

**OFFICE OF THE CITY COUNCIL**

**RESEARCH DIVISION**

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**CHARTER REVISION COMMISSION MEETING MINUTES**

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

 **March 5, 2020**

**8:30 a.m.**

**In attendance:** Commissioners Lindsey Brock (Chair), Jessica Baker, Frank Denton, W.C. Gentry (arr. 8:40), Nick Howland, Heidi Jameson (arr. 8:44), Emily Lisska, Betzy Santiago, Ronald Swanson

**Excused**: Commissioner Charles Griggs

**Also**: Paige Johnston – 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**: 8:34 a.m.

The meeting was convened without a quorum present

Approval of Minutes

The minutes of the meetings of February 28, 2020 were **deferred until a quorum arrives**

Public Comment

Stanley Scott of the African American Economic Recovery Think Tank said that he does not see that this or any other previous Charter Revision Commission has made any progress in rectifying Jacksonville’s problems. Consolidation was supposed to have solved the city’s problems but nothing ever changes with regard to equality of outcomes. Leadership and ethics are still a big problem for this city. Citizens, particularly African-Americans, are disenfranchised.

Urban Services District Committee

Chairman Brock asked Paige Johnston of the General Counsel’s Office to review the charter amendment language she drafted after the drafting committee for this recommendation met on Monday. She explained that the draft is based largely on the structure and language of the Downtown Investment Authority’s authorizing language, with Urban Core Development Authority-specific contributions in several areas by volunteer drafters (Commissioners Baker, Brock and Gentry). Commissioner Denton asked if the commission’s final report will contain the exact language of the Charter recommendations; Chairman Brock said that it will. Mr. Denton asked about the inclusion of findings and other non-operative language in the Charter and whether that is typical of a charter amendment. It is not typical, but is also not unheard of.

Public Participation

Stanley Scott expressed concern about marginalizing certain areas of town by stigmatizing them as uneducated or poverty-stricken. There are well-educated, economically successful people in all parts of town and most of the disparity in factors is due to institutional racism.

**Motion**: approve the Urban Services District Committee report recommending a Charter amendment to create an Urban Core Development Authority

Commissioner Jameson asked about the rationale for the millage differential proposal and the authority for the UCDA to be able to buy, own, lease, manage and sell property. Paige Johnston said that the millage proposal was one of several potential funding options for the authority, with the expectation being that the City Council would ultimately decide how the authority would be funded. Language is included that envisions the potential of establishing a Community Redevelopment Area if that method should be selected. The future of the existing King/Soutel CRA would need to be determined if a new CRA was chosen as a funding mechanism. Commissioner Denton said that the idea of a millage differential was one of several potential funding options for the City Council to consider. Chairman Brock said that the merging of an existing CRA into a new development authority for this area would likely be accomplished by the same mechanism as the pre-existing downtown CRAs were merged into the Downtown Investment Authority several years ago. Commissioner Gentry said that the committee felt it was important to provide some findings in the charter amendment to establish the context and reasoning for the UCDA recommendation so that the work of the commission and the rationale for the recommendation would be permanently memorialized in the Charter itself rather than in a report that ends up on a shelf and is lost or ignored. He believes there will be substantial pushback on the proposal from various angles and therefore the commission needs to put its best foot forward in making the strongest case possible for the creation of the UCDA.

Commissioner Baker said that her understanding of the inclusion of the language regarding owning, managing and selling property was that it largely mirrored the DIA’s authority regarding downtown property and that it was intended to be in the Charter rather than in the Ordinance Code so that it could not be easily removed by the City Council. Paige Johnston said that the attorney for the DIA noted that the DIA is created in the Ordinance Code rather than the charter and suggested that might be the appropriate mechanism for creating an authority. She said that the committee’s hope was that the recommendation be adopted and the UCDA created, regardless of the mechanism. Commissioner Denton said that the committee did not go line by line through the powers and duties section of the proposal and did not specifically discuss the property ownership and management aspect. He said the committee felt strongly that the UCDA needed to be created in the charter to give it substantial “gravitas” and emphasize its importance, given the passionate testimony the committee heard in its town hall meetings about the magnitude of the needs in the community and the real feeling of despair about conditions in some communities.

Commissioner Baker suggested that the commission is not well suited to crafting the specific powers and duties of the UCDA and proposed leaving that task to the City Council and Office of General Counsel to craft the specifics of the charter amendment language. Commissioner Lisska asked about the intent of the “without further City Council approval” language in several powers and duties and whether that language applied to all of the powers and duties or just the several that specifically include the language. Chairman Brock said that normal interpretation would be that that language applies only to the specific bullet points in which it is included and not to others. Paige Johnston explained that City Council has approved some template forms and agreements that allow the administration to undertake some transactions without the need for specific Council approval each time. She gave the caveat that any agreements or projects that require an appropriation to or from the City would require the approval of City Council. Commissioner Santiago noted that the property language being discussed in Section 4 is also included in Section 2(h) in the definition of “*Urban Core Project*”. Chairman Brock suggested the addition of language limiting the UCDA’s authority to activities “subject to the adopted master plan” in addition to being subject to appropriated funds. Commissioner Gentry suggested reorganizing the powers and duties section to move all but #1 (appointing a CEO) and #3 (develop and interpret and urban core master plan) as sub-bullets under #3.

Council Member Baker suggested several potential changes: on page 6 change “Functions and Duties” to “Powers and Duties”; on page 4, change 1 resident or person with substantial business interest in the district to 2 persons; on page 4, delete the language regarding designation of City Council appointments by council members whose districts are incorporated in the UCDA. Commissioner Howland recommended deleting the italicized language in the latest draft of the recommendation and leaving it to the discretion of the report drafter to incorporate what is deemed to be appropriate. Commissioner Gentry recommended deleting subparagraph 2(d) on page 2 and first bullet point on page 3, and renumbering the second and third bullet points a 2(d) and 2(e). Commissioner Denton challenged the deletion of (2)(d) because the committee felt that truth was needed in reflecting the frustration expressed by community about their lives. Chairman Brock said that he would work on language that reflects the truth of the situation in a way that does not cast unfair aspersions on the community. Commissioner Swanson suggested leaving 2(d) intact because they are important findings of fact that support the recommendation and adding some transition language from 2(d) to its bullet points. Mr. Brock drew a distinction between including in the Charter statements of permanent fact versus temporary fact that may change in the future. Commissioner Denton advocated for keeping the language regarding hopelessness and frustration in order to adequately reflect the community’s passionate feelings in the Charter, not merely in the commission’s report.

Commissioner Baker asked if clarification should be added about what field the UCDA CEO’s bachelor’s degree should be in; the group felt more clarification was not needed given the background requirements already included in that section.

Chairman Brock restated the changes agreed to by consensus of the group:

* Page 3, in the first line change the comma after “Jacksonville” to a period. Begin the next sentence with the words “The 2019-20 Charter Revision Commission finds that”. Move this revised sentence below the third bullet point as a fourth bullet point.
* Page 3, relabel the bullet points as subparagraphs (1), (2), (3) and (4).
* Page 3, in the renumbered subparagraph (3), strike “and until” from the end of the second line and start of the third line; delete the comma at the end of the fourth line after “residents” and insert the word “and” between “residents” and “that”; in the fourt line from the bottom of the subparagraph strike the comma and insert a period after “City of Jacksonville” and delete the remainder of that sentence.
* Page 4, under Urban Core Development Authority Board in paragraph(b)(1), on the third line after “appointed by” insert “the” before “Council” and insert “President” after “Council”; in that same line change “one” to “two”; on the next line change “resident” to “residents”; after “boundaries of the UCDA” insert a period and delete the remainder of the sentence.
* Page 6, at the bottom of the page delete “Functions” and replace it with “Powers”.
* Page 7, in subparagraph (2) in the second sentence delete the word “certain” before “pre-approved”.

Public Participation

Stanley Scott agreed with the retention of the language expressing the community’s disappointment and frustration with historical conditions in the community.

**Motion** (Gentry): approve the Urban Service District Committee’s recommendation as revised by the commission and just restated by Chairman Brock

**Motion** (Jameson): delete Powers and Duties subparagraph (6) on page 7 regarding public property - **fails 3-6**

**Motion** (Jameson): delete “manage, lease, operate” from Powers and Duties subparagraph (6) on page 7 regarding public property

After discussion, Ms. Jameson withdrew her amendment.

**Motion** (Swanson): on page 3, remove “further” before “finds in what will become subparagraph (3) – **approved 9-0**.

The Gentry motion was **approved 9-0 as amended**.

Commissioner Gentry clarified with the Chair that the motion as approved makes this committee’s recommendation a Charter amendment and that point is not subject to further discussion; the Chair confirmed that was correct.

Mr. Brock said that the final report will include all of the committee reports as attachments to a report that is being drafted by staff that summarizes the findings and recommendations and makes the format and style more uniform.

Government Structure and Preserving Institutional Knowledge Committee

Term Limits

Chairman Brock noted that the discussion at the last meeting laid out two options – keeping the 2-term limit for City Council or extending the term limit to 3 consecutive. Commissioner Swanson said that the persuasive arguments have been for each side and the decision is really a matter of philosophical disposition.

**Motion**: amend the Charter to extend the City Council’s current 2 consecutive term limit to 3 consecutive terms, becoming effective for the council members elected in 2031 – **fails 3-6** (Jameson, Denton, Swanson in favor).

Chairman Brock said that the commission’s final report will include a section describing the issue and the commission’s deliberations and the failure to make a recommendation for a charter amendment.

Strategic Planning Committee

**Motion**: adopt the committee’s recommendation for a Charter amendment to establish a Strategic Planning Commission and process

Commissioner Gentry advocated for adoption of the recommendation as a way to unify the City’s vision and guide its future development. Commissioner Jameson asked if it would be appropriate to include a requirement for each newly elected mayor to reopen the plan and make suggestions for changes to reflect his/her priorities. She questioned the wisdom of placing an exact dollar figure for the strategic planning effort in the Charter. Commissioner Jameson asked about the representation of minority interests on the Advisory Council.

**Motion** (Howland): Amend the recommendation on page 5 in Sec.VI(a) to add language from Ordinance Code Section 55.131 regarding approval of a budget and establishment of a fiscal year for the Strategic Planning Commission

Commissioner Santiago noted that the committee is recommending that the first strategic plan be adopted by the bicentennial of the City’s founding in 2022, so the commission should ask the City Council to move quickly on this recommendation, particularly if a referendum will be necessary to approve the charter amendment before a strategic planning committee could be appointed.

The Howland motion was **approved 9-0**

The committee’s recommendation as amended was **approved 9-0**

Future meetings

Tomorrow’s scheduled meeting was cancelled due to the progress made today. The Chair asked that any further comments on the document as now constituted following today’s actions be sent in to staff for compilation and consideration by the commission at its next meeting. Meetings are scheduled for March 19 at 8:30 and March 20 at 9:00 a.m. Meetings are tentatively scheduled for March 26 and 30 in case they are needed. Meeting notices will be sent out.

Commissioner Gentry, who will be out of town and unable to attend the remaining commission meetings, thanked the chair and his fellow members for their outstanding work and recommendations. He urged the members to do everything possible to advocate for the recommendations with the City Council and press for action. Chairman Brock said that the Council President has invited him to address the Council at its agenda meeting on March 24th about how they want the commission’s report to be fully and publicly presented. The commission will dissolve when it submits its final report and will thereafter not be covered by the Government in the Sunshine Law restrictions on communicating outside of noticed meetings.

Public Comment

Stanley Scott said the leadership of the African-American community has failed them since consolidation. They have done nothing to remedy the pathologies and disparities in the community. He does not think the at-large City Council members bring any value to the community.

**Meeting adjourned:** 11:22 a.m.

Minutes: Jeff Clements, Council Research Division

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Posted 3.10.20 5:30 p.m.