

**OFFICE OF THE CITY COUNCIL**

**RESEARCH DIVISION**

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**CHARTER REVISION COMMISSION MEETING MINUTES**

**City Council Chamber, 1st floor, City Hall**

 **February 28, 2020**

**9:00 a.m.**

**In attendance:** Commissioners Lindsey Brock (Chair), Jessica Baker, Frank Denton, W.C. Gentry, Charles Griggs (arr. 10:13), Chris Hagen, Nick Howland, Heidi Jameson, Ann-Marie Knight, Emily Lisska, Celestine Mills, Betzy Santiago, Matt Schellenberg, Ronald Swanson

**Also**: Kealey West – Office of General Counsel; Jeff Clements and Anthony Baltiero – Council Research Division; Jessica Smith and Juliette Williams – Legislative Services Division; Steve Cassada and Melanie Wilkes – Council Support Services

**Meeting Convened**: 9:05 a.m.

Approval of Minutes

The minutes of the meetings of January 31, 2020 were **approved unanimously as distributed**.

Public Comment

John Nooney recited the Pledge of Allegiance and lauded the presence of the court reporter. He cited a recent article in the Florida Times-Union regarding a loophole in the City ethics code and said that ethics was put back into the Charter 10 years ago but has been gutted since them. He urged the CRC to recommend a charter amendment requiring that the DIA, CRAs and the proposed Urban Core Development Authority mandate public access to waterways in any project supported by public funds.

Stanley Scott of the African American Economic Recovery Think Tank said that public comment to the Charter Revision Commission is a waste of time. Nothing ever changes in Jacksonville even as leadership from different parties comes and goes. He recalled the murder of Johnnie Mae Chappell, and African-American mother of 10, on Ax Handle Saturday in 1960. Jacksonville’s government is corrupt throughout and the Charter Revision Commission can’t do anything about it.

Remarks from the Chair

Chairman Brock said that his goal for today is to hear the subcommittee reports and take Public Participation on their recommendations, then debate the recommendations in the commission and hopefully take votes on most if not all of the recommendations. He and Jeff Clements of the City Council staff will take the actions from today and draft the final report next week for discussion at the commission meetings on March 5th and possibly the 6th if needed. The report will be referred to the General Counsel’s office for a review for form. Kealey West of the Office of General Counsel (OGC) said that the OGC would be reviewing the document for both form and substance, looking for any potential conflicts with state law or the state constitution. Chairman Brock said his goal is to file the report by March 20th so the report can be discussed at the City Council agenda meeting on the 24th. When the report is officially submitted, the Charter Revision Commission (CRC) will disband and the members will no longer be bound by the Government in the Sunshine law. He hopes that the members will then make appointments and meet with City Council members to advocate for the commission’s recommendations.

The commission discussed its future meeting schedule. Mr. Brock said that the commission is scheduled for 8:30 meetings on March 5th and 6th, then the 19th and 20th. He invited comments to be submitted by email if members cannot attend any of the meetings for discussion at the next meeting. Commissioner Knight said that she would be out of the country for most of March and designated Commissioner Griggs to act as the Urban Services District Committee chair in her absence.

Charter Revision Commission-related Amendment Recommendations

Public Participation:

John Nooney said this recommendation should have been placed at the end of the agenda.

Stanley Scott disapproved of the recommendation as having no practical effect since nothing ever changes in Jacksonville.

**Motion** – approve the recommendation to place the Charter Revision Commission into the City Charter with the language in the draft proposal

Commissioner Schellenberg said he opposed putting the CRC into the Charter and recommended that the motion be deferred to the next meeting to give commissioners a chance to read and fully understand the proposal. Commissioner Gentry advocated for putting the CRC in the Charter but expressed concern that some of the language in Sec. 17.103 regarding the commission’s areas of authority might be conflicting and may restrict future CRCs from being able to study and make recommendations on issues that are not related to the City’s relationship to state government.

**Motion** (Gentry): amend the motion to add language in Sec. 17.03 that the commission shall consider “among other things” all relevant factors to the structure... – **approved unanimously**

The original motion as amended was **approved 10-2** (Lisska and Schellenberg opposed)

Subcommittee Reports

Urban Services District Committee

Chairwoman Knight said that the committee’s recommendation is intended to remedy a history of disparity in Jacksonville. The committee did considerable research on disparities of various kinds (economic, health, education, etc.) in different parts of the city and held two town hall meetings to take public input. The committee realizes that its recommendation to create an Urban Core Development Authority is not an easy one, but feels it is necessary to remedy years of disparities. She described the boundaries of the proposed authority based on Health Zone 1 and explained the rationale for excluding the Downtown Investment Authority’s area of jurisdiction and adding additional territory to the north and west of Health Zone 1 out to I-295. Ms. Knight described the potential funding sources for a new authority and the recommendation for a staff to support the work of the authority. The committee recognizes that this is not a short-term solution but a long-term effort to address long-standing problems.

Commissioner Denton said the recommendation addresses the testimony the committee and full commission heard from many speakers about the unfulfilled promises of consolidation, many of which have very clear racial aspects. The committee is persuaded that an official entity is needed to focus attention on the disadvantaged urban core in the same way that the DIA was created to focus exclusively on revitalizing the downtown area. They envision a “quarterback” working hard to focus and coordinate the many public and private sector efforts already going on. Commissioner Mills said the process of developing the recommendation was difficult but the committee arrived at a good place. She hopes that the City Council will look at all of the CRC’s recommendations and take at least some of them to heart and really make changes. No one is investing in the urban core like they are investing in other parts of the city and something has got to change. The disparities in living conditions are huge across the city.

Public Participation:

Stanley Scott supported the committee’s recommendation and said that money has been taken from the urban core for decades and used in other parts of the city. Jacksonville’s leadership has long neglected the urban core and marginalized its citizens because of their race. He thinks it’s illegal for the City to have taken money from the urban core and given it to the DIA.

John Nooney said the proposed UCDA is massive. The CRC has taken no testimony from anyone with expertise in waterways. He urged the CRC to recommend a charter amendment requiring that the DIA, CRAs and the proposed Urban Core Development Authority mandate public access to waterways in any project supported by public funds as a way revitalize the urban core.

**Motion** – approve the committee’s recommendation to create an Urban Core Development Authority

Commissioner Jameson asked about the proposed funding sources and amount and questioned whether the dollar amounts belong in the Charter. Commissioner Gentry said the disparities and the need for change are abundantly clear and have been for decades. He asked if the CRC was going to develop the wording of a charter amendment or leave it to the City Council and Office of General Counsel to draft. Ms. Knight said the committee could draft language if that was the CRC’s desire, with the assistance of the OGC. Commissioner Schellenberg said that mayors and city councils over the decades have not done a good job of dealing with the urban core’s issues. Some improvements are taking place in small pockets through the efforts of private individuals who are investing in those areas. Commissioner Knight said the committee did not decide on a dollar figure that the UCDA needed, but would leave that to the authority itself to determine. Mr. Schellenberg said that the area suffers from gerrymandered city council districts which split the community among 3 or 4 council members. It would be much better off if the next redistricting process assigned it one city council member who would be the “quarterback” for the area the committee is recommending. He feels it’s the responsibility of the mayor and city council to tackle the problems of that area.

Commissioner Griggs said that elected officials have failed the area for 50 years and a UCDA would mandate that someone actually do something for the good of the urban core. One council member representing this area would have very little influence in the City Council. Commissioner Denton said that the UCDA as envisioned would hire a qualified executive director who can lead a strategic planning effort and deal with the complexities of poverty and translate the needs of the community into concrete action. The mission of the UCDA should not be just infrastructure improvements – the problems are much broader and need a much more comprehensive approach that also deals with crime, education, economic opportunity and the like. Commissioner Lisska expressed support for the concept being proposed but hoped the committee would draft the charter language for the commission to consider. She asked for more information on how the staffing and funding level were determined. Chairman Brock felt that recommending the UCDA conceptually would be the best way to proceed, and leaving it to the City Council and Office of General Counsel to determine how it would best be adopted, via the Ordinance Code or the Charter, and to craft the specific language needed for implementation. Commissioner Swanson said that the commission should understand the lack of trust in the community about government’s role and recognize the decades of neglect that have produced the current conditions. It is the whole city’s responsibility to deal with the conditions suffered by that area and to make things right, and the UCDA is a way to make a start. Commissioner Baker agreed with the recommendation and the concept of focusing all of the varied efforts into a more concerted, strategic effort. She advocated for some specific language regarding the roles and duties of staff, requirements for the strategic plan, etc. and felt that it would not be difficult to craft simple charter language based on the DIA’s authorizing language. Commissioner Hagan also agreed with the general recommendation but wanted to see more specific language that would constitute the charter amendment. He did not think that the CRC had the authority to offer Ordinance Code amendments in lieu of charter amendments. Commissioner Gentry said he and Commissioner Swanson would make themselves available next week to assist the committee in drafting appropriate charter amendment language.

**Motion** (Gentry): amend his previous motion to have the commission adopt the committee’s recommendation in principal and direct the committee to craft specific charter amendment language for approval at a future meeting - **approve 13-0**

Commissioner Howland commended the committee for its recommendation because of the tremendous need for equal opportunity in that area. Commissioner Denton asked that someone produce an initial draft for the drafting committee to consider next week. The group agreed to notice a meeting for 4 p.m. on Monday in the Don Davis Room for a drafting committee to work on specific charter amendment language.

**Motion**: approve the committee’s recommendation to have the commission adopt the committee’s recommendation in principal and direct the committee to craft specific charter amendment language for approval at a future meeting - **approve 13-0**

Government Structure and Preserving Institutional Knowledge

Commissioner Swanson said the committee had several recommendations, some in favor of making charter changes and others against making charter changes. The committee recommended against making any changes on the subject of ranked choice voting, non-partisan elections and making changes to the size or structure of city council. The committee did recommend that term limits for City Council members be increased from 2 to 3 terms to assist in preserving institutional knowledge.

Public Comment:

Stanley Scott advocated for keeping the 2 term limit for council members.

John Nooney said ethics was put back into the charter 10 years ago but has been gutted since. He advocated for keeping the 2 term limit for council members. He did not agree with giving at-large council members specific powers.

**Motion** – the commission makes no recommendation regarding ranked-choice voting or non-partisan elections, but will provide commentary for inclusion in the CRC’s final report about the committee’s research on the subject -

**Motion** (Gentry) – amend the original motion to include the size and composition of city council as another issue on which to make no recommendation – **approved 13-0**

**Motion**: approve the committee’s 3 recommendations to make no recommendations for charter amendments on the subjects of ranked-choice voting, non-partisan elections or the size and composition of city council - **approved 12-1 (Schellenberg opposed)**

**Motion**: approve the committee’s recommendation to amend the charter to extend City Council term limits from 2 to 3 terms, beginning with the Council taking office in 2031, leaving the term limits for the Mayor and constitutional officers unchanged –

Commissioner Baker argued against extending term limits for a variety of reasons, including the infusion of new perspectives to the council and promoting accountability for council members. She cited two articles distributed to the commission about overwhelming public support for term limits. Council Member Schellenberg said that term limits limit institutional knowledge and give too much power to the bureaucracy. We’ve had term limits for 30 years and he believes a new generation of voters should have its opportunity to have a say on term limits. He opposes the move in the state legislature to impose term limits on school boards. Other cities without term limits are much more successful than Jacksonville in the Florida League of Cities and Association of Counties because of their longevity. The voters should have the ultimate authority to decide how long an elected official stays in office. Commissioner Griggs asked for the committee’s rationale for recommending the 3 terms. Commissioner Swanson said that term limits shifts power to long-time staff rather than elected officials. His experience as a judge was that many judges matured and became much better at their job in their 10th or 12th year. He supports the extension, but recognizes that the extension to 3 terms might not be politically palatable to the City Council. Commissioner Jameson said that the extension does not guarantee that a council member will be re-elected – the voters hold the ultimate authority on how long they serve.

Commissioner Santiago asked if the extension to 3 terms included a limit on total lifetime terms; it does not, and a council member may serve again after sitting out an election. Ms. Santiago noted that council members could self-impose a 2-term limit if that’s their philosophy. Commissioner Howland felt that 2 terms is enough for an elected official. Commissioner Denton said he believes that elected officials learn and grow in office and would be better served by having more time in office to mature. Commissioner Mills supported the 2 term limit and felt that it helps remove ineffective council members. Some council members have served for many years and yet nothing has changed in the areas they represent. Commissioner Griggs said that the voters need to elect people who are experienced and ready to serve from day one. Incumbents are very difficult to defeat when they run again, so he supports the 2 term limit. Commissioner Hagan agreed that incumbents have great power to ensure their re-election. Commissioner Schellenberg said that 8 years is an artificial barrier and removes good, qualified, experienced members. Well-run businesses don’t fire their good employees after 8 years. Commissioner Baker said that council members can bring their experience back to the council after sitting out one election, and several have. Judges are a different breed and have very different types of experience needs.

**Motion** (Gentry) - table the motion and take it up next week so that the commission can move on to the recommendation of the Strategic Planning Committee - **approved 9-3** (Jameson, Baker and Mills opposed)

Strategic Planning Committee

Commissioner Gentry explained the committee’s research on other cities’ strategic plans and the recommendations of the Task Force on Consolidation’s *Blueprint for Improvement II* report. The committee felt that Jacksonville has been weak on continuity of plans and initiatives, frequently changing course after every election of a new mayor and city council. He described the purpose and mission of the proposed Strategic Planning Commission and described the difficulty of coming up with the commission’s membership given the impact of the Government in the Sunshine Law on the ability of the members to speak to each other in the course of their regular business responsibilities. They adopted a suggestion by former City Council member Bill Gulliford to use the 5 at-large council members as the basis of the commission. The Sunshine Law implications were dealt with by allowing top officials to appoint designees to represent them on the commission so that their ability to talk to each other would not be impeded. The Advisory Council to the Strategic Planning Commission is the place for a wide variety of community interests and perspectives to be represented. The overall goal is to promote citywide engagement in a plan to reinvigorate the city and to provide a mechanism for accountability and measuring progress toward meeting the goals. The committee debated the length of the strategic planning term; 10 years is fairly common among cities, some are shorter, but the term should exceed the 4-year terms of mayors and city councils. The committee was divided on appropriate length, feeling that 6 to 10 years was appropriate. There is an annual reporting requirement to keep the city government and its associated agencies focused and on track during the 6-10 year length of the plan. The committee recommends that a skilled consultant be retained to help develop the plan who knows how a strategic plan should be organized and what it should include.

Chairman Brock asked Commissioner Jameson to draft specific charter amendment language for the term limits recommendation for consideration at the next meeting.

Future meetings

Thursday, March 5th at 8:30 a.m.

Public Comment

None

**Meeting adjourned:** 12:01 p.m.

Minutes: Jeff Clements, Council Research Division

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Posted 3.2.20 4:00 p.m.