



## OFFICE OF THE CITY COUNCIL

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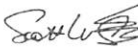
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JACKSONVILLE, FLORIDA 32202

February 4, 2020

5:00 P.M.

### MEMORANDUM

**TO:** Honorable Members of the City Council

**FROM:** Council President Scott Wilson 

**RE:** Creation of Special Investigatory Committee on JEA Matters

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On January 20, 2020, I announced that I would be convening a Special Investigatory Committee on JEA matters related to the recent pursuit of the strategic option to potentially privatize JEA. This Committee is intended to continue the work commenced at the noticed public meeting held on December 16, 2019 where Council Members inquired into matters related to the creation and implementation of JEA's proposed employee incentive program referred to as a "Performance Unit Plan" or "PUP" which the JEA Board approved at its July 23, 2019 board meeting. At the conclusion of the noticed meeting, it was requested that I create a special investigatory committee of the Council to further review these matters.

In recent weeks, as additional information has become available, the issues and matters related to the strategic option of potentially privatizing JEA have become paramount on the minds of Council Members. I believe that a special committee of the Council should be convened to investigate these issues and matters and that a transparent and public vetting of same is in the best interests of the community.

Accordingly, I am creating a Special Investigatory Committee on JEA ("Committee"). Pursuant to the Council Rules and the Ordinance Code, should the Committee require the power to subpoena witnesses and parties, I will ask the Rules Committee to convene to issue subpoenas for both testimony and documents. Use of subpoena power and administering oaths must be for legitimate legislative purposes within Council's policy-related sphere of inquiry as set forth in this memorandum. All City and JEA employees will fully cooperate with the Investigatory Committee.

The Committee shall work in coordination and conjunction with the Office of General Counsel and specialized private legal counsel, as well as the Council Auditor's office. The Committee shall be staffed by members of those respective offices.

The Committee should organize its review as follows:

- (1) Discussion of procedures and protocols.
- (2) Historic timeline of events.
- (3) Review of existing records, resources and materials (from OGC, IG, JEA and other sources).
- (4) If necessary, conduct further investigation into matters related to the charge of this memorandum.
- (5) Analyze matters that, through the powers invested in this legislative body, could be prevented in the future through legislative action. Issue a report reflecting same.

**CHARGE:** Investigate JEA matters related to the recent pursuit of the strategic option to potentially privatize JEA. Determine matters that, through the powers invested in this legislative body, could be prevented in the future through legislative action.

This review should include JEA's review of the five scenarios for the future of JEA, including the Invitations to Negotiate; JEA's decision-making in pursuit of privatization; and the proposed employee incentive program known as the Performance Unit Plan.

**CHAIR:** Rory Diamond, Chair

**MEMBERS:** Randy DeFoor, Brenda Priestly Jackson, Scott Wilson

**DEADLINE:**

The Committee shall prepare an initial schedule of meetings and shall report its findings to the Council President on or before June 1, 2020, unless the special committee is otherwise extended or terminated.

I would like to thank Council Member Diamond for agreeing to chair this special committee and commend him for the work that he has already done on this important matter which affects the citizens of Jacksonville. I would also like to thank Councilmembers DeFoor and Priestly Jackson in advance for their participation in this endeavor. I look forward to their report.

cc: Council Members/Staff  
Cheryl Brown, Director/Council Secretary  
Jeff Clements, Chief, Research Division  
Jessica Matthews, Chief, Legislative Services  
Melanie Wilkes, Information Systems Administrator  
Kyle Billy, Council Auditor  
Jason Gabriel, General Counsel  
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