

**OFFICE OF THE CITY COUNCIL**

**RESEARCH DIVISION**

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**CHARTER REVISION COMMISSION**

**GOVERNMENT STRUCTURE AND PRESERVING INSTITUTIONAL**

**KNOWLEDGE SUBCOMMITTEE MEETING MINUTES**

**Don Davis Room, 1st floor, City Hall**

 **December 16, 2019**

**10:00 a.m.**

**In attendance:** Commissioners Ronald Swanson (Chair), Jessica Baker, Heidi Jameson, Matt Schellenberg

**Also**: Paige Johnston and Kealey West – Office of General Counsel; Jeff Clements and Anthony Baltiero – Council Research Division; Jessica Smith and Sharonda Davis – Legislative Services Division; Melanie Wilkes – Council Staff Services

**Meeting Convened**: 10:00 a.m.

Chairman Swanson convened the meeting and the attendees introduced themselves for the record.

Approval of Minutes

The minutes of the committee meeting of December 12, 2019 were **approved unanimously as distributed**.

Public Comment

Perry Waag representing RCVJax advocated for ranked choice voting and said that he would attempt to schedule discussions with individual commissioners to explain what ranked voting involves. Chairman Swanson invited Mr. Waag to make a presentation at the January 16th meeting. Mr. Waag said that the City of Gainesville and Alacuha County Charter Revision Commissions are considering recommending ranked choice voting in their jurisdictions.

Invited Speaker – Bill Gulliford, former Mayor of Atlantic Beach and former Jacksonville City Council member

Mr. Gulliford described his background on the Atlantic Beach and Jacksonville city councils and as Mayor of Atlantic Beach. He currently serves on the Florida Housing Finance Commission. Mr. Gulliford highly recommended that the commissioners read the Blueprint for Improvement II report of the Task Force on Consolidated Government from several years ago and consider its recommendations.

In response to a question from Commissioner Jameson about his opinions on non-partisan elections, Mr. Gulliford said that he believes non-partisanship is the way that local elections should be held, although the political parties will likely be opposed. He believes that non-partisan elections are more important than the City’s current unitary election system. He argued that the registration numbers are increasing for No Party Affiliation or Independent, so voters may be heading that way already, although for persons to whom that is important, they will still find out the affiliation of candidates. In response to a question from Commissioner Baker about changing election dates from spring to fall, Mr. Gulliford said it would certainly give new council members time to get acclimated to being on the council before they have to tackle the budget beginning in July. Regarding odd-year elections to avoid presidential and gubernatorial campaigns, Mr. Gulliford said there’s a tradeoff between local issues being swamped by those campaigns in even-numbered years and the lower turnout involved in off-year elections. When he was on the Election Canvassing Board he was surprised at the number of voters who cast votes only for the President and perhaps Congress, but ignored the rest of the ballot and apparently don’t have any interest in local government.

Ms. Baker asked his opinion on term limits on behalf of Commissioner McCoy who was not in attendance. Mr. Gulliford felt that term limits are nonsensical, prevent good people from serving, and discount the intelligence of voters to choose the right candidates. He felt that the term limit should be at least 12 years, perhaps with a prohibition against further election thereafter. The term limits give great power to lobbyists and bureaucrats because of their greater institutional knowledge. Chairman Swanson said that when he was a judge, he felt that it took many years for a new judge to get acclimated and hit their stride. He said the committee has heard that the issue is a non-starter because the general public supports term limits. Mr. Gulliford said that term limits may discourage good candidates from running for office, and it’s hard enough to get good people to run as it is. In response to a question about what might make extension of term limits acceptable to the public, Mr. Gulliford said that extension to 12 years might be acceptable if accompanied by a prohibition against any future return to office. Commissioner Schellenberg asked about options to change the balance of power between the strong mayor and city council. Mr. Gulliford said the problem is structural more than a matter of institutional knowledge. He cited the city manager form of government as being very good at carrying institutional knowledge across changes of mayors and councils. Cities need to operate at two levels – the day-to-day operation of government (filling potholes, cutting grass, picking up garbage) and long-range planning. He believes Jacksonville fails on the second level, never carrying plans for more than a few years before abandoning them and trying something new.

With regard to the selection method for the General Counsel, Mr. Gulliford suggested that the mayor should get 3 nominees from an accomplished panel of reviewers (judges, State Attorney, Public Defender, private attorneys) and select one of those nominees. The current method of confirmation by the City Council tends to be a rubber stamp because council members don’t want to buck the mayor’s preferred candidate. He noted that as a result of a recommendation of the Task Force on Consolidated Government, the council amended the Charter to provide a mechanism for removal of a General Counsel by supermajority vote of the City Council. In response to a question about term limits on the General Counsel, Mr. Gulliford said he doesn’t believe in term limits but felt that perhaps a vote of confidence in the General Counsel by the City Council every four years would be a useful exercise. Commissioner Baker quoted from the Charter regarding the selection committee for General Counsel nominees; Mr. Gulliford advocated for less control by the mayor over the appointment of the nominating committee and for the recommendation of 3 candidates from whom the mayor could choose one nominee.

In response to a question from the Chair about whether the Council President should have a term longer than one year, Mr. Gulliford felt that the current system works well. The Council Presidency is a huge job that is very taxing on a part-time official, particularly if that person has a full-time job outside of the council. He advocated for reducing the size of the city council, feeling that 19 is too many to be efficient. He also advocated for eliminating the at-large council members because they don’t have any clearly defined role or responsibilities, and generally refer any constituent issues they may receive to the district council members. Having 19 district council members might be more responsive to citizen issues if the at-large members aren’t dealing with citywide issues as he feels they should. In response to a question from Council Member Schellenberg about whether that would impact on the minority access districts, Mr. Gulliford felt that more districts would provide more opportunities for minority representation.

In response to a question about the current JEA situation, Mr. Gulliford said the board members all have other jobs and don’t have the time or ability to sufficiently challenge management. It might be better to elect the JEA board with certain professional qualification requirements, or perhaps pay the board members like the School Board is paid to attract high quality candidates.

When asked if he could make one change of any kind in the Charter, Mr. Gulliford said that the biggest problem he sees is the lack of good quality candidates for elective office. He believes the owners of small businesses have the right skill set to be good council members, but they can’t afford to take the time away from running the business to spend the hours needed to do the council job properly. He doesn’t know how to deal with the problems of the intense social media scrutiny and criticism of candidates and elected officials, the increasing cost of running an election and the fundraising that entails, the general public’s total aversion to raising taxes for any reason, and the like. Asked about the School Board’s request for a local option sales tax referendum, Mr. Gulliford said the public may well be in favor of the tax if the issue ever reaches the ballot. For some reason the public seems to be more opposed to property tax increases than to raising other types of revenues (sales tax, user fees).

Commissioner Schellenberg asked about the balance of power between the mayor and council. Mr. Gulliford said it varies mayor by mayor – they differ in their knowledge of what the Charter and Ordinance Code allow and in their desire to exercise power. He didn’t have any practical recommendation for how to deal with that issue, since there is not much that you could do to constrain a strong mayor under the current system. Something like a hybrid city manager form might be tried, with the manager bridging mayoral administrations.

Mr. Gulliford raised the following issues for the committee to consider: 1) should financial reporting requirements be expanded to cover the CEOs of independent authorities and senior staff of the city administration? 2) Former council members are precluded from lobbying the council for 2 years after leaving, what about applying that restriction to appointed administration officials as well? What about prohibiting state legislators from lobbying city council? 3) Part-time vs. full-time council members – in the past some council members have used the elected office as their only source of income, and he doesn’t think that’s a good thing.

Commissioner Schellenberg asked about institutionalizing district-specific budget allocations to give council members more control over district issues. Mr. Gulliford explained the budget process from development and submission by the mayor through Finance Committee consideration and recommendation to final approval by the City Council. City Council members not on the Finance Committee are at a disadvantage because they don’t see the budget reviewed and funding decisions changed by the committee. They can attend Finance budget hearings and speak to issues, but can’t propose amendments except by getting a Finance Committee member to offer it for them, and then can’t vote on that matter in committee. Finance Committee members know how much is accumulated in the Special Council Contingency fund during the review process and therefore is available to allocate at the end, and do that before most non-Finance members even know that it might have been available.

**The committee was in recess from 11:09 to 11:18 a.m.**

Chairman Swanson reviewed several items that have been in the news in recent weeks but felt they were not sufficiently related to the committee’s work to be worth exploring. He thanked the staff for their good work in support of the committee and wished staff and commissioners a happy holiday season.

**Meeting adjourned:** 11:20 a.m.

Minutes: Jeff Clements, Council Research Division

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Posted 12.17.19 2:30 p.m.