. how this consolidated government works, we
     8. have the opportunity, with leadership, to
     9. develop consensus and to speak with one
     10. voice unlike any other place in Florida, and
     11. we have the opportunity with that leadership
     12. to leverage public and private assets in
     13. pursuit of policy objectives out of all
     14. proportion to our size.
     15. Let me repeat one more time, because at
     16. the time when he said it, I was taking
     17. little notes: We have the opportunity, with
     18. this form of government, to leverage public
     19. and private assets in pursuit of
     20. transformational policy objectives
     21. disproportionate to our size.
     22. What does that look like? It looks like
     23. the Jacksonville Jaguars. What does it look
     24. like? It looks like the Better Jacksonville
     25. Plan. What does it look like? It looks
343. like the Preservation Project. What does it
344. look like? It looks like Jacksonville
345. Journey. What does it look like? It looks
346. like the pension reform of Mayor Curry.
347. Now, this is not to say, by a long shot,
348. that this structure is perfect. It is not.
349. In fact, one of its greatest strengths, is
350. something you may want to talk about, is
351. also a weakness. If the centralization that
352. we have is a strength, then it also can be a
353. significant weakness. We need to be
354. responsive to neighborhoods. We need to be
355. responsive to communities. And you have
356. your district Council Members. That is why
357. you've seen a number of mayors, Delaney and
358. Curry, in particular, work through their
359. neighborhood departments, CPACs, district
360. members, because one of the challenges of
361. such a centralized government is being
362. responsive.
363. A second piece, and this goes back to
364. the roots of consolidation, is whether or
365. not we're going to properly fund -- this is
366. policy issue really as much as structural --
367. those parts of the county that have been
368. underserved, although that has been a
369. promise for a long, long time, and some
370. mayors have made a pretty good effort in
371. that.
372. In closing, let me say this, I mentioned
373. that 2019, today, is very different than
374. 1968, certainly. And if you would say to
375. me, if you look, Rick, since the time you
376. were a young boy growing up in
377. Jacksonville's Westside in the '60s to
378. today, do you attribute that to
379. Jacksonville's consolidated government. Let
380. me say this, with a footnote, not really,
381. not by itself. Because even the most
382. advantaged structure in the world, it is not
383. self-executing. I say this respectfully.
384. It takes leadership. It takes great people.
385. In Jacksonville's history over the last
386. 50 years, it took extraordinarily
387. civic-minded people, like all of you, who
388. unselfishly have come forward and said,
389. because I care about the future of this
390. city, whether it's consolidating our
391. government or the initiatives, the
392. transformational issues we've talked about,
393. to help change to create a better future so
394. that the combination of this structure, with
395. leadership and with civic-minded people,
396. creates possibilities for Jacksonville that
397. are extraordinary.
398. So for this Commission's work, I don't
399. believe this is about a particular policy,
400. such as increasing or decreasing taxes.
401. This isn't about an appropriation for a
402. particular capital project. This is a
403. structural discussion regarding our Charter,
404. our constitution, to create a structure that
405. puts us in the best possible place to create
406. good public policies that can help reshape
407. our future.
408. I sincerely hope that this is helpful in
409. giving some historical background and
410. context. And I want to tell you that I
411. welcome the opportunity to meet with you
412. individually and to be of help to this
413. Commission in whatever way I can, because
414. from that boy who grew up here in the '60s,
415. I care deeply about the future of this city.
416. And I would love to be of help to you in any
417. way possible. Thank you all very much.
     1. CHAIRPERSON BROCK: All right. Thank
     2. you, sir. I do have someone on the queue.
     3. Mr. Schellenberg.
     4. BOARD MEMBER SCHELLENBERG: Thank you
     5. very much, Chair.
     6. To Mr. Mullaney, I appreciate your
     7. thoughts on checks and balances.
     8. MR. MULLANEY: Yes.
     9. BOARD MEMBER SCHELLENBERG: But when the
     10. City Council introduces a policy in regards
     11. to the Mayor can hire anybody he wants at
     12. any time except one person, and that's the
     13. Chief Operating Officer. And in the Charter
     14. it basically says that a person has to meet
     15. certain requirements, okay. However,
     16. according to the General Counsel, who as you
     17. say is the Supreme Court that nobody can
     18. challenge --
     19. MR. MULLANEY: I didn't say no one could
     20. challenge.
     21. BOARD MEMBER SCHELLENBERG: That will be
     22. my second question.
     23. But it was offered that, since he
     24. shadowed somebody for a year and a half, and
     25. he's smart, he can have the job. So even
418. though the City Council stated specifically
419. what they wanted and one -- and very
420. important, most powerful position of the
421. City Council stated exactly what they wanted
422. in that person, man and female, it was
423. overridden by the Mayor and the General
424. Counsel. So explain to me how checks and
425. balances can deal with this as a legislator.
426. MR. MULLANEY: Couple pieces, first, I
427. mentioned that Jacksonville's 19-member City
428. Council is one of the most significant
429. legislative bodies in the State of Florida.
430. It does three things that are significant,
431. and it is much like congress. First, it
432. appropriates money. It has the power of the
433. purse. And by the way, that is significant.
434. Now, whether Council chooses -- how Council
435. chooses to exercise that authority is up to
436. Council. So they have the appropriation
437. power.
438. Second, they pass laws. You can pass
439. laws. The City Council is the policy maker.
440. Third, there is the confirmation
441. authority. So even if you disagreed with
442. the legal opinion, even if you disagreed,
443. that person has to come for confirmation.
444. Having said that, legislative bodies
445. appropriate money, pass laws, confirmation
446. authority. I have not -- I understand your
447. characterization of the Charter provision.
448. I'm sorry, I'm not as familiar with the
449. details of it. But the legal interpretation
450. that was given is one that you respectfully
451. disagree with, so I can't address that
452. interpretation.
453. But I will tell you this sort of
454. separation of powers, checks and balances,
455. is very much similar to what you see in the
456. federal model, which is congress or the
457. president, and the executive branch dealing
458. with this kind of a challenge, appointments,
459. confirmation, appropriation of money,
460. passing of laws.
461. There will be times when legal opinions
462. come down that you think favors one branch
463. over another. I issued several legal
464. opinions that the executive branch did not
465. like because they believed it tilted the
466. playing field towards the legislative body.
467. By the way, I want to be really clear on
     1. this for General Counsel's past, because I
     2. used to get this, the General Counsel, and
     3. this is like judges, is not expressing a
     4. policy preference; it is a legal opinion.
     5. I gave several legal opinions in which
     6. people did not like the opinion. But,
     7. usually it wasn't what you're talking about,
     8. it wasn't that they disagreed with the
     9. analysis; they just didn't like the outcome.
     10. That is not a policy issue.
     11. The policy issue is you can still come
     12. back to City Council, you can rewrite the
     13. Charter amendment, you can revise it, you
     14. can appeal. There can be an appeal to the
     15. Attorney General on a legal interpretation.
     16. But I wouldn't throw out the baby with the
     17. bath water to suggest that that's something
     18. you are displeased with. But, still, the
     19. fundamental notion of coequal branches of
     20. government, checks and balances, and
     21. separation of powers is still in place under
     22. this Charter.
     23. BOARD MEMBER SCHELLENBERG: Well, let's
     24. be clear, that appointment is strictly to
     25. the Mayor, he makes the appointment, it did
468. not come to the City Council.
469. And the Mayor gets an overall budget
470. number. And even if you took the money out,
471. he can still do whatever he wanted with the
472. distribution of money within the Mayor's
473. Office.
474. Second of all, you bring up something
475. interesting. You mean, if the General
476. Counsel makes a decision, we can go to
477. Ashley Moody and have her override it?
478. MR. MULLANEY: There are two ways in
479. which an opinion of the General Counsel's
480. Office can be overturned under our Charter.
481. One is from an opinion from the Attorney
482. General of the State of Florida. The other
483. is to be overturned by a court of competent
484. jurisdiction. During the course of the last
485. 50 years, I can give some examples, I won't
486. go into it, because it will open up a whole
487. conversation about things of the past, that
488. has happened. Fortunately, when I had the
489. General Counsel's -- the Attorney General's
490. legal opinions, they were consistent with
491. the opinions I had given. But that does
492. happen, yes. So it is not the final word.
     1. BOARD MEMBER SCHELLENBERG: Rick --
     2. Mr. Mullaney, I'm sorry.
     3. By the way, we go back since high
     4. school. He went to school with my brother.
     5. So I've known Rick --
     6. MR. MULLANEY: Everybody went to school
     7. with a Schellenberg, by the way; there are
     8. 11 children. He is the oldest.
     9. BOARD MEMBER SCHELLENBERG: I'm the
     10. second oldest, close enough.
     11. MR. MULLANEY: Second oldest, excuse me.
     12. Tommy was in my class.
     13. BOARD MEMBER SCHELLENBERG: We go back.
     14. So help me out. I don't want to
     15. monopolize the time. But because it's on
     16. the plate right now, the School Board issue,
     17. the General Counsel has opined about
     18. something, he said the School Board cannot
     19. hire somebody. So you're telling me that
     20. they can go to Ashley Moody?
     21. MR. MULLANEY: I'm telling you that the
     22. Florida Attorney General can issue an
     23. opinion that can overturn a legal opinion of
     24. the General Counsel under our Charter. Now,
     25. the vehicle for doing that is a separate
493. discussion, but the short answer is, yes,
494. that under our Charter a binding legal
495. opinion can be overturned in those two ways:
496. By an opinion of the Florida Attorney
497. General or by a court of competent
498. jurisdiction.
499. BOARD MEMBER SCHELLENBERG: I'm sorry.
500. I just want to ask one question. How do
501. they go there without -- when the General
502. Counsel says you can't hire a lawyer?
503. MR. MULLANEY: A lot of times -- well,
504. it happened to me a couple different times,
505. and the taxpayers or others made a request
506. to the Attorney General and the Attorney
507. General gave a legal opinion. Here it can
508. be done consensually. You can get someone
509. to agree to it. I think that is being
510. discussed right now, in fact.
511. BOARD MEMBER SCHELLENBERG: Thank you,
512. Chair.
513. CHAIRPERSON BROCK: Sounds like we'll
514. have an issue that perhaps Mr. Schellenberg
515. will be the chair of.
516. Mr. Mullaney, thank you. Again, you and
517. I have spoken. One of my thoughts and hopes
518. is, as we begin to refine our ideas, that we
519. can bring you back and help us work through
520. that process of really defining the issues
521. that we're going to work on. I appreciate
522. your background, your depth of knowledge,
523. you came up here without any notes and gave
524. us a history.
525. BOARD MEMBER GRIGGS: Can I have a quick
526. question?
527. CHAIRPERSON BROCK: I'm sorry. Yeah. I
528. see Mr. Griggs.
529. BOARD MEMBER GRIGGS: Thank you.
530. Mr. Mullaney, real quick, great
531. presentation. I think this was very helpful
532. to a lot of people who didn't really
533. understand and those folks who are out there
534. watching.
535. You really kind of brought home why
536. consolidation was necessary. And in your
537. opinion, though, could you talk a little bit
538. about what do you think consolidation missed
539. in the last 50 years? I know we had the
540. Task Force that reviewed some things a
541. couple years ago, but we've consistently
542. heard that consolidation wasn't kind to the
543. entire community, in particular those
544. communities in the urban core. Can you
545. speak on some of those areas that you
546. believe that you are still concerned about
547. and how that may have impacted some of the
548. things we need to be concerned with.
549. CHAIRPERSON BROCK: And I would ask,
550. despite the Irish, briefly, because we'll be
551. addressing those things later on.
552. MR. MULLANEY: It's an important
553. question. I think it's going to go to more
554. policy than structure, but let me try to
555. address it for you. When there was the
556. political campaign to pass consolidation,
557. people were very concerned about its
558. passing, and a lot of compromises were made.
559. Some of those compromises included 19 City
560. Council Members. Some of them included
561. elected constitutional officers, as opposed
562. to appointed constitutional officers. There
563. are a lot of pieces structurally that were
564. part of the conversation. And part of it
565. was representations to underserved areas of
566. the community that there would be investment
567. in underserved parts of the community. That
568. conversation, there is different versions of
569. that conversation as to investment,
570. particularly in minority neighborhoods.
571. If you talked to Mayors Hazouri and
572. Delaney, for example, they will argue that
573. in their administrations they made a
574. significant effort to make those kinds of
575. investments. But I certainly think from a
576. policy standpoint today there is a concern
577. and there is a need to invest in underserved
578. neighborhoods throughout the community.
579. I don't know, and you can have this
580. discussion, whether you believe that it's
581. structural or whether you believe that is
582. something that can be addressed on the
583. policy basis of the leadership that we have.
584. It's a bigger conversation that we can have.
585. But I can tell you that the
586. African-American leadership was somewhat
587. split. Many African-American leaders were
588. strong proponents of consolidated
589. government, such as Earl Johnson, who gave
590. up the opportunity to be the first mayor,
591. black mayor of Jacksonville, instead
592. supporting consolidated government, others
593. were opposed.
594. But many believed, Earl Johnson did,
595. that overall the county and the city would
596. be better served through this structure even
597. though whatever misgivings he may have had.
598. So that's a conversation we can have.
599. BOARD MEMBER GRIGGS: Thank you.
600. CHAIRPERSON BROCK: Thank you. I guess,
601. two important takeaways, among many, that
602. you -- as you brought us here is reminding
603. us that we are here to look at structural.
604. We are not here to enact policy. That's for
605. those elected officials in those. And that
606. consolidation helps us to be able to punch
607. above our weight class. And those are two
608. things I got.
609. Again, thank you. Look forward to
610. hearing more from you in the process.
611. MR. MULLANEY: Thank you very much.
612. CHAIRPERSON BROCK: Next we are going to
613. move to the scope of the Charter with our
614. General Counsel, Mr. Gabriel.
615. MR. GABRIEL: Good morning, Jason
616. Gabriel, General Counsel for the
617. Consolidated City. Appreciate your time
618. here today and your contribution. I know
619. all of you are very busy people. This is a
620. dynamic bunch, and look forward to working
621. with you folks over the next eight months.
622. Just real quick I just want to make sure
623. my PowerPoint -- Steve, is that set up here?
624. Well, Rick Mullaney touched on many of
625. the themes in sort of a grand way that I was
626. going to touch on here today. And I'll try
627. to be as brief as possible. And, obviously,
628. I'm open to any questions as we go along.
629. Briefly, historically, as Rick had
630. pointed out, after that sort of perfect
631. storm, that confluence of controversy at the
632. city prior to 1968 from duplicative,
633. redundant county, city government to
634. intragovernmental litigation, that stymie
635. progress to a rash of public corruption that
636. occurred, those sorts of things sort of led
637. to this unique proposition of consolidated
638. government.
639. And as was pointed out, in 1965, January
640. of 1965, a bunch of Jacksonville business
641. and civic leaders came together after this
642. confluence of events over the years and
643. produced what's known as the Yates
644. Manifesto. And what that did is that
645. basically asked the county's legislative
646. delegation at the time to authorize the
647. citizens of Duval County to vote on the
648. consolidation of Duval County with the City
649. of Jacksonville. And as Rick had pointed
650. out, something that has been in the
651. constitution since 1934 as part of the
652. amended 1885 Florida Constitution.
653. That led to April of 1965 where the
654. Florida legislature approved a local
655. government study commission, which in 1966
656. produced a report called the Blueprint For
657. Improvement, which many of you have heard of
658. and have seen over the years as part of our
659. history.
660. This report contained a recommendation
661. to consolidate the county and the city and
662. devised a framework which became the
663. foundation for the City of Jacksonville's
664. Municipal Charter that we're going to get
665. into here in a minute.
666. So what that led to is, on August 8th of
667. 1967, an election, and where the electorate
668. of Duval County and the City of Jacksonville
669. basically voted to consolidate. And that
670. led to October 1st of 1968, which is the
671. commencement of our consolidated form of
672. government, which we just celebrated 50
673. years, a 50-year anniversary, a few months
674. ago, back in October.
675. As a side note, these consolidated forms
676. of government, while unique and, I believe,
677. as you'll see as you study this, while not
678. perfect, a very strong and effective tool
679. that can be used structurally to deploy, you
680. know, your various politics and various
681. propositions county-wide. It is unique.
682. And out of the 3,000-plus counties in
683. the nation, there are only 40, give or take,
684. county cities that are actually
685. consolidated. And for that matter, even
686. much less that are truly consolidated, I
687. would submit, as in the case of
688. Jacksonville, where we have one solitary
689. government, as opposed to, for example,
690. Miami-Dade where there is a County
691. Commission and a City Council-type
692. government.
     1. I just wanted to touch on, for purposes
     2. of today, and I know we'll be speaking more
     3. in the future, three main things: Number
     4. one, the role of our office, which you've
     5. heard quite a bit from, from Rick Mullaney.
     6. Number two, sort of the form of the Charter
     7. and how you amend the Charter. And, lastly,
     8. the sort of scope and purpose of your
     9. Commission here as undertaken.
     10. So the Charter has, as sort of one of
     11. the fundamental features, this notion of the
     12. Office of General Counsel. And the Office
     13. of General Counsel, in particular the
     14. General Counsel, serves as the ultimate
     15. resolver of city-related disputes. OGC,
     16. Office of General Counsel, was born of this
     17. idea of centralized legal services that
     18. operates as basically the connective legal
     19. tissue between the various city agencies and
     20. city-wide activity.
     21. And, in fact, Section 7.02 in the
     22. Charter highlights this notion. What it
     23. says is, and this was just touched on here:
     24. Any legal opinion rendered by the General
     25. Counsel shall constitute the final authority
693. for the resolution or interpretation of any
694. legal issue relative to the entire
695. consolidated government, and shall be
696. considered valid and binding unless
697. overruled by a court or an opinion of the
698. Attorney General of the State of Florida
699. dealing with a matter solely of state law.
700. And that's an important notion with
701. respect to the Attorney General opinion.
702. So we serve 32 elected officials, all of
703. the independent agencies, basically a
704. variety of -- in our clients that form and
705. constitute, you know, the Consolidated City
706. of Jacksonville. You have the 32 elected
707. officials, including the Mayor, the 19
708. Council Members, the seven School Board
709. Members, and the five Constitutional
710. Officers, the Tax Collector, Property
711. Appraiser, Clerk of the Courts, Supervisor
712. of Elections and the Sheriff.
713. So I wanted to touch on the sources of
714. law that govern the local government. We
715. have a City Charter and an Ordinance Code.
716. And this is, as you know, in addition to
717. applicable federal and state law. We won't
718. focus on that here for purposes of the scope
719. of this Commission, but needless to say, the
720. City of Jacksonville is guided by two
721. sources of law: The City Charter, which as
722. you heard, I think, it's a good analogy,
723. it's like the constitution for the county;
724. and then the Ordinance Code.
725. The Charter basically contains the
726. general organic principles by which the City
727. must function, including the City's
728. foundation and general framework. And the
729. City's Ordinance Code, think of those as,
730. like, statutes that basically contain the
731. official laws of the city and implement the
732. concepts and the structures that are
733. codified in the Charter.
734. So as you've heard here today, as well,
735. Jacksonville operates under a strong home
736. rule power. Home rule is the right of self
737. government as to local affairs as provided
738. by the state through the constitution. In a
739. typical county, as you know, there are at
740. least two governments, the county government
741. and the municipalities located within those
742. counties. Each of these government entities
743. can exercise separate local government home
744. rule powers.
745. In the case of consolidated, the
746. government of the county and the government
747. of the city or the cities that are located
748. therein are basically formed into one single
749. government with special home rule powers of
750. both the county and a municipality.
751. And Jacksonville, as a consolidated
752. government, has basically a legal
753. arrangement with the State of Florida where
754. Jacksonville's Charter, as approved by the
755. Florida legislature and the electors of
756. Duval County, provide the local government
757. certain discretion and flexibility to carry
758. out local functions.
759. The Charter, I want to touch on the
760. Charter and sort of the contents of it
761. without getting into the granular detail at
762. the moment. The Charter contains provisions
763. that deal with the constitutional officers,
764. the five that I named. They contain
765. provisions governing the independent
766. agencies -- the Port, the JAA, the JEA, and
767. so forth, pension, the various pension
768. funds -- and, also, other provisions
769. affecting the powers and obligations and
770. authorities of the various official actors
771. of the consolidated government.
772. Again, very -- the underpinnings of the
773. Charter are all structure related. There
774. are some substantive, you know, implements
775. in there, but for the most part, it's a
776. structural-type document.
777. As Rick pointed out, our form of
778. government is actually modeled most
779. accurately by the federal model, which is
780. the traditional classical division of
781. powers. We have the three separate
782. branches: The legislative, executive and
783. judicial. The legislative being those
784. policy budgetary related type authorities,
785. which are exercised by the City Council.
786. And the operational administrative
787. managerial-type functions that are executive
788. nature, which are administered by the mayor
789. and his or her staff.
790. And then, lastly, the judicial, which
791. are, you know, the duties and powers that
792. are of a judicial nature, which are
793. exercised by our court system. And, of
794. course, you know, as we talked about, there
795. is some of that aspect that's actually
796. lodged in the Office of General Counsel with
797. respect to issuing binding legal opinions,
798. resolving issues and things of that sort.
799. And because there are instances where
800. the nature of the power of duties is
801. uncertain, this is where the Office of
802. General Counsel weighs in and interprets and
803. acts as the final arbiter of separation of
804. powers matters.
805. So there are four basic ways to amend
806. the Charter: Ordinance, an ordinance passed
807. by the City Council, 10 votes -- and there
808. are some limitations on that -- ordinance
809. approved by referendum, a special act of the
810. Florida legislature, and referendums by a
811. petition.
812. Method one is an ordinance by City
813. Council. Again, through the constitutional
814. grant, Council has a lot of dexterity in
815. terms of what it can amend the Charter on.
816. However, rather than listing out everything
817. it could amend the Charter on, instead, the
818. way that the Charter reads is: City
819. Council, you can amend the Charter on
820. basically everything, except these things.
821. And those things are listed on the
822. slide, and those come from the Charter, and
823. it's actually in the statute as well.
824. Municipal annexation, you cannot do that
825. just by an ordinance of City Council, nor
826. could you do things that are expressly
827. prohibited by the constitution, things that
828. are expressly preempted by state law, or
829. things that affect the powers, rights and
830. duties of the Beaches and Baldwin.
831. The second method is an ordinance
832. approved by referendum, and there is quite a
833. bit you can do here. There are, as you can
834. see, listed matters that you can only do
835. this way, in addition to the legislature
836. changing it; and that is, creating a new
837. municipality; altering the terms and manners
838. of elections, of elected officials; the
839. distribution of powers between the various
840. elected officials; matters involving the
841. appoint of boards that are actually in the
842. Charter, not the ones that are done by
843. ordinance code, but the ones that are in the
844. Charter; matters involving the Office of
845. General Counsel or the Council Auditor's
846. Office; the form of government or any matter
847. affecting the rights of municipal employees.
848. Those would, in fact, require not only
849. Council weighing in and approving an
850. ordinance, but that being sent to the
851. voters.
852. Method three is a special act by the
853. Florida legislature. Under Jacksonville --
854. under the Jacksonville consolidation
855. amendment that you heard in 1934, which is
856. an amendment to the 1885 constitution, the
857. state legislature has all along retained
858. jurisdiction to amend an extended charter
859. without referendum. So the legislature can
860. basically do anything to the Charter, again,
861. as long as it's in compliance with the
862. Florida Constitution. So that is yet
863. another way.
864. This retention of authority, it allows,
865. you know, the legislature, by special act,
866. to consider and enact amendments. This is
867. typically done by something called a J bill,
868. as many of you've heard, especially when
869. it's Jacksonville centric, sometimes, you
870. know, our Delegation will pursue something
871. that's general in nature, and it will be
872. amended in our statutes. The pension surtax
873. amendment, actually, inasmuch as
874. Jacksonville is the only one that's utilized
875. that, is actually an amendment to the
876. general statutes. But things that are
877. related to our Charter would be done by a J
878. bill most of the time.
879. The last method I wanted to point out is
880. a referendum by petition. And we actually
881. have a whole process for this, and I won't
882. get into the detail on that, but it's laid
883. out in our Charter and in Article 18. But
884. that basically prescribes a process where
885. you have to -- a petitioner's committee can
886. get together, these are citizens that can
887. get together and convene. And there is a
888. whole process they would have to follow.
889. They have to get the requisite signatures
890. and whatnot. But, basically, they can put
891. certain propositions on the ballot for a
892. proposed amendment to the Charter.
     1. Now, there are some restrictions to
     2. that. You know, and we can get into that at
     3. a later date. Like, for example, a sales
     4. tax can't be done by a petitioner's
     5. committee; that is something that has a
     6. prescribed method of being pursued and
     7. things like that.
     8. And our office actually has a role in
     9. determining the legal sufficiency of the
     10. proposed petitions form. And there have
     11. been instances in the past where our office
     12. has actually denied that because it was
     13. noncompliant, the petition was noncompliant,
     14. with some part of the law, maybe the
     15. constitution on down.
     16. Briefly, we were trying to look back and
     17. see how far this Charter Review Commission
     18. has gone. It very well may be that there is
     19. a notion of it prior to 1972, but as far as
     20. we can tell, in 1972 there was a Chapter 70
     21. that was added to the Ordinance Code and
     22. there was a Charter Review Committee. At
     23. the time there were 25 members appointed.
     24. And their actions and recommendations were
     25. to be given not less often than quarterly.
893. That went on for a while.
894. And in 1974 the Council actually
895. provided a termination. Now, why they did
896. or didn't do things at the time, I can't
897. tell. But I'm sure if we were to dig in, we
898. could find some more information about that.
899. But, basically, in 1974 the Council provided
900. a termination date for the Commission's
901. work, mandating a final report no later than

10 May 15, 1974. As far as we can tell, there

1. was a hiatus between 1974 and 1979.
2. The next iteration we can see is in
3. 1979, the Council repeals that termination
4. date from 1974 and authorizes the Council
5. president to nominate members. And that
6. went on for a while, it appears.
7. And in 1992 the Council changed the
8. reporting rule from not less than quarterly
9. to not less than annually. And that looked
10. like it went on for a few years. But then
11. in 2004 the Council sunsetted that. And in
12. 2004 the Council said, all right, we're
13. going to kind of reset here, and what we're
14. going to do is this Charter Review
15. Commission is going to meet starting in May
16. of 2009. And they chose that date, it
17. appears, because it was preceding the every
18. 10 year decennial census data, you know,
19. gathering, and because there is some
20. editorial comments in what I saw that
21. alluded to that.
22. And so every 10 years starting in May
23. 2009 onwards, pursuant to this code, the
24. Council president would pick anywhere from
25. 11 to 15 members, confirmed by Council, and
26. the Commission would undertake its work.
27. And so that was done, as you know. And
28. there was a report last in 2009. And here
29. we are again, you know, 10 years later.
30. So that brings us to the last part of
31. this presentation, which is your duty and
32. mission. And I think the Chairman has
33. already read, I think, the -- at least the
34. most particular part, you know, with respect
35. to y'all's mission.
36. But, basically, you're here to consider
37. all the factors relevant to the
38. establishment of the relationship between
39. the state and the local units of government,
40. which are, quote, best calculated to fulfill
41. the needs of the citizens of the
42. Consolidated City of Jacksonville.
43. And so with that we're -- I just wanted
44. to extend, you know, an invitation. Our
45. whole office is available for any of your
46. needs. Paige will be here, Peggy may be
47. here at some points. To the extent there
48. are themes or concepts that involve our
49. office, obviously, we'll be here as well.
50. And we're available individually if you have
51. any questions or anything like that. And
52. we're here and happy to help you undertake
53. your work. Appreciate your time. And I'm
54. available for any questions.
55. CHAIRPERSON BROCK: All right. Anyone
56. have any questions?
57. All right. I don't see anyone on the
58. queue -- Mr. Gentry is still on the queue.
59. BOARD MEMBER GENTRY: Sorry, that was a
60. while back.
61. CHAIRPERSON BROCK: I apologize.
62. All right. Thank you. Our next order
63. of business is preliminary ideas. And we
64. have a court reporter here taking down
65. everything, so we'll be able to begin to
66. compile a list. But I wanted to sort of
67. open, if you'll just mark it on the queue
68. there if you have any preliminary ideas that
69. we can go ahead and put out. What that will
70. do is help in bringing other people in.
71. We're going to be sending out open
72. invitations, as I said, to all of the
73. constitutional officers, to all of the
74. independent authorities to come and address
75. us as a whole during these next -- every two
76. weeks when we meet together. But if we can
77. begin to identify some issues, maybe we can
78. reach out and bring some other people in.
79. I also wanted to stop right now and
80. recognize that we do have our Vice Chair,
81. Ann-Marie Knight, here.
82. Do you want to just briefly tell us a
83. little bit about you. Everyone gave a fun
84. fact.
85. VICE CHAIR KNIGHT: Thank you.
86. We're still in morning, so good morning.
87. And I apologize for my absence this morning.
88. I am Ann-Marie Knight. I served 24
89. years in the Navy. I was recently at Mayo
90. Clinic, served there for seven years, and
91. just accepted this week a position at UF
92. Health in a similar community engagement.
93. I'm trying to think of a fun fact. I
94. don't know if it's fun, but I'm going to put
95. it here. So three weeks ago, as you're
96. between jobs, you're not getting emails,
97. it's a wonderful opportunity to take a
98. vacation without anyone contacting you. My
99. husband and I talked about going to Thailand
100. and doing something exotic. We switched
101. gears. We went to San Francisco, arrived on
102. Thursday night. Friday morning he had a
103. stroke.
104. So while it's not a fun fact, the
105. reality of it is we were very blessed.
106. Along the way, between the airlines and
107. people in the community and their version of
108. UF Health, and that brings me here with you
109. today. And I say it's fun because I just
110. realized the importance of a village,
111. whether you're home in Jacksonville -- and,
112. actually, a colleague from Jacksonville was
113. in San Francisco and reached out and
114. connected with us, so a little bit of
115. activities going on. So that's my fun fact.
116. I don't think anybody can top that. Did you
117. top that? All right. But he's doing
118. fantastic and at home.
119. CHAIRPERSON BROCK: Well, that's great.
120. All right. First up, Ms. Jameson.
121. BOARD MEMBER JAMESON: I have more of a
122. question.
123. CHAIRPERSON BROCK: Sure.
124. BOARD MEMBER JAMESON: As we've all seen
125. the recommendations from the Consolidation
126. Task Force, as well as the Revision
127. Commission in 2009, are we able to determine
128. what of those have become law from those
129. recommendations? I have been able to do
130. some research, but not so much as far as
131. what happened after those recommendations
132. were presented to City Council.
133. CHAIRPERSON BROCK: Yes. The short
134. answer to that is yes. And I will -- well,
135. as you heard, the one from the previous
136. Charter Revision Commission that was
137. actually enacted was the independency of the
138. Ethics Commission, or the Ethics Office.
139. There were some that were implemented in
140. certain ways from the Consolidation Task
141. Force.
142. One of the people that I hope to bring
143. up here to address us as a whole is Former
144. Council President Lori Boyer, who chaired
145. that whole effort. I'm going to be meeting
146. with her independently, and I'm going to
147. have her come and talk through. And that's
148. one of the ways that we will see what's
149. already been enacted from those.
150. All right. Mr. Shine.
151. BOARD MEMBER SHINE: Thank you,
152. Mr. Chairman.
153. First off, when I reviewed the
154. Consolidation Task Force, as well as the
155. Charter Revision Commission report from 10
156. years ago, one of the things that clearly
157. was outstanding was the relationship between
158. OGC and the City. So I think there are a
159. couple things there that need to be looked
160. at. One is the legal advisory opinion.
161. It's interesting because Jacksonville does,
162. in essence, have a judiciary in the form of
163. the General Counsel. But the lawyers, the
164. attorneys, work for everyone in the city,
165. whether they be independent authorities. So
166. you have this issue that's very unique. And
167. this system works very well, and I salute
168. them for how well they've done this.
169. But you have attorneys that are
170. representing you and the attorney is
171. actually your judge. So I think it would be
172. ideal to look at a way to formalize this
173. process and also give independence to legal
174. representation.
175. The legal advisory opinion is a valuable
176. tool. I have to say I had one that I
177. printed out, and it was in my car for four
178. years, because if I needed it, I could run
179. out there and get it. So it is something to
180. preserve, and it is unique, and it does work
181. and helps. Believe it or not, as an elected
182. official, it's one of the most valuable
183. things I saw in terms of helping to get my
184. job done.
185. The other thing that's obvious, School
186. Board, I think there are reforms there to
187. help. There is some low hanging fruit.
188. Believe it or not, there are things in the
189. Charter related to the School Board which
190. are very much outdated. But, according to
191. the attorneys I talked to, still have the
192. force of law.
193. Among them, the City Council sets the
194. School Board calendar. They set School
195. Board Members' salaries. They haven't done
196. this in years. In fact, I kept asking them
197. to raise my salary, and they wouldn't do it.
198. So those are some things that should be
199. looked at.
200. Another issue I had with education is
201. that we have our School Board elections on
202. the state and federal cycle, where we have
203. all our other constitutional officers on the
204. local cycle. And I'm curious as to why that
205. is and would it be better if all the
206. constitutional officers were on the local
207. election cycle. And I have no doubt that
208. we'll also talk about combining elections.
209. And, last, I think we also need to look
210. at ethics reforms. One of the issues we saw
211. come up recently were use of uniforms in
212. advertisements for political candidates. I
213. believe it's a federal law you can't have an
214. American flag in a political ad. Yet we
215. have this. And it did cause a lot of
216. concern among the community. I think we
217. should look at that as well.
218. So those are the three things that I
219. would like to suggest, Mr. Chairman:
220. Looking at OGC, looking at what we can do
221. with the School Board in terms of
222. facilitating that process, and then ethics
223. reforms where appropriate. Thank you,
224. Mr. Chairman.
225. CHAIRPERSON BROCK: All right. Thank
226. you.
227. Ms. Mills.
228. BOARD MEMBER MILLS: Through the Chair
229. to the Commission Members, I would just like
230. to know, when I was reading the
231. consolidation and the report by Councilman
232. Lori Boyer, I did see where -- do we have
233. anything other than the report that can show
234. that the City Council does take a position
235. on what is recommended by the Charter?
236. Because I don't think I'm aware of anything
237. that's in place to the hard work that we're
238. going to do, and if they can just get the
239. paper and ball it up and throw it away, or
240. is there anything in place to say that
241. they're going to either vote to do nothing
242. or vote to do something.
243. CHAIRPERSON BROCK: I will tell you that
244. I had looked into that as well. And from my
245. own research, there is nothing that requires
246. the City Council or the Duval Delegation --
247. because, remember, we report to that group
248. as well -- there is nothing that requires
249. them to take any action with regards to our
250. recommendations.
251. All right. Well, that was a very loud
252. silence there.
253. Mr. Gentry.
254. BOARD MEMBER GENTRY: Thank you,
255. Mr. Chairman.
256. A couple things, I think from reviewing
257. the study that was done under Councill
258. Person Boyer's leadership, one of the areas
259. that stood out that had not been addressed
260. was the whole concept of strategic planning.
261. And we've all seen the situation in our city
262. where from mayor to mayor, and that may be
263. the strong mayor, but from mayor to mayor
264. programs never seem to have any continuity.
265. And I think it's a very difficult area,
     1. complicated area, but the idea of having an
     2. overarching strategic plan that will permit
     3. carrying forward on programs and initiatives
     4. and decisionmaking from administration to
     5. administration is something we definitely
     6. need to look at, because I think that's in
     7. the bane of our city, because every mayor
     8. comes in and, if someone else says it's a
     9. bad idea, we start all over again. And we
     10. see that repeatedly. And I think that was
     11. an issue that group felt -- that was
     12. important to address but never really has
     13. been addressed.
     14. Another area, and I probably come at it
     15. differently than Mr. Shine, I agree that the
     16. Office of General Counsel, that whole
     17. dynamic needs to be looked at closely. I
     18. think most of the lawyers here on this
     19. Commission would agree that -- or at least I
     20. always -- let me speak for myself. People
     21. come and say, what's the law. And I say,
     22. what do you want it to be.
     23. And what we know as lawyers is that in
     24. many instances a strong legal argument can
     25. be made for either side of an issue. And so
266. we can in good faith take that issue and
267. argue it strenuously and either win or lose.
268. But we can argue different sides of the
269. issue, because frequently there are good
270. arguments on both sides.
271. Your General Counsel purports to be
272. making a decision totally objectively, but
273. every decision he makes is one he could
274. choose what the end result should be, and
275. then make his legal decision to carry out
276. that objective, potentially.
277. And so in a situation where the General
278. Counsel is appointed by the Mayor, it
279. creates concern among other entities as to
280. whether or not that opinion truly is
281. objective or whether there is a political
282. decision that's wanted, and then the legal
283. argument is created to reach that decision.
284. I don't know that it's come up that
285. often. I think the Office of General
286. Counsel, we've been blessed with some great
287. people in that office. I think they try
288. very hard to be totally objective.
289. But I do think we need to look at the
290. process by which the OGC is appointed or who
291. comes to office to try to assure that there
292. is a confidence to the extent humanly
293. possible that the legal -- so-called legal
294. binding opinion is objective and is not
295. influenced by how he is appointed or how he
296. got to his position.
297. CHAIRPERSON BROCK: All right. Well --
298. BOARD MEMBER GENTRY: He or she, excuse
299. me. I'm showing my age.
300. CHAIRPERSON BROCK: On the first item
301. that you mentioned with strategic planning,
302. Council Member Bowman is not here, but when
303. he was -- during his presidency one of the
304. things that he did do was enact a strategic
305. plan for the Council. He had participation
306. in with the Mayor's Office on that.
307. But to your point, there is nothing
308. required that, that was simply leadership
309. envision of mapping out a 3, 5 and, I
310. believe, 7 or 10 year plan out in there with
311. priorities. But I think that, you know,
312. having something like that definitely helps
313. with continuity so you're not just, you
314. know, erasing the board and start writing
315. again. Although, I guess they don't really
316. use boards anymore; I'm showing my age now.
317. Ms. Mills, again, for the second time.
318. BOARD MEMBER MILLS: I'm sorry. Through
319. the Chair to the Commission Members, are we
320. going to be prepared to make sure that we
321. can get a yea or nay on all the hard work
322. that we do? Because I'm willing to give it
323. my all and meet at any time, go out to
324. service, to get information and put in every
325. ounce of hard work that I can. But I'm
326. concerned. If we're just going to meet and,
327. at the end of the eight months, we're going
328. to produce a report and it goes in the
329. Chapter 13, I'm going to have a problem with
330. that.
331. And I don't know how anybody else feels;
332. I'm only speaking for Celestine. It takes a
333. lot of work to effectively make the
334. recommendations, and it's going to require a
335. lot of time. And I don't mind putting the
336. time in, but I would like to know if they
337. are going to look at it closely and do
338. something about it and not just say, I got
339. the report, that's it. Because then what do
340. we say to people when they ask, you know,
341. why are you on that Commission? I get that
342. now, you know, why are you on that
343. commission, because there is nothing that
344. has come forth to show that it has been
345. acted upon.
346. So I just want to know that we're going
347. to effectively look into that. And I don't
348. know, maybe everybody is okay with doing
349. hard work and just typing up that paper at
350. the end of the eight months, but I'm not.
351. I'm sorry. Thank you.
352. CHAIRPERSON BROCK: I don't want to
353. speak for anyone, but I'm sure that most of
354. us are not looking to engage in a futile
355. effort.
356. I can tell you two things: One is that
357. I've received assurances that our report
358. will be given serious consideration by the
359. Council. Second, though, is one of the
360. things that we can recommend is that there
361. be an up-or-down vote by the Council. We
362. can recommend that. Will they agree to bind
363. themselves and other future Councils to that
364. process, I don't know. But that's -- again,
365. that is a topic and a subject that we can
366. bring up and discuss.
367. Mr. Schellenberg.
368. BOARD MEMBER SCHELLENBERG: Just a
369. couple things: First of all, you can't bind
370. any Council beyond the one year, just to let
371. you know.
372. I tend to agree with Ms. Mills over
373. there, but there is nothing that the City
374. Council will do or not do; they're
375. completely independent. And, as you can see
376. 10 years ago, only one thing was acted upon.
377. And there was a dozen or more, two dozen
378. items recommended, and not one of them was
379. discussed, except the one issue on the
380. Ethics Commission.
381. I want to echo Mr. Gentry, mostly
382. because I know him, but he's a smart guy. I
383. think the original intent of the General
384. Counsel was somebody that had tremendous
385. experience in the private sector. And they
386. would come to the General Counsel for a
387. short period of time because of his or her
388. experience and knowledge about the law. And
389. that person would be incredibly independent
390. of everybody, and they would -- I would
391. agree with Mr. W.C. that any lawyer can
392. figure out where he's going and opine to
393. make sure that he's heard and believed.
394. The problem is, and it was implemented
395. in one of the ordinances, the Mayor cannot
396. remove the General Counsel unless he gets a
397. two-thirds vote, I think, of the Council.
398. However, don't you think that the Mayor
399. could put incredible pressure on the General
400. Counsel to resign if he's not on the same
401. page as the mayor and certain things that
402. he's going forward with?
403. Ms. Mills, do you realize there are
404. approximately 72 different commissions or
405. committees that volunteers do, and almost
406. none of them, unfortunately, are heard by
407. the City Council and acted upon.
408. Mr. Chair and the Committee, I don't
409. have a particular agenda, but I think that
410. we need to be better educated. So I
411. actually made a list of people outside the
412. independent authorities that I think would
413. be beneficial to the Commission to know --
414. to hear from, because of their length of
415. experience, their length of being involved
416. in the city and just general knowledge. And
417. I would gladly put them on the record.
418. Now, I haven't included everybody, but
419. these are some of my -- so many people:
420. Hank Coxe; Audre Moran; Buddy Schultz;
421. Former Mayor John Delaney; John Peyton;
422. W.C., I actually had him on here; Chuck
423. Arnold; Wyman Dugan, who actually did it 10
424. years ago; Charlie Cofer, who is a public
425. defender; probably Melissa Nelson also;
426. Jeanne Miller; Gary Flower, a judge; Steve
427. Rohan; Martha Barrett; Robert Harris, Steve
428. Diebenow, because he was involved in the
429. John Peyton administration; Michael
430. Weinstein, he's been involved in city
431. government for almost 30 years; Ali
432. Korman-Shelton; Warren Jones; maybe some of
433. the previous School Board Members that are
434. no longer there and even some of them that
435. are there, without the chair.
436. But, anyway, this is my -- not a
437. complete list of people that I think is
438. important for us to know, to have them come
439. and just chat about some of the thoughts
440. that they might have, because they're on the
441. ground seeing what's happening. It's not
442. the 30,000-foot level that we act upon, but
443. these are people that have to implement, see
444. how these things are implemented, and see
445. how they affect the citizens of
446. Jacksonville. So I would recommend, if we
447. could, invite all those to come here and
448. give us their impression about their
449. experiences and how they might be able --
450. what they see might be beneficial to making
451. consolidation a better place.
452. One other thing, it appears to me, that,
453. yes, we have a credibly strong mayor thing,
454. but as a legislator, it's very difficult to
455. fight the causes that you think are great
456. knowing full well that he has the ultimate
457. position and power of the purse. Yes, we
458. pass the budget, and there are certain
459. things in the budget that you want in your
460. district, but I think that sometimes there
461. has got to be a way in which undue influence
462. on votes and things like that need to be
463. looked at. Thank you.
464. CHAIRPERSON BROCK: All right. Thank
465. you.
     1. Next up, Mr. Shine, again.
     2. BOARD MEMBER SHINE: Thank you. That
     3. was quick.
     4. I salute Mr. Schellenberg's comments.
     5. In fact, it struck me that one way to make
     6. this Commission successful, more
     7. successful -- and to Ms. Mills' point -- is
     8. to, in fact, have the public help to drive
     9. this, to have public comment, to have
     10. subject matter experts so that there is a
     11. sense of ownership and inclusion, as well as
     12. transparency.
     13. Thank you, Mr. Chairman.
     14. CHAIRPERSON BROCK: On that point, one
     15. of the things that -- or what I've been
     16. going through in looking at the minutes from
     17. the last Commission, of all the people that
     18. were brought in to speak, is that we're
     19. going to be looking at sending out
     20. invitations to a lot of those same people.
     21. And I appreciate Mr. Schellenberg's list,
     22. I'm going to get it from our official record
     23. here so that we can begin to send out those
     24. invitations to the people.
     25. In the idea of public involvement, one
         1. of the things that I'm looking at in trying
         2. to understand how we can do it, is to
         3. essentially have a social media campaign
         4. where we let the public know what we're
         5. doing and offer them the opportunity to send
         6. in suggestions and ideas. We've got that
         7. technology. I don't know how to do it, but
         8. I know we can. If you can put a poll up on
         9. Twitter, there is some way to be able to do
         10. that.
         11. So I've been looking at some innovative
         12. ways to get more public input rather than
         13. having to have them sit through the meeting
         14. and then fill out the card and simply come
         15. in here, because a lot of people can't do
         16. that. So thank you, but we're looking to be
         17. able to broaden the public input to get that
         18. kind of engagement.
         19. Mr. Griggs.
         20. BOARD MEMBER GRIGGS: Thank you,
         21. Mr. Chairman.
         22. I was -- I neglected earlier to mention
         23. that I worked with W.C. on the Jacksonville
         24. Journey Oversight Committee, and I'm looking
         25. forward to working with him again. He also
466. brings up some of the excellent points that
467. I was thinking about, as well, in terms of
468. how we can improve the process.
469. But I'm also looking forward to
470. looking -- I know Mr. Mullaney talked about
471. the framework of the Charter and how it
472. works more in play with the policy. I'm
473. looking to how we can develop or look at how
474. the framework of the Charter will work to
475. alleviate some of the problems we've had
476. with consolidations that have not been
477. beneficial to the entire community. I don't
478. know what that is right now. I don't know
479. if it's in representation or how the Mayor's
480. Office is structured, I don't know, but I
481. think that needs to be addressed. And there
482. is some way we can look at how those
483. matters, along with policy, because we're
484. just dealing with framework here, can
485. benefit the community in some of those areas
486. that have not been addressed over the last
487. 50 years.
488. CHAIRPERSON BROCK: Thank you.
489. Mr. Denton.
490. BOARD MEMBER DENTON: I want to
     1. reinforce, Mr. Chairman, what you said about
     2. using social media to get out to the public.
     3. I think we really ought to go beyond that
     4. and have a concerted effort to get the word
     5. out through mass media, through other forms
     6. so that people know, understand -- the
     7. public understands who we are, what we're
     8. doing, and this is their opportunity to come
     9. and talk to us or send us their ideas.
     10. I don't know how to design such a media
     11. program, but I have some ideas. I'm sure
     12. others do perhaps in the Mayor's
     13. communications office. But things like
     14. appearing on WJCT, the Chair might choose to
     15. do that with Melissa Ross and talk about it,
     16. and you can make a list of a bunch of these
     17. other things and media to reach so that the
     18. general public knows that this is their
     19. opportunity once in 10 years to get their
     20. ideas out.
     21. CHAIRPERSON BROCK: Thank you. So that
     22. was one of the plans that I had before. I
     23. didn't want to go out into the public before
     24. we had this first meeting, and I definitely
     25. appreciate hearing the consensus from the
491. group that we want to expand public input,
492. expand the opportunities to have the public
493. understand what we're doing and how
494. important it is, and how important getting
495. their voice heard here in this group is. So
496. I do plan to reach out to a lot of those
497. different radio, you know, some of the TV,
498. as well, to get the word out. The comment
499. on the social media was more of being able
500. to use that as a tool to get input from the
501. moment.
502. Ms. Jameson.
503. BOARD MEMBER JAMESON: Thank you. I
504. also appreciate the comments about engaging
505. the public. And I think that's something we
506. should really consider moving forward.
507. But to respond to Mr. Shine, I would
508. like to also work with you on looking at the
509. timing of local elections. I know that was
510. something that this Revision Commission
511. looked at 10 years ago. So I would also
512. like to continue that conversation and look
513. at that with you. So thank you very much.
514. CHAIRPERSON BROCK: All right.
515. Ms. Santiago.
     1. BOARD MEMBER SANTIAGO: Along those same
     2. lines, I think one of the things that I
     3. would like to explore, as well as with the
     4. group, is looking at the timing of when
     5. things happen. So, for example, we just got
     6. a brand new City Council, and they're voting
     7. on our budget. Even for us, we just got
     8. appointed to this Commission by a Former
     9. Council President and now we're working with
     10. the new President. So there is different
     11. items like that that I think we should
     12. explore, just kind of the timing of when
     13. things happen and should we -- should there
     14. be a change to that.
     15. CHAIRPERSON BROCK: And if you -- as I'm
     16. sure we've all gone through and looked and
     17. seen, those are some of the issues that have
     18. been tackled and addressed in the past, and
     19. maybe we can find some way to tweak those
     20. and get it heard.
     21. Anyone else? All right. I do.
     22. Mr. Howland.
     23. BOARD MEMBER HOWLAND: Yes. Thank you,
     24. Mr. Chairman.
     25. Couple points I want to make is in
         1. business you don't -- or government or any
         2. organization, you don't create a structure,
         3. then build a strategy to support that
         4. structure. You create a strategy and then
         5. set an optimal structure to support that
         6. strategy.
         7. And so to what Mr. Griggs was saying,
         8. identifying where I think perhaps the City
         9. has let down certain areas or groups in the
         10. last 50 years is pretty important to us,
         11. which is kind of why I set some of my
         12. priorities that I would like to find ways
         13. where we can structurally find solutions to
         14. things like crime and education.
         15. And one that has popped up that I've not
         16. heard mentioned before is we've got some
         17. great results out of the Jacksonville
         18. Children's Commission. I would love to
         19. explore that more and see if there is
         20. anything structurally we can do, perhaps
         21. create a dedicated funding source like have
         22. been done in other cities in order to
         23. perpetuate that for the next 10, 50 years.
         24. So perhaps we can bring Mr. Peppers in to
         25. talk about that.
             1. Other ideas, just we've talked about
             2. engaging members of the community, let's
             3. certainly not overlook the business
             4. community, because some of my partners I
             5. had, when I talk about crime and education,
             6. come from having served on the First Coast
             7. Manufacturers Association, certain things
             8. that keep businesses from coming to
             9. Jacksonville, those are themes that keep
             10. popping up. So it would be wonderful to
             11. hear from different distributing members of
             12. the community, whether it's manufacturers,
             13. builders, realtors, finance, health care to
             14. come in and talk about the issues that
             15. affect them that they think could be
             16. addressed by this Commission.
             17. CHAIRPERSON BROCK: All right. Thank
             18. you.
             19. Mr. McCoy.
             20. BOARD MEMBER McCOY: The areas that I'm
             21. interested in are definitely education, that
             22. is always one of my top areas. Kind of
             23. interested in trying to see if there is a
             24. way that we can be innovative with the
             25. funding structure for our education and
516. possibly find a way to do what our state
517. legislature are not doing for our education
518. in a way on the structural side.
519. The other piece that I'm really big on,
520. this is the California in me, is the
521. environment and how we can structurally
522. improve and make best use of our rivers and
523. waterways and our vast networks of parks and
524. things of that nature that we have. I just
525. think that that is really underutilized by
526. our population and it is also, like, not
527. really publicized enough. And we have some
528. really great natural resources that we have
529. that people can, you know, really enjoy.
530. I'm just trying to figure out how to
531. structurally make sure that those things are
532. cherished and bolstered.
533. CHAIRPERSON BROCK: All right. We have
534. Lori Boyer coming to speak to us. She can
535. definitely give us some insight. Having sat
536. under her leadership on the Waterways
537. Commission, I can tell you she's definitely
538. got some insights on that.
539. Next, Ms. Baker.
540. BOARD MEMBER BAKER: Through the Chair,
     1. and I do just want to say we have so many
     2. ideas that have already been looked into
     3. from the Task Force and from the Revision
     4. Commission 10 years ago. I hope that we
     5. don't re-create the wheel that has already
     6. been done for us on a lot of issues. I hope
     7. that we really take what's been done into
     8. consideration and we really look at that as
     9. sort of a starting point almost. And
     10. certainly there is a lot of issues that
     11. everyone has already talked about today that
     12. have already been looked into. So I do just
     13. want to make that point. And I'm interested
     14. in a lot of things that have been said
     15. today. Thank you.
     16. CHAIRPERSON BROCK: And I will tell you,
     17. one of the ideas that I had that we could do
     18. is, as we look at what has been recommended
     19. in the past, is to simply say, can we
     20. improve on this wording. If we can't, then
     21. let's simply, as a part our report, I
     22. believe we can say, "We refer you to the
     23. recommendation of the previous Charter
     24. Revision on this item," boom, and then we
     25. move on and we address some new items in
541. there.
542. But I agree with you, none of us wants
543. to reinvent the wheel, polish the apple, so
544. to speak, and just put it up there the same.
545. But I will say we do have a different
546. Council that will be looking at it this
547. time.
548. Ms. Knight.
549. VICE CHAIR KNIGHT: So as a 20-year
550. health care administrator, one of my
551. particular interests has always been around
552. the social determinants of health and how a
553. community impacts the health of all of its
554. members. I realize people don't go into
555. that kind of detail through this lens, but I
556. would say somewhere in there should maybe be
557. an opportunity to figure out structurally
558. how we can improve the environment for our
559. members of the community that may not have
560. equal access. I say this because, when you
561. think about our homeless, for example, and
562. that being a significant topic for us from
563. many angles of business and so forth and
564. companies coming to Jacksonville, we should
565. look into our structure to see what are we
566. doing well and what aren't we doing well.
567. In my trip to San Francisco, I read an
568. article where they talked about their
569. homeless population increasing 2 to 3
570. percent a year, and in the last two years
571. they had increased 30 percent. They were
572. everywhere. My trip prior to that was to
573. New Orleans, and it was very evident.
574. So while we as a community talk about
575. our homeless population struggles, I think
576. we can even get better. We're better than
577. those two cities, but what can we do
578. structurally to help improve that
579. environment. So those things are on my
580. mind, and health care is going to be at the
581. root of that.
582. CHAIRPERSON BROCK: Mr. Schellenberg.
583. BOARD MEMBER SCHELLENBERG: I'm sorry,
584. Mr. Chair.
585. Let me echo Ms. Knight. We own where
586. you are now, UF Health over there. We are
587. only -- the only hospital in the State of
588. Florida that doesn't get a revenue source.
589. Jacksonville Memorial gets it; Tampa
590. General, I think, gets it. And we have
591. neglected that hospital.
592. We have -- when I came onboard, I think
593. it was around 22 million we gave them, and I
594. think it's up to around 26. I think in this
595. budget the Mayor has committed over the next
596. couple years, I can't remember the number,
597. something like 10 to $15 million over the
598. next four or five years. I can't remember.
599. But that's insignificant to what they do for
600. the homeless population.
601. So I think that might be another subject
602. that we need to talk about, about I'm not
603. saying a dedicated source, but there has to
604. be a better way. We own it. And we should
605. be more responsible, responsive to the needs
606. of that hospital going forward. And they
607. have a great leader over there, Leon Haley,
608. obviously that's one of the reasons why
609. you're there. And we should be more engaged
610. in what's going on over there and being more
611. helpful. Thank you.
612. CHAIRPERSON BROCK: Ms. Lisska.
613. BOARD MEMBER LISSKA: My interest,
614. Mr. Chairman, is to take a look at some of
615. the original -- well, not some of -- the
616. original precepts of consolidation and where
617. the compromises were, and the compromises
618. were many, and they were often in order to
619. enact consolidation. And I think there
620. should be a review of what was considered,
621. at a time, the ideal versus the compromise
622. in the end. And I would like to see us do
623. it, and perhaps list what those compromises
624. are, which shouldn't be too difficult to
625. accomplish.
626. CHAIRPERSON BROCK: All right. Anyone
627. else? I don't see anyone else on the queue.
628. Thank you very much.
629. Now let's move to scheduling our first
630. meetings. Again, what I had suggested is
631. that we meet every two weeks from here. I'm
632. hoping that we can accomplish our broad -- I
633. won't call it factfinding, I'll call it
634. priority -- determining our priorities,
635. within the next six weeks.
636. Anyone's thoughts on that? So we would
637. probably be meeting similar to this, 9:30.
638. I was hoping to get us out of here by 12:00,
639. but accomplishing that and bringing people
640. in to come and speak. Any thoughts on that?
     1. Mr. Schellenberg.
     2. BOARD MEMBER SCHELLENBERG: You have a
     3. big problem because the budget meeting is
     4. going to be meeting in here, starting, I
     5. think, next week at this time. And you
     6. either have committees Monday, Tuesday, and
     7. then budget Wednesday, Thursday, Friday for
     8. the next six weeks or so. So I would ask
     9. Cheryl Brown where we should meet, because
     10. I'm pretty sure it won't be here.
     11. CHAIRPERSON BROCK: Well, yeah, we'll
     12. work out the logistics. We can go into one
     13. of the other rooms, Lynnwood Roberts. So
     14. we've got those rooms. We just won't have
     15. all the fancy stuff; you might have to raise
     16. your hand.
     17. But does that sound -- I just want to
     18. get a consensus from the group. Does that
     19. sound good to meet every two weeks?
     20. Ms. Lisska.
     21. BOARD MEMBER LISSKA: The every two
     22. weeks sounds good, yes, but I'm more
     23. concerned, as I hope, I think some of you
     24. will be, with what day of the week and are
     25. you suggesting Wednesday always.
         1. CHAIRPERSON BROCK: Yes. I think what
         2. we can do, if -- is if anyone has dates that
         3. they are not available between now and the
         4. end of September, dates that you know you
         5. cannot make, could you please send that
         6. information to Carol Owens, and then I can
         7. get with her and we can send out a schedule
         8. for our next meetings through September that
         9. we'll have.
         10. My goal is that, by the end of
         11. September, we will have our priorities. We
         12. will have crafted the language down to where
         13. our subcommittees will have a reasonably
         14. narrow focus, the areas to look in and work
         15. on. And then we can begin to break out into
         16. those subcommittees and do the real
         17. nitty-gritty work of crafting and honing our
         18. proposed changes and getting the facts to
         19. support those changes in our structures.
         20. All right. So, yes, Ms. Baker.
         21. BOARD MEMBER BAKER: Through the Chair,
         22. I just wanted to ask is it your intent that
         23. we have all of our testimony from all the
         24. speakers in order to create those priorities
         25. in the next six weeks, essentially, being
641. three meetings if we're doing every other
642. week for six weeks; and then on that last
643. meeting, then we would be voting on those
644. priorities in order to create those
645. subcommittees.
646. CHAIRPERSON BROCK: No. We will have
647. three meetings where we're taking in
648. testimony from people to develop our
649. priorities. And then that fourth meeting
650. will be where we craft -- we'll go through
651. and we'll identify our top ones, and then we
652. will break them out then. We'll flesh it
653. out in that fourth meeting, that's my goal
654. so that we maximize the opportunity to bring
655. people in, the Jim Rinamans, as
656. Mr. Schellenberg had mentioned.
657. BOARD MEMBER SCHELLENBERG: I would just
658. say we should make the meetings maybe 9:00
659. to 12:00, because everybody has jobs. But
660. 9:30 is kind of late. And that would give
661. us three hours between breakfast and lunch
662. so people can get in here and get out.
663. And the only other question is, I think,
664. Ms. Brown, we're going to all park in one
665. place, and you're going to give us a pass or
666. we're going to sign something, please.
667. MS. BROWN: Through the Chairman, yes,
668. we will give everyone -- please park over in
669. the Duval garage right there on the corner
670. of Duval and Main, and we will provide you
671. all with the parking vouchers.
672. CHAIRPERSON BROCK: All right. So
673. everyone's homework, look through your
674. calendars between now and the end of
675. September, send Carol any dates that you
676. cannot make, and then look for a further
677. email with our schedule out in there. I
678. will be working with the staff to figure out
679. how we can promote this more out to the
680. public and what we can do to make sure
681. everybody knows what we're doing here and
682. get their input.
683. With that, any other business? We are
684. adjourned.
685. (Meeting adjourned at 12:10 p.m.)

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* 1. CERTIFICATE OF REPORTER
  2. STATE OF FLORIDA COUNTY OF DUVAL

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1. I, Amanda E. Robinson, Registered
2. Professional Reporter, do hereby certify that I
3. was authorized to and did report the foregoing
4. proceedings; and that the transcript, pages 1
5. through 149, is a true record of my stenographic
6. notes.

10

11 DATED this 7th day of August, 2019.

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15 Amanda E. Robinson,

Registered Professional Reporter

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