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## **OFFICE OF THE CITY COUNCIL**

February 2, 2023  
2:15 P.M.

### **MEMORANDUM**

**TO:** Honorable City Council Members

**FROM:** The Honorable Council President Terrance Freeman

**SUBJECT:** **Council Members Named for Special Investigatory Committee on JEA Matters**

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In response to multiple Council members' requests, the Council will reopen the Special Investigatory Committee on JEA Matters. The potential sale of the JEA through the invitation to Negotiate (ITN) process and the alleged attempt to profit off that sale by a certain JEA executive has embroiled our community in scandal for the last five years. In an effort to ascertain the truth about the ITN process and to restore the public's confidence in our city government, then Council-President Scott Wilson announced the Special Investigatory Committee on JEA Matters (SIC). On February 4, 2019, then-President Wilson created the SIC and charged the members with restoring the public trust in JEA.

The SIC began work immediately and interviewed dozens of witnesses under oath and reviewed millions of documents. Notably, for the first time in the history of consolidated Jacksonville, the SIC issued a series of subpoenas that were affirmed by the Council Rules Committee. Those subpoenas were issued to private individuals and to all the ITN bidders. One of those bidders, JEA Public Power Partners responded to the SIC subpoena and stated that it considered hiring the husband of Jacksonville City Council Member Leanna Cumber but did not due to an actual or perceived conflict of interest. Correspondingly, the SIC requested all sitting Council Members declare the contacts they had with JEA officials and any actual or perceived conflicts they might have related to the aborted sale of JEA. City Council Members made their disclosures in September 2020.

The SIC completed its work in December 2020 and issued a 138-page report providing the Council's fullest and best understanding as to what occurred during the ITN. The SIC and related committees proposed legislative fixes such that nothing akin to the scandal surrounding the ITN could ever happen in our community again. Following the release of the SIC's official report, two

JEA executives were indicted by a federal grand jury on fraud and conspiracy charges related to the failed sale of JEA.

On March 2, 2021, Council Member Leanna Cumber made her disclosures regarding the ITN stating: "I have no conflicts regarding JEA and ITN."

Documents have come to light, including emails and text messages, that contradict responses given by JEA Public Power Partners and the disclosure provided by Council Member Cumber.

In order to ensure to the people of Jacksonville that their City government was not deceived by any bidders or elected officials during the investigation into the attempted sale of JEA, I hereby renew and recharge the Special Investigatory Committee on JEA Matters. The Committee is charged solely with the following:

1. Investigate whether the Committee was deceived or misled by Council Member Cumber of JEA Public Power Partners responding to subpoenas or making disclosures.
2. Ascertain whether Council Member Cumber attempted to use her official position to influence the ITN process for personal gain; and
3. Propose legislation to ensure that such deceptions, if any, do not impede the work of any future investigatory committee.

Members:

Council Member Rory Diamond, Chair  
Council Member Nick Howland, Vice Chair  
Council Member Sam Newby  
Council Member Michael Boylan

Deadline:

**The Special Investigatory Committee (SIC) will hold its first meeting on:  
Wednesday, February 8, 2023, at 8:30 a.m., City Council Chambers.**

Thank you to each of the Council Members and the staff who made the commitment to serve on this important committee.

cc: Council Members/Staff  
Margaret M. Sidman, Director/Council Secretary  
Merriane G. Lahmeur, Chief, Legislative Services Division  
Kim Taylor, Council Auditor  
Jeff Clements, Chief, Research Division  
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