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**CHARTER REVISION COMMISSION
GOVERNMENT STRUCTURE / PRESERVING INSTITUTIONAL KNOWLEDGE
SUBCOMMITTEE MEETING MINUTES
Don Davis Room, 1st floor, City Hall**

**January 30, 2020
9:15 a.m.**

In attendance: Judge Ronald Swanson (Chair), Hon. Matt Schellenberg, Jessica Baker, Nelson McCoy (arr. 9:28), Heidi Jameson (via telephone)

Also: Paige Johnston – Office of General Counsel; Anthony Baltiero – Council Research Division; Kendra Mervin – Legislative Services Division

Meeting Convened: 9:20 a.m.

Call to Order / Remarks from Chair – Chairman Swanson called the meeting to order by briefly going over the meeting’s agenda and explaining the format for the meeting’s proceedings.

Approval of Minutes – The minutes from the 1/23/2020 meeting were approved as distributed.

Public Participation – Chairman Swanson said that he wanted to have public participation relating to the three major focus areas that the subcommittee has been working on, including nonpartisan elections, ranked choice voting, and election dates. Judge Swanson said that he would have Ms. Jameson present first then accept any participation from the public on the specific issue of nonpartisan elections.

Ms. Jameson, via telephone, reviewed her draft of a recommendation regarding nonpartisan elections. Focus was put on a 2014 court case from Orange County, Florida (Orange County v. Singh, Florida Supreme Court SC18-79) where the Florida Supreme Court ruled that constitutional officers must continue to have partisan elections. A discussion was had among the subcommittee and Paige Johnston of OGC about whether or not the Orange County ruling would be applicable in Jacksonville. Ms. Johnston explained that because of the unique nature of the City Charter, almost any elected position in the city can be viewed as being municipal rather than constitutional. As such, the Orange County ruling does not apply to Jacksonville. Ms. Johnston also noted that if the City were to have nonpartisan elections, there could be a potential First Amendment violation allegation from people in the community based on the inability of candidates to identify their party affiliations as a matter of free speech. Judge Swanson asked Ms. Johnston if this was an official stance of the OGC. Ms. Johnston said that this is an informal opinion

from the OGC based on her conversation with a colleague in the OGC that specifically focuses on this subject area. Judge Swanson asked for an edit of the document to include a phrase mentioning that based on an informal opinion from the OGC, all non-State run elected positions could potentially be considered municipal and not constitutional officers for the purposes of having a nonpartisan election. Ms. Jameson said that she will edit the document and get it to the subcommittee promptly. Judge Swanson asked Ms. Jameson to present her research on nonpartisan elections and the subcommittee's recommendation not to pursue nonpartisan elections at the next full CRC meeting.

Ms. Baker commented on Ms. Jameson's draft and asked Ms. Johnston to provide a brief written summary of the aforementioned "informal OGC opinion" to include in the recommendation. Ms. Baker also asked if the Unitary Elections section of the recommendation could be expanded upon to provide a history of why the City chose to switch to unitary elections in 1995. Ms. Johnston said that she would also help with that section.

Judge Swanson asked Ms. Johnston about the specifics regarding public participation. Ms. Johnston explained that they could proceed similarly to public comment where each participant can have three minutes to speak on the specific issue. Judge Swanson opened the floor to public participation regarding nonpartisan elections. John Nooney started to speak, but it was not on the topic of nonpartisan elections. Judge Swanson explained that this is the forum for speaking on nonpartisan elections and noted that Mr. Nooney could still make his comments at the Public Comment section at the end of the meeting.

Mr. Schellenberg asked if it would be possible to continue the public participation at the following meeting because they are not ready to vote on this particular issue. Judge Swanson agreed and stated that public participation would continue at the following meeting for any topic that isn't voted on at this meeting.

Judge Swanson moved to the next focus item of the Public Participation section, ranked choice voting. He asked if there were any participants here to speak on ranked choice voting. There were none. Judge Swanson created the recommendation draft for the topic of ranked choice voting. As such, Judge Swanson went through the draft and highlighted some of the focal points. Mr. Schellenberg commented that he likes the draft that Judge Swanson created, but explained that he is not a supporter of ranked choice voting. A discussion was had among the subcommittee about ranked choice voting. The consensus was that the subcommittee will not recommend ranked choice voting for myriad reasons, including voters not understanding the new system, voters not ranking all of the candidates, voters only ranking a single candidate, and the majority vote received in the first round doesn't always win the election. Ms. Baker suggested that Judge Swanson include the aforementioned reasons for not recommending ranked choice voting and to include additional examples from the "RCV is not a Solution" article that was distributed in a previous meeting. Judge Swanson agreed to make the recommended edits.

Judge Swanson moved to the third topic, moving election dates from spring to fall. He asked if there was anyone from the public that wanted to speak on the issue. Again, there were none. Ms. Baker gave a brief overview of her draft and noted the new edits. Mr. Schellenberg noted that he is unsure if the Council will pass the recommendation, but he is all for it. Judge Swanson asked Ms. Baker to present the topic at the next full CRC meeting. With a consensus that the recommendation is ready to be reviewed by the full Commission, Judge Swanson asked for a motion and a second to approve the recommendation. Mr. McCoy made the motion and Mr. Schellenberg made the second. The motion passed unanimously.

Working Discussion – Chairman Swanson went on to the next agenda topic. The focus was on two additional topic areas that the subcommittee has been reviewing, term limits and size of the City Council. Mr. McCoy gave a brief update on the status of his research on term limits. He noted some of the suggestions from Lori Boyer, particularly the idea of slowly rolling out term limit extensions in phases.

The idea is to extend the City Council term limits first, then the Mayor, then the remaining elected officials. The rationale is that by doing it in phases the City's initiatives and general functions can continue without major interruptions. Mr. McCoy said that he had reviewed term limits extensions from multiple cities, including Atlanta, GA and Nashville, TN. Mr. Schellenberg said that he would be for three four-year terms and asked if the idea of staggered terms has been considered in Mr. McCoy's research. A brief discussion was had about staggered terms and pros and cons were noted. The biggest pro with staggered terms is that it would eliminate the possibility of getting a completely new City Council all coming into office at the same time. The biggest con is that there would be a "campaigning and election year" every other year. The discussion continued and questions were asked about how many times a majority of the Council came into office at the same time. Jeff Clements, Chief of Research, will be asked at the next meeting to give some history about the aforementioned issue.

Judge Swanson said that there are four topics that he would like to see included in Mr. McCoy's draft about term limits: term limits, no term limits, modify the length of term limits, and feasibility of the recommendation.

The discussion shifted and the subcommittee debated the different term options, including three four-year terms, two six-year terms, and other variations. Following this was a philosophical debate over whether or not to make a recommendation based on the perceived feasibility of it being successfully approved by Council and/or the voters. Mr. McCoy argued that it should boil down to submitting the recommendation that the subcommittee feels is best for the City regardless of perceived feasibility. He said that the issue needs to have a champion to help move it along.

Mr. Schellenberg said that he thinks it is best to let the voters decide who should remain in office and not lose a wealth of institutional knowledge because of a term limit. He argued that the idea of people being in office for eight years and then they are out is a misconception. He provided multiple examples of elected officials transcending the eight-year term limit. Ms. Baker said that elected officials would have to wait four years before running again. Mr. Schellenberg provided examples of how that isn't always the case noting the elections of recent Councilmembers who filled a vacant seat for a shortened term and still got to serve an additional eight years.

Judge Swanson directed Mr. McCoy to create a draft of his recommendation for the subcommittee to review at their next meeting.

Judge Swanson moved on to the second topic, the size of the City Council. He started by asking if looking at the size of the Council should even be a priority for this subcommittee. Mr. McCoy said that he would need more information about the position of At-Large City Councilmembers before being able to fully give his opinion on the topic. He did mention a few possible ideas, including doing away with the At-Large Councilmembers and the possibility of redistricting and basing the new Council seats from that data. Ms. Baker asked if the subcommittee could have a guest speaker to provide information about the At-Large Councilmembers and the history of the Council Districts. Staff suggested having Jeff Clements, Chief of Research, present on these topics as well. Additionally, Chris Hand will be invited to provide more clarification on the topics.

Judge Swanson went over possible future meeting dates, including 2/14/2020, 2/21/2020, and 2/27/2020. All meeting dates and times are tentative until an official meeting notice has been posted.

Mr. Schellenberg had a closing comment about the recent JEA issues. He asked the subcommittee if this is something that they should look into. Judge Swanson said that he would introduce Mr. Schellenberg at the next full CRC meeting to address the issue with the full Commission to see if it is something that the group as a whole would want to take up.

Public Comment – Judge Swanson opened the floor to public comments.

- John Nooney – Mr. Nooney spoke and asked for the CRC to make a recommendation to ensure public waterway access within any CRA.

Chairman Swanson adjourned the meeting.

Meeting adjourned: 11:05 AM

Minutes: Anthony James Baltiero, Council Research Division
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1.31.2020 Posted 4:00 PM