

JEA 2020 FACTFINDING WORKSHOP

SESSION #5

DATE: Monday, January 27, 2020
TIME: 11:01 a.m. - 12:38 p.m.
PLACE: Lynwood Roberts Room
First Floor
City Hall at St. James Building
117 West Duval Street
Jacksonville, Florida 32202

COUNCIL MEMBERS PRESENT:

Joyce Morgan, District 1
Al Ferraro, District 2
Aaron Bowman, District 3
Scott Wilson, Council President, District 4
LeAnna Cumber, District 5
Michael Boylan, District 6
Reggie Gaffney, District 7
Ju'Coby Pittman, District 8
Garrett Dennis, District 9
Brenda Priestly Jackson, District 10
Danny Becton, District 11
Randy White, District 12
Randy DeFoor, District 14
Terrance Freeman, Group 1
Ronald Salem, Group 2
Tommy Hazouri, Group 3
Sam Newby, Group 5

ALSO PRESENT:

Council Staff:

Dr. Cheryl Brown, City Council Director
Carol Owens, Chief of Legislative Services
Steve Cassada, IT Administrator
Jeff Clements, Chief of Research
Peggy Sidman, Office of General Counsel
Paige Johnston, Office of General Counsel
Yvonne Mitchell, Research Assistant.

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P R O C E E D I N G S

COUNCIL MEMBER BOYLAN: Let's start with
rollcall.

Mr. Ferraro.

COUNCIL MEMBER FERRARO: Al Ferraro,
City Council District 2.

COUNCIL MEMBER BECTON: Danny Becton,
District 11.

COUNCIL PRESIDENT WILSON: Scott Wilson,
District 4.

COUNCIL MEMBER JACKSON: Brenda Priestly
Jackson, District 10.

COUNCIL MEMBER HAZOURI: Morning. Tommy
Hazouri, Group 3 At-Large.

COUNCIL MEMBER BOYLAN: Michael Boylan,
District 6.

COUNCIL MEMBER SALEM: Ron Salem, Group
2 At-Large.

COUNCIL MEMBER GAFFNEY: Reggie Gaffney,
District 7.

COUNCIL MEMBER BOWMAN: Aaron Bowman,
District 3.

COUNCIL MEMBER CUMBER: LeAnna Cumber,
District 5.

COUNCIL MEMBER WHITE: Randy White,

1 District 12.

2 COUNCIL MEMBER BOYLAN: Thank you.

3 You know, given this is the first time
4 we've gathered as a body, I would like to
5 offer a moment of quiet reflections to honor
6 Mayor Jake Godbold. As you may know, the
7 last time he was likely in this very
8 building was to speak at one of these
9 workshops. He was, no doubt, ever a
10 vigilant to the very end. So a moment of
11 quiet reflection, please.

12 (Moment of reflection.)

13 COUNCIL MEMBER BOYLAN: Thank you.

14 I have a couple prepared remarks I would
15 like to share with the body and those in the
16 audience, as well. As we look back over the
17 past six months or so, as it relates to the
18 whole JEA experience, very two important
19 lessons jumped off the page, for me, at
20 least. One, the citizens of this community
21 count on its elected officials, in
22 particular those of us on City Council, to
23 safeguard the assets of this city. And they
24 made it abundantly clear that they wanted to
25 see one of its most important assets, JEA,

1 remain a municipally owned utility.

2 Two, in many respects we were
3 ill-prepared to do just that, because we
4 simply didn't have enough or perhaps the
5 right tools in the toolbox to guard against
6 misfeasance, malfeasance, and, most
7 probably, ill-intent with an eye for
8 personal gain on the part of some.

9 Before talking more about that, as it
10 relates to our agenda today, I want to
11 acknowledge the decision of President Wilson
12 to establish an investigative committee to
13 look into the events of the past six months
14 or more. I have no doubt that Council
15 Members Diamond, Priestly Jackson, and
16 DeFoor will be most diligent in overturning
17 every stone, as Council Member Diamond
18 claims.

19 The decision that special committee also
20 provides some personal relief, for me,
21 because I feared that these factfinding
22 workshops would be redirected looking back
23 and not forward.

24 Looking forward, my intent all along was
25 to prepare my colleagues and me to be fully

1 prepared to be educated and informed about
2 the prospect of JEA's future and its path to
3 ongoing success. The prospect of JEA's --
4 the fact remains that headwinds are
5 inevitable. And like any business, we have
6 a responsibility to prepare for it.

7 While I certainly appreciate that both
8 the citizenry and the media too will be
9 avidly interested in following what becomes
10 of those responsible for misleading the JEA
11 board and all of us, for that matter, it is
12 my hope that they don't take their eye off
13 what we will be doing in the coming months,
14 hopefully, in coordination with the JEA
15 board and management.

16 Which takes me back to my first lesson,
17 the citizens of this community count on its
18 elected officials, in particular, those of
19 us on City Council, to safeguard the assets
20 of the city.

21 Which leads us to today's discussion.
22 In my memo regarding the noticed meeting all
23 of you have a copy of, I acknowledge that
24 both the Interim Managing Director and the
25 Mayor said they would not support any action

1 that would lead to the privatization of the
2 JEA. So where do we go from here?

3 At our very first meeting of these
4 workshops, we started with a discussion
5 regarding the authority of the independent
6 authorities. The experience of late laid to
7 bear the importance of some changes and
8 additions to the Charter and possibly
9 Florida statutes. Many of my colleagues
10 suggested such changes and additions over
11 the course of time, some of which I noted in
12 the memo.

13 I've asked Ms. Sidman to first speak to
14 the process of changing the Charter or other
15 actions necessary to institutionalize for
16 the safeguards. And I would like for each
17 of us to opine on some of the changes or
18 additions we would like to see made to that
19 end.

20 Keep in mind we will not be using this
21 time to advocate or debate such issues, nor
22 the merits of them, as they should be
23 introduced and vetted as part of the usual
24 City Council process.

25 Upon completion of this discussion, I

1 would like for us to take a few minutes to
2 discuss how you would like to see us work in
3 tandem with the JEA board and management
4 going forward. As I mentioned in memo, I've
5 had a couple meetings with both the Interim
6 Director, as well as the Chair of the JEA
7 Board, who are actively interested in
8 finding out a way for us to work together
9 going forward.

10 Should time permit, and I do have it on
11 the agenda, I will open up the floor for
12 public comment, but I would ask that you
13 limit your remarks to suggestions of what
14 changes you would believe need to be
15 necessary for us to reach our desired goal
16 of safeguarding our City's assets.

17 And with that, I will turn the floor
18 over to Ms. Sidman. I invite you to come up
19 and take a couple minutes and talk a little
20 bit about what it takes and the steps for,
21 as I suggest, safeguarding our City asset.

22 And I might add, as she comes forward,
23 too, some of the things we talk about today
24 may be applicable to other authorities. As
25 I mentioned early on, we started our

1 conversation, our first workshop, with the
2 authority of the independent authorities.
3 And some of these things may be applicable
4 as it relates to some of the other
5 authorities as well, not in a perfect fit
6 necessarily, but likely probably something
7 that we might want to give some thought to
8 as we move forward. As I suspect, this is
9 not the first time we've seen an authority
10 stray from the intent or the wishes of the
11 City Council and want to make sure we don't
12 find ourselves in that similar situation.

13 Ms. Sidman.

14 MS. Sidman: So good morning. Peggy
15 Sidman, Office of General Counsel.

16 COUNCIL MEMBER BOYLAN: Button, it's in
17 the back.

18 MS. Sidman: Did I do it, Steve?

19 COUNCIL MEMBER BOYLAN: You have to hit
20 the button.

21 COUNCIL MEMBER FERRARO: That's what
22 Steve gets paid the big bucks for.

23 COUNCIL MEMBER HAZOURI: Steve, can you
24 do this one too?

25 MS. Sidman: Peggy Sidman, Office of

1 General Counsel.

2 A couple of things that Council Member
3 Boylan had asked. First off, the ability of
4 the City Council to change the Charter. As
5 you're well aware, many of the changes that
6 you may desire aren't possible to be changed
7 through the City Council provisions of the
8 Charter. So there is a large number of
9 Charter changes that the City Council can
10 do. That would be by the two-thirds vote.
11 And you find that in Chapter 21.11 of the
12 Charter. So depending on the policies and
13 the direction the Council makes, that would
14 be the provisions that you would look to.
15 So that would be a simple two-thirds vote of
16 the Charter.

17 If the Council is going to make this
18 change, remember that there are certain
19 noticed provisions. So there would be 30
20 days before the public hearing would be held
21 and then, thereafter, 60 days after that.
22 So as you're making these considerations,
23 you want to dial in that time frame.

24 Those that can't be changed by the
25 Charter -- and we had a dialogue about this

1 at a noticed meeting -- can be done by
2 referendum. If it's a straight-up
3 referendum, then the referendum rules are
4 going to govern. And we have gotten from
5 the Supervisor of Elections the time frames
6 by which they will need to receive that
7 information. And we can back into that when
8 you would need to have that bill filed so
9 that you, as a body, can navigate towards
10 those particular time frames.

11 There may be some ideas that the Council
12 has that can be done simply by ordinance
13 change and others that may need additional
14 measures that could include a state law. So
15 I provide that for you.

16 As you know, and as we have experienced,
17 the matters which you're asking to be
18 changed, the actual factual determinations
19 is going to determine whether you can do it
20 by Charter change or by referendum. So we
21 want to make sure on each one of these and
22 as we dialogue about them and get the
23 specifics, then we can come back at a
24 subsequent meeting and do that.

25 Secondly, as Council Member Boylan

1 mentioned, there were a number of issues
2 that the Council brought forward in noticed
3 meetings about changes that they would like
4 to see. And they generally fell into, I
5 would say, about five categories. The first
6 one is the qualifications of the JEA Board
7 and the qualifications of the CEO. And that
8 included some employment contract ideas.

9 The second one, which is already a bill
10 in front of you, is the appointing entity
11 for the JEA Board as mentioned in the
12 previous noticed meeting; that would be a
13 change to the appointment, the Mayor's
14 process, and that would need a referendum.

15 The third governs the sale of JEA and
16 the clarity of the process. We've heard in
17 these previous meetings and other meetings
18 about the JEA selling itself, and where does
19 that authority come from, and should that be
20 modified or changed.

21 Then in two different tranches, one most
22 recently that I got from the Council
23 President, but it has to do with the review
24 of JEA's contracts; and that includes both
25 the hiring of law firms and consultants, and

1 the contracts in which they enter into,
2 including maximum indebtedness for
3 contracts, and the awareness of the
4 approving entity for those.

5 And then another comment was about the
6 JEA as its structure; should it be an
7 independent agency or is it the intent to
8 make it a city department, as it was
9 previously.

10 So those are the general areas that have
11 been shared with me. Some are much more
12 far-reaching, and we definitely have to get
13 with each of you to drill down on the
14 specifics and make sure that we have a
15 legislation, whether it be referendum or
16 straight-up Council change to the Chapter 21
17 correct, or ordinance code, or other. But I
18 know that many of you have had ideas that I
19 maybe have captured in the general or maybe
20 I haven't. And so we'd like to work with
21 each of you, give you the timeline, give you
22 the process, and bring that back so that
23 there is clarity.

24 COUNCIL MEMBER SALEM: Thank you,
25 Mr. Chair.

1 Ms. Sidman, did you say, if something
2 fails in vote at the Council level, 13
3 votes, essentially, then could that person
4 then move it towards a referendum? Or if it
5 fails at the Council, does that kill that
6 idea?

7 MS. Sidman: So the Council rules say
8 that, if a bill fails at Council, you have
9 to wait a year to bring it again, unless it
10 is substantially changed. And the determine
11 of -- determination of whether or not
12 substantially changed -- of course, we would
13 help give you guidance. But changing it
14 from a Council vote to a referendum, one
15 might argue that would be substantially
16 changed. Otherwise, you could make some
17 changes to the bill and bring it again as a
18 straight-up piece of legislation. But I
19 hate to in the abstract without the
20 specifics give you that, but I want to give
21 you that for your consideration; changing it
22 from the two-thirds vote to the referendum.
23 And then we'd also have to make sure that
24 that would be the appropriate venue.

25 COUNCIL MEMBER SALEM: And I would like

1 to add to this list, if I could, the process
2 of limiting the number of employee contracts
3 within the various authorities, as well as
4 limiting the benefits included in those
5 contracts so that we don't have those things
6 growing on us as we did within the JEA.

7 COUNCIL MEMBER BOYLAN: Thank you,
8 Council Member Salem, for your remarks. And
9 that's exactly what our conversation is
10 about today, just exactly what do you have
11 on your mind with respect to changes to the
12 Charter and/or structures that allow us the
13 opportunity to provide you some guidance as
14 to how to navigate those forms.

15 Ms. Cumber.

16 COUNCIL MEMBER CUMBER: Thank you.
17 Through the Chair.

18 Could you just give all of us that
19 timeline you walked through? I think it
20 would be really helpful to have something
21 written down so we are all on the same page
22 of the timeline. And then it would be
23 helpful for me to have a chart that, as much
24 as you can, clearly delineates what can be
25 done through ordinance and what must be done

1 through referendum, like what those
2 thresholds are, just so we all are working
3 on the same thing and we all have something
4 to reference.

5 COUNCIL MEMBER BOYLAN: The challenge
6 with that, with respect to my conversations
7 with Ms. Sidman, the particulars of a given
8 change may dictate the specifics. She can
9 give you a general idea, but I don't think
10 it's going to be as specific as you may
11 need. I don't want to find ourselves in a
12 situation like we had with some confusion as
13 to what is required for a given
14 recommendation.

15 Mr. Bowman.

16 COUNCIL MEMBER BOWMAN: Thank you,
17 Mr. Boylan.

18 I just wanted to share, I have had
19 conversations with Ms. Sidman. And I've
20 done quite a bit of research. I just want
21 to throw out to my colleagues one of the
22 changes that I've been researching. And I
23 look back over the magnitude of JEA and the
24 tasks that a board member has, and I find it
25 difficult to think that we have many people

1 that are really qualified to do such a large
2 job.

3 So I started thinking about how do we
4 best talk as a board. Certainly, one thing
5 I think we should look at is having board
6 members have certain requirements. We do it
7 at DIA, we have it at TDC, other boards. We
8 have an operations person, an HR person, a
9 legal person, a finance person, and maybe a
10 few at-large in there. So I think it's very
11 important that we always make sure that we
12 have a broad diversity of that board, and
13 they bring experiences to the table.

14 The other thing I looked at, and this
15 one is kind of a strange idea, but I looked
16 at what would our board look like if we had
17 some national expertise on it and we had a
18 couple of members of the board that were
19 nationally recognized experts in the field,
20 they didn't have a dog in the fight here,
21 they could bring to the table some real
22 great experience. And did talk to a
23 headhunter about how we would do that and if
24 we wanted a couple experts. And the
25 headhunter said, you know, you're looking

1 probably about 50,000 to find that person,
2 and then, of course, you're looking for
3 expenses as we go.

4 I know that's a tough reach to probably
5 sell the residents of Jacksonville that
6 we're paying somebody. But I look back over
7 the history of JEA and think that, if we had
8 expertise like that, that we might not be
9 where we are today. So I throw that out,
10 and I'll continue to look at that. But I do
11 think board composition, in my mind, is very
12 important in the future.

13 Thank you, Mr. Chair.

14 COUNCIL MEMBER BOYLAN: Thank you,
15 Council Member Bowman, for your comments. I
16 think, as we think about that, we might want
17 to think in a broader scope for all of our
18 authorities.

19 Council Member Priestly Jackson.

20 COUNCIL MEMBER JACKSON: Thank you.

21 That was actually kind of my concern. I
22 notice that we've kind of narrowed down in
23 terms of what you shared relative to JEA and
24 looking at different issues relating to
25 them. I am more concerned with, before we

1 get to that step, what is the City Council's
2 role in their ability to engage in a
3 process, not only with JEA, but any other
4 independent authorities. And my concerns
5 with that are, as the process was moving
6 forward and different Council Members had
7 questions or concerns, we were repeatedly
8 told that, pursuant to the powers of JEA and
9 our authority, we could not intervene.

10 And so I want to know what language we
11 need to put in for the City Council
12 specifically that we can intervene, and
13 what's the threshold for that, for not just
14 JEA, but any other independent authority.
15 That's the first concern.

16 Secondly, I would like to know what
17 legislation has been filed, not just for the
18 last four or five years, but perhaps for the
19 last ten years relative to the JEA, and its
20 management and governance by any City
21 Council Member, whether that legislation has
22 passed or not.

23 And the reason I want the historic view,
24 one of the concerns that I have is there
25 have been varying opinions offered relative

1 to how you advance legislation and where
2 that authority lies, so whether it's going
3 to be a referendum, whether it's going to be
4 two-thirds, whether it's a simple majority.

5 So I think a historic look over what has
6 been proposed by our colleagues on the City
7 Council will help us kind of guide the work
8 that we have going on at this particular
9 time.

10 And the third and final comment from me
11 right now, because of the appointment by our
12 Council President of the investigative
13 committee -- and I think we are still
14 waiting to get our charge, and that, I
15 believe, is going to come out later this
16 week -- I just want to make certain
17 somewhere in this process, as the work is
18 done by the committee, that there is some
19 kind of mechanism going forward for us to
20 address concerns that come from that,
21 because they, I think, will be broader and
22 more expansive than what we have right here
23 before us.

24 And so as you prepare the workshops or
25 whatever form we need to going forward,

1 there will be some things that I think will
2 require attention immediately and there will
3 be some things that may require attention a
4 little farther down the road.

5 COUNCIL MEMBER BOYLAN: So this truly is
6 a table setting meeting in this process in
7 making a determination of what you all are
8 looking forward to see changes made, and the
9 process by which we should be making those
10 changes.

11 I think Council Member Hazouri had a
12 question.

13 COUNCIL MEMBER HAZOURI: Thank you.

14 Just to address one little thing, the
15 third point that Council Member Priestly
16 Jackson mentioned, was there will be some
17 duplication probably from the investigation,
18 as far as Charter changes. So I hope that
19 this committee and that committee, in
20 addition to whatever findings they have,
21 that we're able not to file a bill as we've
22 talked about before, every council meeting,
23 let's put them all together -- and hopefully
24 you can do that, Peggy -- that we don't come
25 out with a different one or several of them

1 each council meeting going through the
2 process while, instead of just putting them
3 all together and coming at it as a whole.

4 The other thing is on the -- I'm going
5 to give you this. They have some great
6 suggestions in this editorial from
7 January 23rd from the TU, some of which
8 we've discussed here today. I would like to
9 include those, and some of them we probably
10 can't do. The other -- but I think they're
11 very -- they're on point in the things that
12 we've discussed.

13 The others, I think, was mentioned a
14 while ago by Council Member Bowman, that we
15 look at -- you know, I think at the very
16 heart of this is, Do we appoint them all,
17 does the mayor appoint them all? Certainly
18 we approve all of them in our rules
19 committee. The differences I mentioned
20 before, between the JEA and all the other
21 authorities, is they all have gubernatorial
22 appointments. How far can we go in changing
23 legislation without going through the
24 delegation and without getting some kind of
25 semblance from the state, any kind of advice

1 or suggestions they have or lack of with the
2 JIA, the JPA, the JTA, and the -- well,
3 those three.

4 So ours is different. This is our baby,
5 really. And our decision on how -- if we
6 can break it up into categories, like
7 Council Member Bowman says, sort of like
8 what the DIA does today, would be a major
9 step forward to have categories of
10 expertise, as well as citizen input. And
11 that's generally what my initial thoughts
12 are today, Mr. Chairman.

13 COUNCIL MEMBER BOYLAN: Thank you. As I
14 mentioned in my opening remarks, at the end
15 of the day, the citizens rely upon us as
16 elected officials to be -- again, to
17 safeguard the assets of this community. So
18 I think what you're hearing in my
19 colleagues' remarks today is the fact that
20 we own that, and we understand that. And
21 it's going to require greater attention to
22 the authorities and the work that they're
23 doing, the decisions being made within those
24 groups and even perhaps the composition of
25 the board of those respective groups.

1 We do have some issues with respect to,
2 as you mentioned, some of those are mixed
3 boards, if we will, but not all of them. So
4 we'll have to be sensitive to that as we
5 move forward.

6 Council Member Gaffney had a question.

7 COUNCIL MEMBER GAFFNEY: First of all,
8 through the Chair, let me just give y'all my
9 one quick commercial right quick. I don't
10 want to punish the other authorities because
11 of JEA. I don't know if they broke -- we
12 hear focus on JEA, and now we're talking
13 about changing the Charter. And I'm not
14 sure JTA, or JPA, JIA is broken. I don't
15 know. We can take a look at that.

16 The other thing I want to make sure we
17 do, whatever we do at the end of the day, we
18 have to have adversity. If we start looking
19 at qualification, and then that can take
20 quite a bit of various diversity out of the
21 picture. And we -- and we may find out five
22 years from now, ten years from now with a
23 board that we all kind of regret because
24 we're going to say we can't find that
25 particular category or race. So I don't

1 want to go there, but I'm just giving you
2 guys something to think about.

3 I think the best, if we're going to talk
4 about a Charter change, the best idea that I
5 always wanted to get engaged and involved in
6 is how we can get the Council involved in
7 those authorities. We have liaisons for
8 each board. If we're going to look at a
9 Charter change, why that council person,
10 whoever the person who appoints, why that
11 person can't be a voter, because they speak
12 for us, they come back and give us updates,
13 they can then come out for us. Now we're
14 plugged into the process.

15 Right now we have to just listen, but if
16 we had a -- one person as a voting person
17 that represents the Council, I think I would
18 feel more comfortable for it, because I
19 could, at some committee meeting, tell them
20 five wishes for JEA, JPA, and they can carry
21 it back and say, This is the wish of the
22 council person or the Council.

23 I would love to see that, for me to take
24 a look at that, or us take a look at how we
25 can change the Charter to have one of our

1 colleagues be a voting member of those
2 authorities.

3 COUNCIL MEMBER BOYLAN: If I might
4 respond -- and I do appreciate your
5 comments, Council Member Gaffney -- with
6 respect -- I'm not looking -- I don't think
7 we are looking to punish others as a result
8 of the actual one. But if you look at the
9 history, as I understand with the JAA, some
10 years ago they were at odds, if you will,
11 with the intent of the City Council and the
12 intent to sell some property. So it's not
13 the first time we've had this kind of
14 conversation. And I just think, as we look
15 at it, I don't want to just point out the
16 JEA through this process to say perhaps
17 there is -- as we've heard already from
18 others, there is a rationale for expanding
19 and freshening up, if you will, the
20 relationship between the Council and the
21 authorities.

22 Mr. Newby.

23 COUNCIL MEMBER NEWBY: Yes. Through the
24 Chairman.

25 I have to agree with Council Member

1 Gaffney when he said the liaison should be a
2 voting member. I know I'm the liaison for
3 JTA. Through the process, I feel like I
4 have no voice, because I'm just there to
5 listen. So I think that, if the liaison
6 became a part of the board, actually working
7 with the agency, I think it would do the
8 agency good. And also, it will do the
9 councilman good to come back and talk about
10 the things that happened on that board.

11 COUNCIL MEMBER BOYLAN: Thank you.

12 Mr. Salem.

13 COUNCIL MEMBER SALEM: Thank you,

14 Mr. Chair.

15 I'm the liaison to the Port. And one of
16 the things I've noticed -- and Councilman
17 Becton is the liaison to the JEA and was
18 actually sitting in the audience at a couple
19 of board members -- board meetings that I
20 attended, which I think is an insult to this
21 Council. We are liaisons to the board, and
22 we should be, at a minimum, at the table
23 during the discussions.

24 And I have at the Port raised my hand on
25 several occasions and made comments. So

1 that is an initial first step that should
2 occur, if that's not occurring at the other
3 authorities, at least the big four that I
4 consider.

5 And then whether it's a vote, you have
6 to look at the numbers, the number of people
7 to make sure that you can get a majority.
8 But at a minimum we should be at the table
9 and be able to have -- raise our hand and
10 have discussion just like anybody else.

11 Thank you, Mr. Chair.

12 COUNCIL MEMBER BOYLAN: So I'm properly
13 documenting what I'm hearing thus far, in
14 terms of suggested changes, certainly, we've
15 talked about perhaps taking a look at the
16 composition of the boards and the
17 qualifications of board members. I'm
18 hearing, obviously, an increased
19 responsibility on the part of the liaisons
20 to the various authorities.

21 And Ms. Priestly Jackson also mentioned
22 one before, I want to make sure I capture it
23 again, and also your additional comment now.

24 COUNCIL MEMBER JACKSON: My concern is I
25 don't think that the Charter changes are --

1 that are being proposed are to punish JEA, I
2 just want to be really clear with that. I
3 think, if we were sitting here four years
4 ago, no one would have thought we would be
5 sitting here today, okay. So I don't know
6 that we have any other rogue independent
7 authorities, like JEA has been lately, but I
8 would not want that to be a possibility.
9 That is why I think it's important that we
10 look at the Council's role as it relates to
11 all of them.

12 So I don't -- that, to me, is what is
13 our -- in our legislative capacity, what is
14 our governance in oversight of independent
15 authorities uniquely, independent
16 authorities. And so I want us to be really
17 focused on that so that we don't have our
18 authority eroded in a matter that directly
19 impacts our constituents. I just want to be
20 really, really clear with that, that's why
21 the Charter change.

22 The second thing I wanted to ask
23 Ms. Sidman: I'm a visual person, so you all
24 send us wonderful information. I think that
25 what we're going to need, because I imagine

1 you're going to have 19 Council Members
2 calling with 19 great ideas, right?

3 COUNCIL MEMBER HAZOURI: More.

4 COUNCIL MEMBER JACKSON: And so I think
5 we need -- we used to call the School Board
6 the war room. Remember that? We need
7 someplace that we can have a document that
8 says, This is the Charter, these are the
9 provisions, and these are the items that are
10 being filed or requested by Council Members.
11 Because if we don't have a visual to
12 understand, if you do this with City Council
13 and it impacts this with the independent
14 authorities, and it impacts this with the
15 General Counsel's Office, or it impacts this
16 with the Council Auditor, we don't have a
17 full view. That was my concern, not that
18 anybody had bad ideas, but we kind of need
19 to see what's being proposed and what has
20 been advanced in the past.

21 And the only other area that I think
22 that we have to have separately, I believe
23 that we would not have the vast majority of
24 the information we have without the role
25 played by our council auditors. And so I am

1 very interested in a separate noticed
2 provision to them for any actions taken by
3 JEA or any other independent authority that
4 there is this whole conversation about the
5 30 days back and forth embedded in there. I
6 think that we need something of that
7 magnitude that's set out and alone for any
8 actions by any independent authorities, but
9 specifically JEA, because they can't serve
10 their watchdog function fully if they
11 don't -- aren't provided with notice. And
12 so that's another consideration.

13 But something for us to have an overall
14 view of all changes being proposed and then
15 something that relates to the noticed
16 provisions for the Council Auditor.

17 COUNCIL MEMBER BOYLAN: Thank you,
18 Council Member Priestly Jackson.

19 I should mention I was remiss and I
20 wanted to apologize publicly to Judge Ron
21 Swanson. He actually chairs the Government
22 Structure Committee for the current Charter
23 Commission group. I had not reached out to
24 him. But I think we might want to pull them
25 into this conversation, as well, since

1 that's where the focus is.

2 President Wilson.

3 COUNCIL PRESIDENT WILSON: Thank you,
4 sir.

5 I want to start off -- I'm a little
6 concerned about making a council member a
7 voting member because of Sunshine laws. So
8 it would make that council member -- I think
9 it would be very difficult to talk to the
10 other council members and share your
11 concerns outside of the Sunshine.

12 I definitely agree that our liaisons to
13 the Council should have a seat at the table
14 during the meetings. I remember Councilman
15 Schellenberg complained about that
16 extensively last year. I think JEA
17 understands that we have that concern, and I
18 would like to see that change. I see a
19 couple representatives in the back, I would
20 certainly like them to consider that.

21 The Council Auditor brought to my
22 attention a few minutes ago that under
23 Section 5 it gives him the authority to
24 examine all accounting systems and things of
25 that nature. But in the JEA Charter in

1 Section 21 it does not. He did point out
2 that JPA does have that language in their
3 Charter that states the Council Auditor has
4 the authority to examine. So I certainly
5 think that's a line that we should add to
6 Section 21. And I'll share that with Peggy
7 so she can add that to the list. Thank you.

8 COUNCIL MEMBER BOYLAN: Not that I want
9 to challenge the Council President, but I
10 would like to keep today's conversation
11 focused on people's ideas. And we can
12 debate them as they come down the line.

13 Mr. Ferraro first and then Mr. Becton.

14 COUNCIL MEMBER FERRARO: Yes, thank you.

15 So everything that's been brought up I
16 support, especially what Ms. Priestly
17 Jackson's doing. But I am very interested
18 in seeing what the power of the Council is
19 of what we can do to correct. But I think
20 what's really important, and I don't want to
21 miss-push on what we need to do on this, is
22 not just correct what JEA is doing, but we
23 need to maybe go out into the community. I
24 know JEA, Melissa Dykes, talked about having
25 some meetings out in the general public.

1 And I think we should be doing that in
2 quadrants of the city and we shouldn't just
3 be having them during the day.

4 Everything that we're doing here can't
5 really be told by the news media in a short
6 period of time if we're meeting for three
7 hours and cover all the different things.
8 And I do think that the public would like to
9 hear more of what's happening more than just
10 little news snippets here and there.

11 So what I really want to accomplish by
12 this is not just correcting the JEA, but
13 actually restoring the trust to the
14 community. And I think having the community
15 have it in the meetings and parts of town
16 would be really important, because not
17 everybody can come to something during the
18 middle of the day like this with work and
19 things like that. And we know how important
20 this is throughout the community.

21 So I would also like to see some --
22 maybe some night meetings or early evening,
23 something where our community can come out
24 and look at it, other than just through the
25 view of media or the newspaper.

1 COUNCIL MEMBER BOYLAN: I appreciate
2 that, Council Member Ferraro.

3 I really am very hopeful in working with
4 the media making certain that these events,
5 these workshops, are captured and condensed
6 enough time frame that people can watch them
7 either in realtime or in delay, because I
8 think that they need to see the conversation
9 we are having and how diligent we as a
10 group, as a body, are taking our
11 responsibility through this process.

12 Council Member Becton, you asked for the
13 floor.

14 COUNCIL MEMBER BECTON: Thank you,
15 Council Member Boylan, for recognizing me.

16 So my list on Charter ideas. I
17 mentioned in a previous noticed meeting the
18 top two, which troubled me when we started
19 getting through the reality that this might
20 happen was, number one, that the sale of JEA
21 through this Council could be done by
22 anything less than a two-thirds majority.
23 At some point we got into a discussion
24 where, depending on how the legislation come
25 to us, that a simple majority could have

1 initiated a reaction -- a result from
2 Council in a positive fashion. And I just
3 think that's -- the bar is way too low, that
4 somehow we need to plug that hole in the
5 boat that says anything less than
6 supermajority in any form or fashion.

7 And the other one was the definition of
8 what 10 percent of the assets means. I
9 think there was some ambiguity mentioned
10 that, Was that a cumulative, was that all in
11 once? I think that's another hole we should
12 address with the Charter.

13 Third on my list is what I asked Interim
14 CEO Melissa Dykes at a meeting previous was,
15 What can this Council do to help JEA with
16 the ability to explore additional revenue
17 sources? There are things in the past that
18 are currently in their Charter that was
19 given to other companies that today might be
20 more tolerable in terms of understanding the
21 challenges that JEA has just on selling
22 electricity, that whatever those are, we
23 need to work with JEA to find out what it is
24 that they're thinking about.

25 And then last that I'll mention, one

1 Council Member touched on, it might have
2 been Council Member Bowman, is requirements
3 of qualifications of board members. I did
4 hear, in talking with board members, you
5 know, what happened back a year ago, you
6 know, July 23rd and before. And I think the
7 term being complacent and being -- and
8 almost of what management was doing and
9 perhaps going to the effort of
10 rubber-stamping rather than asking the tough
11 questions as Council Member Salem talked
12 about at the JPA in terms of what their
13 board members are doing and just making sure
14 that requirements of appointed officials are
15 such that in their, you know, careers we'd
16 just never be able to be puppets, you know,
17 just be rubber-stamping anything, because I
18 think that's what all private and public
19 sector boards have in common is the level of
20 qualifications and résumés of their board
21 members to that satisfaction that these are
22 individuals who do this for a living and
23 think every day how those business decisions
24 can come back as a liability on that board
25 in terms, if they don't give it their 100

1 percent undue attention, that they're not
2 doing their job.

3 So those are just kind of my top four
4 that I'd like -- that I appreciate you
5 allowing me to share with you today.

6 COUNCIL MEMBER BOYLAN: Just to react to
7 that, a couple comments very quickly. I did
8 reach out to the folks at JEA in terms of
9 any interest they want to see Charter
10 changes or other in order to allow them to
11 expand their business opportunities. They
12 want to defer that conversation until we get
13 further down the road.

14 I also want to mention Ms. Miller is in
15 the room here. And I saw the editorial in
16 this morning's Business Journal talking
17 about additional resources for oversight.
18 Certainly, there may be something applicable
19 to this, but I think what we're talking
20 about, what I saw in your remarks, was a
21 need for additional support within the
22 bodies of the Auditor's Office and your
23 office in terms of doing the kind of
24 necessary oversight we would like to see
25 happen.

1 But if there are suggestions either,
2 from your office or the Auditor's or others,
3 about Charter changes that it would assist
4 us, and you, in doing the work that you do,
5 I look forward to hearing from you as well.

6 Mr. Dennis.

7 COUNCIL MEMBER DENNIS: Thank you,
8 Chairman Boylan.

9 I think the biggest issue that I want
10 to -- not really issue, but Charter change
11 that I want to bring up, which I had a
12 noticed meeting a couple weeks ago, is the
13 make-up of the board. And I truly believe
14 that needs to be split. But since that, I
15 have been talking to quite a few people
16 about that particular change. And I think
17 it's something that we need to do.

18 But one of the things that I discovered
19 in the past couple weeks is that JEA's
20 footprint has expanded outside of Duval
21 County. And I know the bill, which I had
22 planned to introduce, basically said you
23 have to be a voter or resident of Duval
24 County for consecutive five or six years.

25 You know, we may need to look at

1 consideration on the service area since we
2 know the high growth of JEA is going to St.
3 Johns County, Nassau County, and may even
4 have consideration for outside of -- or
5 inside of the service area.

6 So as we look at, as we explore, you
7 know, is that something that we want to
8 offer to, you know, our neighbors who, you
9 know, would have a stake in JEA, or do we
10 keep it all within the confines of the
11 boundaries of the city?

12 And I think, you know -- I think we're
13 going to be under pressure from St. Johns
14 County, from Nassau County having input on
15 what happens with the future of JEA being
16 that, you know, with this potential hostile
17 takeover this time, they were impacted
18 directly or indirectly. So I just want to
19 share that, kind of put that on the record
20 as we move forward and deliberate.

21 COUNCIL MEMBER BOYLAN: As I understand
22 in the Charter already, there is a situation
23 where there is a piece of property that
24 St. Johns County wants to buy that's under
25 market value. It has to be determined by

1 the Duval County Property Appraiser, that's,
2 obviously, not appropriate in that context.
3 We'll have to deal with those kind of
4 problems.

5 COUNCIL MEMBER DENNIS: Right. But I'm
6 just talking about the make-up of the board.
7 So again, it's something that we need to
8 look at as we move forward.

9 COUNCIL MEMBER BOYLAN: Turn my neck
10 this way so I can see Council Member
11 Pittman.

12 COUNCIL MEMBER PITTMAN: Thank you.

13 First of all, I'm really glad that we're
14 having frank discussion on everything,
15 because from the board, to the Charter, to
16 revisions, there is a lot of things, because
17 I don't want to be in this place again in
18 the next four or five years. I think it's
19 important to know what our options are. I
20 have, and I'm probably sure a lot of you all
21 have, received calls from the constituents.
22 The constituents feel like they haven't
23 really been a part of the processes, that
24 we're making decisions.

25 And I want to go back to what Al said.

1 I don't know if we could either develop some
2 type of call-in system, phone line where we
3 can hear what the constituents are saying,
4 because our meetings that we have, in terms
5 of voting and approving, are in the daytime.

6 And so I really think that we need to
7 look at, if we're talking about systems and
8 the structures going forward, that we have
9 some type of mechanism where people in our
10 community, our constituents, can be a part
11 of the process or they can come to certain
12 meetings, whether it's town meetings or any
13 other meeting that's set up specifically.
14 Because I think the way it was rolled out in
15 the beginning, constituents feel that, you
16 know, they weren't really a part of the
17 process. So systems is going to be
18 important going forward.

19 COUNCIL MEMBER BOYLAN: I appreciate
20 that.

21 Council Member Salem.

22 COUNCIL MEMBER SALEM: Yes. One other
23 item I meant to mention earlier, my
24 understanding was this executive team
25 underneath the CEO was comprised of about

1 six or seven people for many, many years
2 within the JEA. And that executive team
3 grew to 14 people, and greatly concerned me,
4 not only the number, the salaries and the
5 benefits, which we will be addressing.

6 So how did that occur? Was that a board
7 approval? Was that a CEO approval? And
8 clearly, if -- we need control over that, in
9 my opinion. Maybe a good board can control
10 that. And that executive just seemed to
11 grow and grow and grow. And my assumption
12 was it would continue growing.

13 Now, today it's down to, I think, around
14 seven or eight people. I would like to see
15 that board -- I'd like to see that team
16 remain no larger than that in order that a
17 new CEO can come in and have as much
18 flexibility as he or she can to craft a
19 board that they want and maybe have the
20 ability to bring in people from the outside
21 that they may be working with in another
22 city. That's a comment I'm going to make
23 hopefully tomorrow at their board meeting,
24 but we definitely need to make sure there
25 are policies in place that that board can

1 never grow by 1 individual from 6 or 7 to 14
2 again.

3 Thank you, Mr. Chair.

4 COUNCIL MEMBER BOYLAN: I want to say, I
5 truly appreciate the wisdom of this body. I
6 was reluctant to host a meeting today, but I
7 think this was really important to do to
8 allow the JEA Board to hear what we have to
9 say going into this process.

10 And if I might add also, with respect to
11 that, one of the items that's tangential to
12 what Council Member Salem said, I added to
13 the memorandum. I think we're all taken
14 aback by the number and scope and the
15 dollars being spent for consultants for JEA
16 in that process. I think one thing we might
17 want to take a look at is a way for us to
18 putting some kind of control over that so
19 we hit a certain threshold. We don't want
20 to completely disband or disallow or give
21 the freedom to our authorities to do the
22 kind of necessary counsel support or
23 consulting support that they need, but I
24 think there needs to be a certain threshold
25 in that number that requires our approval.

1 So I'm going to turn back. We have
2 about 15 more minutes on this kind of
3 conversation. I want to try to keep this on
4 time and on task.

5 Council Member Hazouri first, then
6 Ms. Priestly Jackson.

7 COUNCIL MEMBER HAZOURI: Just a couple
8 things. There is no question that the JEA
9 broke our hearts and broke the community's
10 hearts, and that's why we're trying to put
11 Humpty together again. I don't want to go,
12 no pun intend, overboard, you know, as you
13 said a while ago, Mr. Chairman, in what
14 we're trying to do.

15 I want to just address one thing that Al
16 said a while ago, and I give credit where
17 credit is due. Melissa Dykes said they're
18 going out almost immediately with public
19 community meetings. And I think, if we want
20 to be a part of that -- I don't want to
21 duplicate what they're doing. And we can
22 get the same information at the same time
23 and ask the same questions we're asking
24 here. And I think that would be good if we
25 can coordinate that with the JEA. And I

1 think it's important, because they're going
2 out all over the community.

3 The other thing, you know, I just -- one
4 of the observations that I've had since my
5 legislative days about authorities in
6 general, I think it probably is more apropos
7 to the JEA. You know, they're independently
8 appointed. There are business people from
9 all walks of life in all the authorities.
10 The thing that I've learned the most is that
11 some of the decisions, and the JEA is right
12 on point with what I'm talking about these
13 past years -- is that some of these business
14 people, if they're business people, make
15 decisions with other people's money that
16 they would not make in their own business.
17 And that is something that's always
18 concerned me. I think this is apropos to
19 what's happening right now, what did happen.

20 And the other, the last thing, is on the
21 Charter changes, I think there is probably
22 more in there than just Charter changes.
23 What could they have done before without
24 having even to change the Charters to go out
25 and get that business that you all are

1 talking about, that we're talking about?
2 What is it that they don't need in a Charter
3 change, but that they hadn't initiated
4 instead of skipping that one month and going
5 directly to the ITN without passing go and
6 without taking their \$200.

7 COUNCIL MEMBER BOYLAN: Thank you.

8 Council Member Priestly Jackson.

9 COUNCIL MEMBER JACKSON: I want to
10 follow up on, I think, Council Member
11 Ferraro made a very valid point of engaging
12 the community. I just don't know that I
13 think the JEA executive staff are the proper
14 conveners of that meeting. I'm just going
15 to be very honest. There has been
16 inconsistent information from them in the
17 last month. Now that they have taken co-op
18 and ITO theoretically off the table, the day
19 before that wasn't the case when they spoke
20 with the Chamber.

21 So I think you're spot on in terms of
22 community meetings and whether we want
23 regional community meetings where we ask
24 them to join us. But I don't think they are
25 the proper body to convene meetings. And I

1 was a little taken aback by the email that I
2 received that said, Let us know when I can
3 go into your district. No one elected them;
4 they're not accountable to the public; and
5 they're not the legislative body. I think
6 they should be there, but I don't think that
7 they should -- but I think we absolutely
8 should do what you're saying, and we need to
9 do it. So whether it's regional or whatever
10 for the meetings, we need to have that. I
11 want to be really clear with that.

12 The second point that I want to make is
13 that one of the issues that came up -- and
14 all of my colleagues here are sharing very
15 valid considerations for Charter changes,
16 ordinances and things. One of the facts
17 that I learned through the process was that
18 the day-to-day management and oversight of
19 JEA is through their board, but that process
20 did not -- their board governance does not
21 have a lot of substance and meat to it,
22 right.

23 So I don't know if it's just JEA or it
24 can be done to independent authorities. And
25 what am I talking about? One of the things

1 I assumed was an obligation by the board to
2 publish their agenda to the public in
3 advance before a meeting, right. And so I
4 just assumed that from the School Board.
5 There are not requirements like that. So I
6 think that we have to decide as a body for
7 all -- review what the governance looks like
8 for the independent authorities, each one,
9 but specifically JEA, and say, if they're
10 having a meeting, when are they required to
11 notify the public in terms of what's going
12 to be on that agenda and an agenda be set.
13 Like, our agenda is set like the School
14 Board agenda is set.

15 The other point, I think, that we need
16 to review -- and this is probably a
17 conversation with our Ethics Director,
18 Ms. Miller -- is what was entailed in their
19 ethics training? Because I am not very
20 comforted when a board member tells me, I
21 didn't know I couldn't change an agenda
22 after a meeting, I didn't know that this was
23 a conflict. And I don't know what their
24 ethics training looks like, right.

25 But I do think that we need to have a

1 conversation, and make it with Ms. Miller,
2 to say, What way can we show up for this
3 board and make certain that that's in the
4 others? Because it's not very comforting to
5 think that we had such a naive and gullible
6 board of our municipal utilities, that they
7 were lead down a stray path and we -- they
8 were appointed and we confirmed them.

9 So we need to look at the substance of
10 how they engage and operate from board
11 governance and more specifically also what
12 does their ethics training or whatever
13 look -- you know, look like and does it need
14 to be tweaked, unique to -- uniquely to that
15 independent authority.

16 COUNCIL MEMBER BOYLAN: Thank you.

17 I'm going to go to Council Member Morgan
18 for the first time, then Mr. Newby, and then
19 Mr. Dennis.

20 COUNCIL MEMBER MORGAN: Thank you so
21 much, Mr. Chair.

22 Just to weigh in on a couple subjects
23 that have been talked about, I too was taken
24 aback when I got the message that JEA wanted
25 to come out and do community meetings,

1 because, as we have found out in our
2 proceedings, our Council President Wilson
3 had kind of told them that that might be a
4 good thing to do on the front end, and they
5 did not choose to do it.

6 So what I did was I took a different
7 approach. Instead, I invited them to
8 present at my town hall meeting in February.
9 That could be one of the ways that we do a
10 regional. That is my town hall meeting. So
11 they are more than welcome to come in and
12 present at my town hall meeting.

13 And that way I think we accomplish what
14 Ms. Priestly Jackson was saying, it's not,
15 quote, their -- you come into my district,
16 but you're at my meeting, so we have rules
17 and, you know, I just have procedures that I
18 follow. And I'm looking forward to them
19 accepting that from me, if they are willing
20 to do that. And if they are willing to do
21 that, that will be a noticed meeting, so all
22 of us can be there or anyone who wants to be
23 there.

24 I think it's very important, as
25 Mr. Ferraro said, that they listen directly

1 to the community, though. I don't think we
2 should take it over to the point where they
3 are not hearing what we have been hearing
4 from our constituents directly. So I really
5 do want to do that.

6 Following up on what some of the council
7 members have said, and Ms. Priestly Jackson,
8 I think more training is just crucial to all
9 of our boards. I think board members need
10 to understand the expectations that the
11 community, that we have on them, because I
12 believe that it is -- it's really nice when
13 you're asked to be on a board or you want to
14 be on a board. But there are some serious
15 considerations that go with that. And maybe
16 we haven't made that clear enough to board
17 members. And that even goes beyond the
18 ethics, because there may be some board
19 training that is truly needed.

20 And when we look at the decisions that
21 have been made by some board members because
22 it's not their money being spent, you know,
23 that is the same thing that I even hear
24 about our Council. So all of us need to
25 think about that, that we are using taxpayer

1 money, and that we have a fiduciary
2 responsibility, not only our board but also
3 us. So I think, if all of us keep that in
4 mind, I think we'll go a lot further.

5 Thank you, Mr. Chair.

6 COUNCIL MEMBER BOYLAN: I appreciate
7 that.

8 And I know at the Rules committee, we
9 are taking very seriously our responsibility
10 in vetting candidates.

11 I want to make sure we stay reeled back
12 in here to the conversation today. It's
13 really about suggested Charter changes. I
14 know we got off of that a little bit, but I
15 would like to pull us back into that
16 conversation.

17 Council Member Newby.

18 COUNCIL MEMBER NEWBY: Yes. I'll be
19 real quick.

20 Getting back to Mr. Salem's point, I
21 know Council President Scott Wilson said,
22 because of the Sunshine law, the liaison
23 couldn't be a board member. But we do need
24 to be sitting at the table. I'm the liaison
25 for JTA. I sit in the audience. I really

1 think it's best -- but I can't ask
2 questions. Council Member Becton, JEA, sits
3 in the audience, can't have no input. So we
4 really need to stress that. At least we
5 need to be at the table and not sitting in
6 the audience.

7 COUNCIL MEMBER BOYLAN: Thank you.

8 I've got Mr. Dennis and then Mr. Bowman.

9 COUNCIL MEMBER DENNIS: Thank you,
10 Councilman Boylan.

11 As I sit here and think about Charter
12 changes, and for those who were here in the
13 last Council cycle or whatever, 2016, 2017,
14 the Rules committee went through all the
15 boards and commissions and asked for
16 changes, Charter changes, and things like
17 that. I don't know if some of y'all
18 remember, JEA came before the Rules
19 committee and the only change they asked
20 for, Charter change, back in 2016, 2017 was
21 to reduce their meetings from monthly to
22 every other month for six months.

23 And so, you know, now sitting here
24 thinking, you know, was it, you know, an
25 attempt to have less interaction to empower

1 the senior leadership. So another thing can
2 be put on there to go back to have, you
3 know, for them to go back to monthly
4 meetings. Because, if you're really doing
5 oversight out of a large agency like that,
6 how can you meet six times a year in order
7 to have an effective body. So if we can put
8 that on the list, going back to that 2016,
9 2017 Charter change, and going back to
10 monthly --

11 COUNCIL MEMBER HAZOURI: Did we change
12 it?

13 COUNCIL MEMBER DENNIS: We changed it to
14 every other month. Matter of fact, I think
15 at the time Mr. Pepper was the chair, and he
16 brought it to the committee as the only
17 Charter change.

18 COUNCIL MEMBER HAZOURI: He's a good old
19 man. He's a good guy.

20 COUNCIL MEMBER DENNIS: He's a great
21 guy.

22 So that was the only Charter change, so
23 I just want to work that out.

24 COUNCIL MEMBER BOYLAN: We're coming to
25 the end of this conversation. I'm going to

1 let Mr. Bowman go first, then Mr. Ferraro,
2 then Mr. Hazouri.

3 COUNCIL MEMBER BOWMAN: Thank you,
4 Mr. Chair.

5 And I don't want to spend time debating
6 her, but actually on my paper, before
7 Ms. Priestly Jackson said it, Ms. Morgan
8 said it, I think it's very important that we
9 have established training for all of our
10 board members. That's how all the different
11 independent authorities will say, Tell me
12 how you got smart on the progress. And it's
13 wild and varied and, I think, really worth
14 our money to maybe contract somebody out and
15 develop a board training program. And then
16 also, along with that, it's been discussed
17 today, is what are the -- what can they
18 change.

19 And I agree with Mr. Salem, that some of
20 these salaries -- I'll give you an example,
21 the pension board, it is driven by the
22 average of the other board, so every time a
23 board goes up, it really ripples through
24 everything we're doing. I do think we need
25 to take a look at what can they do and what

1 are the limits of authority and what do they
2 need to come and ask permission to do. So
3 I'll leave it at that.

4 COUNCIL MEMBER BOYLAN: Mr. Ferraro.

5 COUNCIL MEMBER FERRARO: I wanted to
6 make sure you understood when I was talking
7 about community meetings, also what we're
8 talking about. And I'll give you a little
9 scenario real quick. When JTA takes a road
10 frontage, they have different people talk to
11 different people who were included into it.
12 And what I always did is took a pen out,
13 wrote down a question, asked one question
14 and wrote down the answer of that person and
15 then the answer to somebody else in the
16 department.

17 What I'm trying to do is make sure that
18 when we go out as a Council, we're able to
19 answer something that is correct and
20 everybody understands. But I don't want to
21 answer something for JEA if it's going to be
22 different. I want it to be all the same.

23 So I'm not looking at the executive
24 committee or something like that to be
25 having to go in front of the public. That's

1 not what I'm talking about. I'm talking
2 about what we're doing here now and, as we
3 go forward and say something, that we know
4 that we're going to get the same answer from
5 JEA.

6 And bringing up town hall meetings and
7 stuff, these are things that we brought up,
8 and they said that they wanted to have
9 these. So anybody who is listening I want
10 them to understand that we were agreeing to
11 have these things happen right after we came
12 back from Christmas, that they were going to
13 start sponsoring and put these forward. If
14 not, we certainly can have our own meetings,
15 but we want to make sure that we're having
16 everybody at the table to answer the
17 questions so everybody has the same answer.
18 And that was my point. Thank you.

19 COUNCIL MEMBER BOYLAN: Mr. Hazouri.

20 COUNCIL MEMBER HAZOURI: Yeah. And I
21 was just going to address this with all of
22 us. We all want to have a public hearing.
23 And we can initiate it and invite them like
24 we normally do at community meetings and let
25 them participate.

1 What I just don't want to see is we're
2 calling the public, come to this meeting and
3 come to this meeting. You're right, we'll
4 get two different answers. We can get it
5 all together if we do it -- if we want to
6 initiate it, let us do it and work with the
7 JEA instead of vice versa.

8 The other thing is we're elected, and
9 that's the difference between them making
10 decisions with other people's money than we
11 are. We can get kicked out for not making
12 the right decisions. It's difficult to
13 remove those board members. Thank you.

14 COUNCIL MEMBER BOYLAN: We'll go
15 Mr. Salem, then Mr. Gaffney.

16 COUNCIL MEMBER SALEM: Yeah. I just
17 wanted to say the board member training is
18 one that I learned through the initial
19 hearing that Councilman Diamond and I did,
20 there was a board member at the JEA, first
21 board meeting, had absolutely no training
22 prior to that board meeting and voted on the
23 three large things we've talked about that
24 we're all aware of. And in talking to him
25 about that board meeting, it was he just

1 kind of went along to go along.

2 And I don't know if it's a Charter
3 change, but there should be mandatory board
4 training and, in addition to that, of some
5 sort, there ought to be a meeting with each
6 board member prior to each board meeting so
7 they know what's coming up on that agenda,
8 are educated. And that would include the
9 Council liaisons as well, in my opinion.

10 I don't know if that's a Charter change,
11 but it really bothered me that that board
12 member was put in that position on such a
13 monumental meeting as July 23rd of last
14 year.

15 The other thing that I would mention
16 that I suggested prior to this in terms of
17 meetings out in the community, I would
18 suggest 14 may be a lot. I know some of you
19 feel strongly about your own. I would urge
20 we do it by planning district, involve the
21 CPACs. And that way it might be two
22 district people and one councilman at-large
23 at each one of those. That would be two in
24 one, roughly 18, 19 of us. And that may be
25 a better way of getting everybody involved.

1 You've got the activists who are on the
2 CPACs there and then, obviously, other
3 people could attend, just a thought.

4 COUNCIL MEMBER BOYLAN: I think some of
5 this conversation we're having right now
6 actually relates to our next point of this
7 conversation. So we'll come back to this.
8 We're going to hold off on that one.

9 I'm going to get Mr. Gaffney and then
10 Mr. Becton as our last two comments, with
11 respect to suggested changes to the Charter.

12 COUNCIL MEMBER GAFFNEY: I'm going to
13 close with this.

14 COUNCIL MEMBER HAZOURI: Oh, that's what
15 you want?

16 COUNCIL MEMBER BOYLAN: Yeah.

17 COUNCIL MEMBER GAFFNEY: So two things:
18 My six years, five years of service to JTA,
19 JEA, or whatever authority it has been,
20 every time I have a community meeting,
21 they're always there. They always call you
22 and want to come. And that's -- beg your
23 pardon, we had one Thursday, so that's
24 working.

25 But I want to go back to my original

1 conversation. Most of us are not at the
2 table. The council person is an elected
3 person and needs to be at the table, and his
4 voice needs to be heard. The reason I say
5 that is because I've been a board member for
6 an authority and now I'm a council person.
7 And we can bring up some great suggestions.
8 But all they do is look at you and keep
9 moving in their direction.

10 But if we had a voice that's going to
11 represent the 19 of us, and then we meet
12 once a month, we can have -- during our
13 council meeting have an allotment of time to
14 have an update on any specific things that
15 we need to talk about.

16 Case in point, if Mr. Becton was at the
17 table and he knew what was going on, he
18 could do two things: One, he could have
19 called a noticed meeting on the process when
20 he first heard the same thing as the board
21 members heard that we could have rectified
22 that two, three months ago if we was at the
23 table. And we can be at the table. And
24 when we leave and then the board members
25 decide to stay at the meeting and talk about

1 other things, and then we won't know.

2 So again, if we're going to talk about a
3 Charter change, I really want us to think
4 about letting that council person who
5 represents the Council at those particular
6 authorities have a voting say-so, because I
7 feel like that's the best way I can get my
8 message or connect with my constituents, by
9 getting it from one of my colleagues who is
10 held -- has accountability like I have.

11 COUNCIL MEMBER BOYLAN: Council Member
12 Becton, you have the final word on this
13 conversation.

14 COUNCIL MEMBER BECTON: All right.
15 Thank you, Chair Boylan.

16 I do want to comment on this liaison
17 conversation. And my colleagues are all
18 making very good points. And it is
19 something that is unfound. I think as --
20 July 23rd was actually the first JEA Board
21 meeting that I attended, and I can
22 understand the way that board member felt.
23 It was certainly like drinking from the
24 firehose that day.

25 One of the things that I complained

1 about over the last course of the last month
2 is that, JEA specifically, their agenda was
3 not complete. In other words, what gets
4 published today a lot of times I've seen,
5 almost on a monthly basis, have holes in it;
6 In other words, have information that really
7 shows up at some point.

8 And I've tried to pinpoint exactly when
9 it shows up, but the package that I received
10 on July whenever it was prior to that
11 meeting, I think it was the Friday, and I
12 think that's been, from the questions I've
13 asked, consistently about Friday before the
14 Tuesday meeting the board members get the
15 packages. And the whole piece of the JEA
16 privatization on the July 23rd meeting was
17 not in that original agenda, it was actually
18 held back for whatever reasons,
19 confidential.

20 And so as a liaison, I'm sitting out
21 there, I have my agenda. When I get to that
22 page, it says, To be handed out. And I'm
23 sitting there scrambling trying to figure
24 out this, that, and the other, trying to
25 reconcile where they're at in the agenda.

1 I've complained about their agenda being
2 -- like, our agenda is very methodical.
3 When we go on Tuesday nights, you know,
4 people know what to expect, this before that
5 and that after this, right. They bounce
6 through their agenda. I mean, it's like
7 you're on page 30 and then you're on page
8 100.

9 I certainly mentioned that -- I have
10 certainly complained about this, you know,
11 behind the scenes, to where it is not a
12 smooth situation as a liaison sitting there
13 trying to understand what's going on from
14 the time you get an agenda, you look at it,
15 to the time you're sitting there as a board
16 member or a liaison of business being taken
17 up that's just being presented to you.

18 So perhaps we need to think about, as
19 Tallahassee comes up with the budget and
20 lays on the table for a certain period of
21 time, you know, anything a substance -- a
22 voting substance should be laid on the table
23 and should be there for public scrutiny. So
24 there are definitely areas which I think to
25 go in to looking at the liaison position and

1 also looking at the way these boards conduct
2 business and make decisions, that it isn't
3 just a -- at the last moment something being
4 presented and, you know, catching everybody
5 off guard.

6 COUNCIL MEMBER BOYLAN: I think in the
7 context that perhaps we're talking about an
8 ordinance, not necessarily a Charter change.
9 We need to be sensitive as we go through
10 this process just what is warranted Charter
11 change or other change. And I do very much
12 appreciate that conversation.

13 I want to -- as we transition now to the
14 second piece here, I want to reiterate a
15 couple comments I made at the beginning of
16 the meeting for those not in the room at the
17 time. I'm really very pleased, as I
18 mentioned, that there is an investigative
19 committee allowing the opportunity to look
20 back, because I want to keep us in looking
21 forward in what we try to do here.

22 I think today's conversation, this first
23 part of this conversation, I think, was very
24 much in line with that. And I encourage my
25 colleagues to be as diligent as you've been

1 today in the conversation in communicating
2 to Ms. Sidman specific changes you would
3 like to see made.

4 Yes, we will lessen to the traditional
5 process, but I'm glad we didn't take the
6 time to debate them here today.

7 So we move on now to the conversation
8 going forward in terms of how do we move
9 forward together in this process. As I
10 mentioned in my memo, a couple of
11 conversations with the Interim Director and
12 the Board Chair, there was very much
13 interest in saying, How do we do this
14 together going forward? Certainly, the town
15 hall meetings need to be part of that
16 conversation.

17 So I want to give you all a few minutes
18 to talk about how do you want to see it. I
19 know we have -- there is a history, perhaps
20 Mr. Hazouri might recall there was a time
21 when the School Board and City Council
22 actually sat side by side to evaluate some
23 options. I'm not suggesting again that we
24 are here and putting ourselves in a position
25 to make the determination for them. The JEA

1 Board, as any authority does, has the
2 authority to make recommendations to move
3 them forward to us.

4 So we would keep -- my hope is, as we
5 look to explore a partnership or working in
6 coordination with them, we're doing so for
7 the prospective of factfinding, to allow
8 them to go off and do the work they need to
9 do and bring recommendations back to us, if
10 they're required.

11 So I wanted to give you all a few
12 minutes to speak to that as well, if you
13 have any inclination as to how that goes.

14 Ms. Morgan.

15 COUNCIL MEMBER MORGAN: Thank you so
16 much. I have a few thoughts about that.

17 First of all, since we talked about it,
18 I am definitely offering up my February 24th
19 meeting. And so we can talk to our CPAC, we
20 can do whatever we need to do to craft that
21 meeting, because we have plenty of time to
22 get it done. My January meeting is tonight,
23 which will not focus on this, but the
24 February meeting could certainly focus on
25 all that we need it to focus on.

1 And it can be -- because Mr. Ferraro,
2 you and I, and Mr. Bowman kind of share,
3 it's -- you know, I'm offering that up,
4 because it's already set, I already have a
5 place, already have the time, everything is
6 ready. All we have to do is drop the agenda
7 into that meeting and move forward with it.
8 I'm sure our CPAC and all of our community
9 organizations that are always there would
10 gladly show up. And at my November meeting,
11 it was very heated when the subject of JEA
12 came up. So I know they wanted to talk to
13 them, and I know they wanted to talk to them
14 directly. So however we want to craft that,
15 I'm offering up that just like I offered it
16 up to JEA in my email response to them. So
17 I am more than happy to move forward with
18 that, because I, again, think it's very
19 important, because it was not done.

20 But as Mr. Ferraro said, as we move
21 forward, as we continue our factfinding, as
22 we continue our investigative work with this
23 and as we move forward with the Charter, our
24 community just wants to know, they just want
25 to know, they want to be as much of a part

1 of the decisionmaking process as we are a
2 part of that. And as Mr. Ferraro says, I
3 just think that we certainly need to move
4 forward with that and see how that looks.

5 So if you all are willing to work with
6 me and get with JEA, let's at least get ours
7 done and move forward with that. Thank you.

8 COUNCIL MEMBER BOYLAN: So again, the
9 question is how do we explore together, if
10 you're so inclined to do so, with the board
11 and management at JEA, the future success of
12 JEA. So I would love to get some specifics
13 from all of you as to how you would like to
14 see that take place.

15 Mr. Ferraro.

16 COUNCIL MEMBER FERRARO: I think that
17 would be a great thing to do, Ms. Morgan.
18 And I'm totally in support of it. But I
19 would like to look at having it to where we
20 have a bunch of the districts that would be
21 part of it.

22 COUNCIL MEMBER MORGAN: One, two, three,
23 four, Scott.

24 BOARD MEMBER FERRARO: Yeah. And kind
25 of have it sectioned out in the city to

1 where we're representing as many people that
2 can come to these meetings as possible so
3 they can ask directly to the JEA of what
4 their questions are, along with us. Because
5 we want to make sure what we're saying isn't
6 going to be backed out of or it's going to
7 be changing or anything like that.

8 And really JEA should be explaining what
9 JEA is doing, not City Council explaining
10 what JEA is doing. City Council should be
11 correcting what they're not doing right.
12 But we shouldn't be explaining for them.
13 And I've had one small meeting over on the
14 north side with that. And the JEA really
15 didn't have a lot of answers on that; it was
16 early. And that's why I want to make sure.
17 I don't want to have this early where
18 they're not answering the questions. So
19 it's really up to JEA to be able to answer
20 these.

21 But I'm more than willing to go ahead
22 and have these meetings. But if, if, JEA
23 has already got these things set up, I want
24 to do it.

25 But I think they need to be in something

1 like the schools to where we're going to
2 have a lot of people that can come in. And
3 then really have some type of organization,
4 just like we do here at City Council, where
5 people can get up and they can ask what
6 their questions are directly to the people
7 to find out what the answers are going to
8 be.

9 Because one of the things that really
10 got me upset is, when we were up here and we
11 were asking questions directly to the
12 executive branch, and they were saying they
13 didn't know. I don't want to have a meeting
14 where we get this all together and we have
15 "I don't know." I want to have answers to
16 it, and that's why I want to make sure
17 they're ready for that.

18 And, Ms. Morgan, I'm sure you want the
19 same thing as well.

20 COUNCIL MEMBER BOYLAN: I'm going to ask
21 you both this question then: You want the
22 JEA folks to do their due diligence, chart
23 their course and have those meetings? Or do
24 you want to have those meetings in advance
25 of charting the course for the future?

1 COUNCIL MEMBER MORGAN: For me, since my
2 meeting is not until February 24th, we have
3 an ample amount of time to put together
4 everything we need to do. My meetings, if
5 you've never been to them, are very
6 structured. It's very structured. It is
7 like a City Council meeting. And they get
8 three minutes at the end to ask their
9 questions, just like you do at City Council.
10 So it's extremely structured. It's --

11 COUNCIL MEMBER BOYLAN: So if we're
12 talking about something in February, you're
13 talking about actually getting community
14 input before they move forward with their
15 continuing exploration of paths going
16 forward?

17 COUNCIL MEMBER MORGAN: Yes. We can do
18 all --

19 COUNCIL MEMBER BOYLAN: Mr. Ferraro, are
20 you okay with that?

21 COUNCIL MEMBER FERRARO: I'm great with
22 doing both. If we don't get the answers on
23 that meeting, we'll get them on another one.
24 But I'm for that.

25 I just want to make sure that we're

1 having these located to where we don't have
2 it to where District 3 doesn't get to get to
3 it and part of District 2. I want to make
4 sure we're all covered through the whole
5 city. So I'm welcoming that.

6 COUNCIL MEMBER BOYLAN: Mr. Dennis.

7 COUNCIL MEMBER DENNIS: Thank you.

8 Through the Chair.

9 So I'll be honest with you, and not to
10 beat a dead horse, I was very put off when I
11 saw it, right. And I'll just say it, I
12 don't trust JEA. I don't trust anything
13 that comes out of their mouth.

14 So to piggyback on what Councilman
15 Ferraro said, I want an agenda, a PowerPoint
16 of what they're going to talk about. And
17 then I want our experts there, I want our
18 attorney, our attorney, there, and I want
19 our auditors there, because if they say
20 something that's not right, I'm going to
21 call them out, you know. So they need to be
22 prepared for that. Because at the end of
23 the day, our constituents are going to hold
24 us accountable and look at us for bringing
25 this falsehood to them.

1 So those are the things that I would
2 want, an agenda or PowerPoint, whatever JEA
3 is trying to present. Then I would want our
4 experts with us, you know, the auditors, our
5 attorneys there, if anything pops up.

6 COUNCIL MEMBER BOYLAN: It's clear town
7 halls is a component to this process. I'm
8 as much interested, practically more
9 interested, in understanding your thoughts
10 with respect to how do we move forward
11 together. We're going to have these
12 workshops. We're going -- or these town
13 hall meetings. How do we sit down with
14 them? Do you want to sit down with them and
15 say, Okay, what's next? What options are
16 available to us going forward?

17 All right. I'm going to turn to
18 Mr. Salem.

19 COUNCIL MEMBER SALEM: I think somebody,
20 whether it's the Council President or
21 somebody, needs to make a decision, if we're
22 going to use the CPACs, then personally I
23 think that's a wonderful concept, because it
24 would be two or three council people, one
25 at-large. I would attend the ones clearly

1 for the Arlington, Beaches area and vice
2 versa for the rest of us.

3 My concern is, if we do something too
4 quickly, it's going to be what happened.
5 And I don't know that it's going to be a
6 whole lot of what's the path forward. And
7 so we -- if it's going to be a little bit
8 about what happened, we clearly would need
9 to structure it so that ample time is given
10 for the path going forward. I think where
11 it's located is very important, because if
12 you just take the Arlington area, it's a
13 large area. So if we're going to get really
14 good attendance, you're going to need to
15 find someplace probably in Councilman
16 Ferraro's district or Bowman's district,
17 somewhere so that people from the Beaches
18 and District 1 can all come together.

19 And the CPACs need to buy into it. We
20 need to ask them, are you willing to be a
21 part of this to host these things? Somebody
22 needs to coordinate that, and whether that's
23 Councilman Boylan or --

24 COUNCIL MEMBER FERRARO: I'd be more
25 than happy to do that.

1 COUNCIL MEMBER SALEM: I'm willing to
2 help, clearly, but those are some questions
3 that --

4 COUNCIL MEMBER BOYLAN: We'll go
5 Councilman Hazouri and then Councilman
6 White, for the first time.

7 COUNCIL MEMBER HAZOURI: I think,
8 Ms. Priestly Jackson, the way they did the
9 school -- we have seven school board members
10 in two council districts each to have seven
11 meetings in each of the areas in the
12 schools. That's what the -- I think that's
13 what the School Board did -- well, I know we
14 did it several times, but I'm believing they
15 did it for the sales tax. And have it at
16 the school, because the schools are involved
17 as well because of the taxes, the ad valorem
18 taxes, so it's a double whammy. And if we
19 need to coordinate it, we do it, but
20 somebody be the point person here to make
21 sure that the JEA gets off of what they're
22 going to do.

23 I can envision that they're going to be
24 asking some of the same questions that we're
25 asking here. And I don't know if that's

1 what we want to do or we want to hear input
2 in those three minutes or whatever from the
3 audience of how they feel about what's going
4 on, besides not wanting to sell the JEA.

5 So if you would, Mr. Chairman, I think
6 the seven council -- the school board
7 districts, in the schools, and whoever wants
8 to coordinate it with the JEA or with
9 ourselves would be the ideal way to do it.
10 And you're hitting both our tax structure,
11 as well as the School Board's tax structure.

12 COUNCIL MEMBER BOYLAN: Council Member
13 White.

14 COUNCIL MEMBER WHITE: Yes, sir. Could
15 I just suggest -- and it's all been said by
16 everybody, different things -- you make a
17 subcommittee within your committee of two or
18 three people, if Al wants to be one of them,
19 and for them to decide that. And we'll just
20 live with what the subcommittee decides.

21 COUNCIL MEMBER BOYLAN: We'll come up
22 with that. I like the idea a lot. There
23 could be a subcommittee in this group.

24 Council Member Bowman.

25 COUNCIL MEMBER BOWMAN: Thank you,

1 Mr. Chair.

2 I can tell you the most frustrating
3 thing for me about all this is, if a company
4 is having problems, step one is not to go
5 sell the company. And so I want to make
6 sure that we as a Council and the board and
7 perhaps maybe a joint meeting like we do
8 with the School Board is we have got to
9 ensure that JEA now is going to take action
10 on looking at everything they can do. And
11 then, to Mr. Becton's point, making
12 recommendations to us of what we can do to
13 facilitate them. So I would suggest that
14 potentially a joint Council and board
15 meeting where we can kind of share with
16 them, hear what they're thinking, and let
17 them know what is on our mind. But we have
18 to make sure there is a path forward
19 addressing some of the issues that are
20 identified that are making life hard for us.
21 And I don't have confidence that that's
22 first and foremost on their mind right now.

23 COUNCIL MEMBER BOYLAN: As you probably
24 saw in my noticed memo for this meeting, I
25 talk about the next workshop, which we're

1 going to bring McKinsey in to talk about
2 their strategic planning process, which
3 someone argued was quite flawed and
4 intentionally flawed in some respects.

5 There will be an opportunity for us to
6 have a conversation with the JEA Board
7 Chair, as well as the Interim Director to
8 talk about how we are going to proceed
9 jointly in exploring options ahead of us.

10 Council Member Cumber.

11 COUNCIL MEMBER CUMBER: Thank you.

12 Just a thought on the community
13 meetings, I think they're a great idea, but
14 I do have concerns about turning them over
15 to the CPACs only because my CPAC isn't in
16 my district. So when I was contacted by
17 JEA, I actually had a very different
18 response than a lot of my colleagues. My
19 response was, You have to do at least three
20 in my district, one in the northern part,
21 one in central, one in the south, because
22 it's just difficult for people to get to
23 places, and especially at night after work.

24 So I think they're a great idea, but I
25 don't want to be in a situation where my

1 constituents aren't represented there
2 because the location happens to be very far
3 away from where they are. So I would
4 just -- if there is a subcommittee put
5 together, I would just encourage my
6 colleagues to consider that and make sure
7 that these meetings, these community
8 meetings, are representative of as many
9 people as possible, not just people who, you
10 know, have time to drive 45 minutes to a
11 meeting, but people who, you know, everyone
12 kind of wants to have their say.

13 So I'm very supportive of the idea and
14 anything I can do to move it along, but I
15 would just -- I actually am in favor of more
16 meetings rather than fewer, just for the
17 ease of constituents getting to those
18 meetings.

19 COUNCIL MEMBER BOYLAN: I want to
20 recognize Council Member Freeman. Hopefully
21 he'll help get us back on track here to talk
22 about how we want to interface with the JEA
23 Board.

24 COUNCIL MEMBER FREEMAN: Well, probably
25 not.

1 COUNCIL MEMBER BOYLAN: I can only hope.

2 COUNCIL MEMBER FREEMAN: I just wanted
3 to add, and Councilwoman Cumber kind of beat
4 me to it. You look at District 10,
5 northwest Jax, all the way down to the
6 southwest part, it was imperative that you
7 were able to have meetings in the various
8 locations, because that was a challenge for
9 folks to get to them. So I fully support
10 that and think the subcommittee should
11 consider it.

12 I also found it ironic, if JEA is in the
13 room, that I got asked to host a town
14 meeting when I'm at-large. So I guess for
15 us at-large members, we could essentially
16 try to do 14 ourselves and partner up with
17 them. Thank you.

18 COUNCIL MEMBER BOYLAN: All right. Let
19 me circle back to my question with only
20 hope. Let me -- here is the conversations I
21 had with Melissa Dykes and Chairman Green.
22 I talked about the prospect -- and number
23 one, we know for a fact, obviously,
24 privatization is off the table. And
25 Ms. Dykes has now said the IPO is off the

1 table, as is the co-op is off the table. So
2 what's next? So how do we diversify the
3 revenue? What steps are necessary to do
4 that? In fact, is it really necessary at
5 all?

6 And my expectation was, and what I said
7 my vision was, is they would go on and do
8 their due diligence on each of the other
9 options available to them and come back and
10 report to us as to what their findings were.
11 And then went on and did their work, and
12 then came back to us with a recommendation
13 as to what changes they needed to see happen
14 in order for us -- for them to advance their
15 visions.

16 Their response to that was a sub- -- a
17 committee made up of some members of their
18 board and some members of the Council to do
19 that kind of exploratory work. So those
20 were the two ideas that were tossed on the
21 table.

22 The third, of course, is a joint
23 opportunity that we come together, we hear
24 from their consultants, we sit side by side
25 with the JEA Board members to get an

1 understanding as to -- so we're hearing what
2 they're hearing in that process. And
3 hopefully structured as Mr. Becton said,
4 that it's contiguous in terms of the
5 presentation going forward. So those are on
6 the table.

7 I want to have that conversation as part
8 of our conversation at the workshop on the
9 10th. I'm certain the JEA Board and
10 management will be wrapped in what they've
11 seen and heard in today's conversation. And
12 hopefully we can move forward in that
13 direction, again, focusing on the future as
14 we move forward in that process.

15 Mr. Becton.

16 COUNCIL MEMBER BECTON: Thank you.
17 Through the Chair.

18 When I first saw that email about these
19 town hall meetings, my first reaction was,
20 So what is this going to be about? And I
21 mean, is this -- right now my only
22 expectation would be an apology to it,
23 because I don't -- you know, and certainly
24 that has its own agenda, I guess, but I can
25 only anticipate constituents having a lot of

1 questions that they're not going to have
2 answers to. And that kind of concerns me
3 that we -- you know, to whoever said that,
4 you know, we certainly need to see an
5 agenda. We certainly need to understand
6 what's going to be said.

7 But I don't want to just run out and all
8 of a sudden start setting up meetings to set
9 up meetings, only once again to say, I'm
10 sorry, you know, and a lot of that is being
11 done in the press. But there actually is an
12 agenda. We're far enough along that
13 specific questions that we're even asking
14 can be identified. Just like I said, what
15 do you need -- you know, what do you need
16 Council to help you, you know, change that
17 can help you in the future of your business?
18 And I think that is a huge question that I
19 don't think is that complicated.

20 I just think somebody who gets paid to
21 do it just needs to have the fortitude to go
22 out there and put it on paper and lay it
23 out, because, to me, that's the conversation
24 that needs to start getting started out into
25 the communities about what do you think

1 makes sense in order for JEA to do, and how
2 can that community support get translated
3 into us council members as legislators in
4 order to make it happen. So that was just
5 my thoughts.

6 COUNCIL MEMBER BOYLAN: Let me pick up
7 on that with respect to the workshops. I
8 think I agree wholeheartedly. What makes
9 sense for us to do is your last statement
10 there, one of your last statements. I
11 think, in the context of the town hall
12 meetings, we may be better served of hosting
13 those after the fact, once we figure out
14 what is the viable path going forward. It
15 could be A, it could be B, it could be C. I
16 mean, in effect, at the end of the day, the
17 ratepayers are going to be facing the
18 consequences of it. So to have an apology
19 doesn't make a lot of sense.

20 It really makes more sense for us to sit
21 down, help collectively craft the options
22 going forward, take those out to the
23 committee -- community, allow them to react
24 to that, then let their board make their
25 decision and bring it to us for approval.

1 So I think that's really the path forward,
2 if you're all comfortable with that.

3 Ms. Morgan.

4 COUNCIL MEMBER MORGAN: I just want all
5 of the Council Members to notice what you
6 have on the back of the page for February
7 24th, presentations by one or more
8 recognized industry experts that address the
9 headwinds that utilities throughout the
10 state are facing and what steps they are
11 exploring and pursuing to address them.
12 This is what we have to do.

13 COUNCIL MEMBER BOYLAN: Thank you.
14 That's a great segue to the next piece in
15 this process. We're segue people.

16 It really is important for us to
17 appreciate the logic of the next two
18 meetings. Quite honestly, I'm not sure
19 where we go from there. I think we have to
20 make that determination as it becomes a
21 fluid process.

22 Clearly, I want to understand the
23 strategic planning process that JEA used to
24 get us to here and what their willingness is
25 to work together going forward. That is

1 going to be our meeting on the 10th.

2 And then, as Council Member Morgan
3 pointed out, on the 24th we have a number of
4 independent industry experts outside of our
5 community who can talk about what's
6 happening in other cities around the state
7 of Florida. I think you will be very
8 impressed to hear the kind of conversation
9 we'll be having. It will certainly do one
10 thing for us, it will definitely verify the
11 fact that there are headwinds ahead and that
12 we do have cause and need to do the
13 exploration that we're going to do. And
14 then decide where do we go from here in this
15 process in doing it today.

16 Council Member Gaffney.

17 COUNCIL MEMBER GAFFNEY: Just a quick
18 response. For those at-large, I have a
19 community meeting this Thursday, JEA will be
20 there. I would like to spend time in my
21 communities like this -- they don't want to
22 spend time just talking about JEA; they want
23 to spend time talking about their issues.
24 So I'm not interested in going to a meeting
25 and spending a whole hour talking about

1 everything, because they're going to tell
2 you, Council Member Gaffney, what's going on
3 with this shooting that happened two weeks
4 ago here and here and here, and other
5 issues.

6 So usually, when JEA, JTA, or any of
7 them come, you give them a certain time.
8 And all I'm concerned about right now is
9 we're not going to sell. They don't want to
10 know about anything. We're not going to
11 sell. If that message changed with us, then
12 I think that's an appropriate time that we
13 start talking about that. But they're at a
14 place now like I am, they know that the
15 Council is reporting they're not selling it
16 and we're moving together at this point.

17 And so I still feel more comfortable in
18 hosting my own community, because one of my
19 colleagues was talking about transportation,
20 we got to make these meetings successful.
21 If we do one large meeting, you're probably
22 going to lose 20, 30, 40 percent of your
23 constituents. It would be good when you
24 got, four and five districts to come there,
25 but you lose the mass that supports you.

1 In saying all that, if -- again, this
2 Thursday at 6:00, 2100 Dunn Avenue, at the
3 Seaside Charter School, and this is my first
4 one of the year over there. So if anybody
5 is interested in coming, we'll have that,
6 we'll talk about the census, we'll talk
7 about other problems that the City is facing
8 right now. That's how I structured my
9 meeting, about an hour and a half.

10 COUNCIL MEMBER BOYLAN: Thank you,
11 Mr. Gaffney.

12 Last two comments, Ms. Jackson.

13 COUNCIL MEMBER JACKSON: Maybe I'm just
14 a bit -- I'm skeptical. I'm just not
15 exactly certain that I am really interested
16 in reviewing their strategic planning
17 process because they don't appear to follow
18 it. And so I am -- no, I'm being very
19 candid. And so I have -- the meeting on the
20 24th is going to talk about industry trends
21 and headwinds. I told them yesterday -- but
22 they didn't honor a process they
23 established.

24 And Mr. Becton has been the liaison, has
25 been there, they were from June 25th

1 supposed to say what Charter changes they
2 needed. I, honest to God, don't understand
3 either why they can't say, This is what we
4 need, Council. We've still not gotten that.
5 We asked for it at the other two meetings.

6 So I'm not understanding what
7 information we think we're going to get from
8 them on their strategic planning process
9 that they gave the scenarios out an hour
10 before the meeting on July 23rd. I'm just
11 really, really candid. And I just don't
12 know what other value that's going to have,
13 the -- that's from me.

14 The second thing is I am concerned in
15 light of the work by the investigative
16 committee -- and we haven't received our
17 charge yet. My understanding is Jason is
18 going to give us our charge with the Council
19 President later this week. I don't know
20 what that's going to reveal, right. I don't
21 know what information is going to come out
22 from that. We want to do the will of our
23 colleagues on the Council and represent our
24 constituents to make certain that we look
25 into it, you know, not a ratification

1 process. And so I don't -- again, I don't
2 know about February 10th for that.

3 The last thing -- and this is just a
4 question, and I don't know who can answer
5 it, but it's something we need to know -- I
6 want a full accounting of everything they've
7 expended on the process today in terms of
8 pursuing recapitalization. And I want to
9 know if there is any mechanism to claw back
10 any of that money. We're told \$10 million.
11 I'm very serious. I'm very, very serious
12 about that. People change behavior when
13 they're held accountable. You're held
14 accountable, we take the money back. Other
15 than that, we're almost ratifying bad acts.

16 So I just want to be real clear. I want
17 to know what they spent, a report out of it.
18 But I want to know if there is a mechanism
19 we have getting any of it back going
20 forward.

21 COUNCIL MEMBER BOYLAN: I think we can
22 certainly add that to the list of things to
23 do.

24 I would like to comment on the agenda
25 for the 10th. I think there are a couple

1 things that you mentioned that are relative.

2 I think in the context of McKinsey and
3 their role in creating and hopefully
4 navigating the strategic planning process, I
5 think it's an opportunity, quite honestly,
6 for them to defend how they did or what they
7 did with hopes of beginning to rebuild the
8 credibility of the organization. There are
9 some good folks there who are well-intended
10 in this process.

11 Mr. Becton asked the question time and
12 time again at the Rules committee meeting,
13 Who ultimately can make that decision as to
14 what they did? They did their darnedest to
15 direct it, I get that. But at the end of
16 the day, the employees of JEA, rank and file
17 and management, all didn't have a hand in
18 this. We want to make sure we understand
19 that.

20 So it really is important we figure out
21 a way to rebuild the credibility of that
22 independent authority in however form or
23 fashion it takes. And that's going to take
24 some time, I realize that. The attempt of
25 the meeting on the 10th was to help us

1 understand where we came off the rails, if
2 you will, in that process. It seems, to me,
3 only fair to provide them that opportunity.

4 So with that, I'm going to invite
5 Mr. Nooney up here. He is the only public
6 comment card. Now, he caught me in the
7 elevator. He actually was going to get off,
8 but he stayed on because I was going down.
9 And I tried to encourage him to say, We're
10 going to focus on the future today,
11 Mr. Nooney. But I don't think we're going
12 to be hearing about future in his comment
13 card. But I'll allow you to share that
14 message.

15 MR. NOONEY: Okay. Well, hello.

16 COUNCIL MEMBER BOYLAN: You have three
17 minutes.

18 MR. NOONEY: All right. Hello. My name
19 is John Nooney. Address is on file.

20 And I will just try to focus on the
21 agenda, you know, the factfinding workshop
22 for JEA and appropriate steps for changing
23 the Charter. Well, number one, it's show
24 up. We have our Charter Revision Commission
25 taking place right now. And, you know, ten

1 years ago, you know, ethics was put back in
2 the Charter. And in the subsequent ten
3 years, it's been weakened. And that's why,
4 a big part of why, we're here right now with
5 this unbelievable mess.

6 Now, right here you have discussion
7 regarding suggested changes to the Charter,
8 safeguard community assets. Well, JEA, how
9 much of JEA assets are touched by our
10 waterways? And always remember Rick Ferrin,
11 with the Jacksonville Port Authority, same
12 thing. How many of the Port Authority
13 assets are touched by our waterways?

14 So right now, since day one, I've been
15 asking for a Charter amendment that any CRA,
16 DIA, USD that has a waterways component and
17 taxpayer money is involved, that Joe Q.
18 Public will have access to that waterway.

19 Now, gosh, the court reporter is back.

20 Well, but anyway, 2013-384 (inaudible)
21 at Hogans Creek, that's a classic example.
22 But right now, if we want to really showcase
23 the world, you know, open up our waterways.
24 It's not that hard.

25 And so I know -- okay. I'm down to 53

1 seconds. So, you know, being the only one
2 here. And so safeguarding the community
3 assets. You know, here is one other thing,
4 that Thursday meeting Councilman Gaffney
5 alluded to, it's going to be at the Legends
6 Center. And it's going to be about the
7 Urban Services District Authority. So we're
8 going to create a new authority with no idea
9 of funding, no idea of boundaries, and while
10 this is going on.

11 And also, with the Charter there is that
12 discussion of the five at-large being the
13 most powerful group that you can imagine.

14 So our factfinding workshops,
15 appropriate steps for changing the Charter,
16 show up. Well, thank you, Chairman, for
17 allowing me to speak.

18 COUNCIL MEMBER BOYLAN: Absolutely.
19 Thank you for keeping it focused on the
20 future. I appreciate it very, very much.

21 Members, thank you for your time today.
22 We will continue this work. And we'll talk
23 about how to structure the town hall
24 meetings. I think I heard some consensus
25 that we do it after the fact.

1 Thank you. We're adjourned.
2 (Meeting concluded at 12:38 p.m.)

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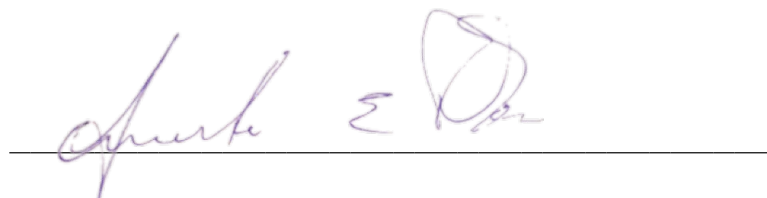
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CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF DUVAL

I, Amanda E. Robinson, Registered
Professional Reporter, Florida Professional
Reporter, do hereby certify that I was authorized
to and did report the foregoing proceedings; and
that the transcript, pages 1 through 96, is a
true record of my stenographic notes.

DATED this 5th day of February, 2020.



Amanda E. Robinson,
Registered Professional Reporter