|  |  |  |
| --- | --- | --- |
|  **GARRETT L. DENNIS**Council MemberDistrict 9E-Mail: garrettd@coj.net |  | 117 West Duval StreetCity Hall, Suite 425Jacksonville, Florida 32202Office (904) 255-5209Fax (904) 255-5230 |
|
|
| **OFFICE OF THE CITY COUNCIL** |
|
|

**Meeting Minutes**

**Council Member Garrett Dennis**

**Meeting Date:** January 6, 2020

**Topic:** JEA Board Appointments

**Location:** City Hall, 117 W. Duval St., Suite 425, Council Conference Room A

**In Attendance:** Council Member Garrett Dennis (District 9), Council President Scott Wilson (District 4), Council Vice President Tommy Hazouri (At-Large Group 3), Council Member Joyce Morgan (District 1), Council Member Al Ferraro (District 2), Council Member Ju’Coby Pittman (District 8), Council Member Brenda Priestly Jackson (District 10), Council Member Danny Becton (District 11), Council Member Randy DeFoor (District 14), Council Member Terrance Freeman (At-Large Group 1), Council Member Matt Carlucci (At-Large Group 4), Council Member Sam Newby (At-Large Group 5), Trista Carraher (Council Auditors Office), Kim Taylor (Assistant Council Auditor), Paige Johnston (Office of General Counsel), Peggy Sidman (Office of General Counsel), Carla Miller (Office of Ethics), Lanny Russell (Smith Hulsey & Busey), Steve Busey (Smith Hulsey & Busey)
***Please refer to Attendance Sheet for a complete listing of meeting attendees.***

**Meeting Convened:** 12:30 p.m.

Council Member Garrett Dennis called the meeting to order and had everyone introduce themselves for the record. CM Dennis explained he was going to introduce a bill on Wednesday regarding the membership of the JEA board; currently the members are appointed by the mayor and this bill would allow City Council to appoint three members and the mayor four members. CM Dennis said, before he introduced the bill he wanted to get feedback from other council members. CM Dennis further explained he introduced the bill in April 2018 and it would be a change to the Charter. Mr. Stephen Durden of OGC drafted the bill with language reflecting it needed to pass by a two-thirds vote of the City Council, but he came back and told CM Dennis it needed to be a referendum so CM Dennis withdrew the bill. CM Dennis said he is reintroducing the bill to allow the voters to decide if the City Council should have the power to appoint members to the JEA board; another change to the bill is to have appointees be a resident of Duval County or registered voter for five consecutive years instead of six consecutive months. CM Dennis referred to Handout 1 with the requirements for the board members of the Gainesville Regional Utilities (GRU), which goes beyond the requirements of JEA, but CM Dennis is open to suggestions for the bill.

CM Dennis said he would now take feedback from other Council Members. CM Ferraro wanted to know the rationale for doing this bill. CM Dennis reiterated the original inspiration came from when Kids Hope Alliance was restructured and all board appointments were given to the mayor. CM Dennis does not think any branch of government should have total control over appointments to a board. CM Dennis referred to other boards throughout the City of Jacksonville, such as the Port, JTA, and DIA: the precedent is set. CM Carlucci said these authorities are supposed to be independent and he doesn’t want the mayor’s office or council trying to influence the members who are appointed; there should be no political influence.

CM Ferraro said he is not for or against anything, but he wants to know more about the history of why JEA is the way it is; he doesn’t want to push something that isn’t working into something that’s worse. CM Ferraro asked if CM Dennis was set on introducing this bill Wednesday or if he would allow for more time for members to look into it. CM Dennis said he does intend to introduce it on Wednesday. CM Dennis wants to give the ratepayers the opportunity to weigh in and decide what they want.

CM Priestly Jackson thanked CM Dennis for bringing this back before council and said her issue is they have now hired outside counsel and she wants a comprehensive review of what Charter changes will be made. CM Priestly Jackson wants to see specific qualifications for board members. CM Dennis said, according to OGC, this is the only Charter change, which has to go on the ballot so it does not need to be combined with any other changes. CM Priestly Jackson said it needs to be fleshed out with more of a framework.

President Wilson said he has been thinking about doing something similar and council has hired outside counsel to assist with dealing with the utility going forward, however CM Dennis has the right to file a bill. CM DeFoor said she thinks it behooves the council to look at charter changes as a whole and not piece by piece and asked CM Dennis if he would be willing to wait. CM Dennis responded that his concern with waiting is not getting on the ballot. CM DeFoor asked for a timeframe. CM Dennis said there will be a lot of work behind the scenes to not let this happen, just like before and the concern with not moving forward is the clock running out.

CM Morgan believes this bill can help alleviate this problem and January 2020 is the time to quickly circle with hired outside counsel and quickly put these ideas together. CM Dennis said he is willing to wait to file, but April 8, 2020 is the final day he is willing to wait until and will have more noticed meetings for council member input.

CM Newby asked for clarification on the legal advice Mr. Durden gave to CM Dennis. CM Dennis said Mr. Durden made a mistake in reading the Charter. CM Newby said he didn’t really give you a reason and Ms. Sidman said there is a reason, the reason is the power was vested in the mayor and because of the separations of powers, it had to be completed by referendum and there was a memo sent out some time ago. CM Dennis asked for the memo to be provided to all council members and Ms. Sidman agreed to send it out. CM Newby asked CM Dennis if he had received it already. CM Dennis said if it had been addressed to him, he probably received it. CM Newby said he’s concerned that the bill sponsor didn’t receive the memo and CM Dennis said by the time there was a memo, the bill had been pulled. CM Dennis said from April 2018 to the time it was pulled, he did not receive any information and asked Ms. Sidman for the date on the memo. Ms. Sidman said the memo was written to CM Crescimbeni and CM Dennis said he must not have received it; Ms. Sidman said the date on the memo, which may be auto updated, but the date is January 8th, 2019. CM Dennis said the bill was withdrawn January 22nd, 2019 and he was misled by the Office of General Counsel on how to change the bill. CM Newby asked why CM Crescimbeni received the memo if CM Dennis was the bill sponsor. Ms. Sidman explained OGC has communications with clients they do not share because of attorney client privilege.

CM Priestly Jackson thanked CM Dennis for fighting this fight for so long and said he should know he has help. CM Priestly Jackson said she likes the idea of making changes to the Charter because it’s old and is excited to have outside counsel to help. CM Ferraro appreciates CM Dennis bringing this bill forward because people are upset, but he doesn’t want to do anything that will cause another problem or overreach and make something worse. CM Ferraro said he will not drag feet on this to watch it be dismissed because the constituents will be the ones who will suffer. CM Dennis said he’s been saying for a long time the house is on fire and he will continue to do so until 2023 and if feathers are ruffled, too bad. CM Becton said he was bothered when President Wilson asked to clarify from Peggy how many votes was required to sell JEA and the answer ended up being the possibility that a majority vote of council could get it done. CM Becton had issues with the ambiguity. President Wilson said the body needs to decide what will be done before going down a rabbit hole.

CM Dennis thanked everyone for attending and adjourned the meeting.

**Meeting Adjourned:** 1:20 p.m.

Minutes: Taryn Roberts, Executive Council Assistant District 9 – Posted on March 2, 2020

Attached: Sign-in sheets, Handouts

cc: Council Members/Staff

 Cheryl Brown, Director/Council Secretary

 Jessica Matthews, Chief, Legislative Services Division

 Jeff Clements, Chief of Research
Kristi Sikes, Chief, Administrative Services Division

 CITYC@COJ.NET
Office of General Counsel

 Electronic Notice Kiosk – 1st Floor City Hall

 Public Notice System – City Council Web Page

 Media Box

 File Copy