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CITY COUNCIL PERSONNEL COMMITTEE

Meeting Minutes

**September 17, 2024
3:00 p.m.**

Location: Lynwood Roberts Room, 1st floor, City Hall

In attendance: Committee Members Kevin Carrico (CVP), Ron Salem (Finance Chair), Nick Howland (Rules Chair), and Rahman Johnson; Council Members Peluso, J. Carlucci and Clark-Murray

Also: Mary Staffopoulos and Michael Fackler, Office of General Counsel; Kim Taylor and Phillip Peterson, Council Auditor's Office; Peggy Sidman, Council Secretary/Director; Colleen Hampsey, Council Research

Meeting Convened: 3:01 p.m.

Council Vice President Carrico regarding Legislative Counsel

Council Vice President Carrico convened the meeting and called for introductions. Council Member Salem reviewed the history of hiring outside legislative counsel for certain issues. He explained that the idea arose earlier during the stadium negotiations. At the Personnel Committee meeting in April, the members voted to proceed with contract negotiations for legislative counsel from GrayRobinson. Similarly, last year, council engaged with Michael Huyghue as a consultant in the stadium negotiations. Council Vice President Carrico said that outside counsel is needed for advice and guidance in the negotiations for the Laura Street Trio development agreement.

Council Vice President Carrico said that while GrayRobinson is an excellent firm, he researched other firms that may have more expertise with development agreements, particularly with large projects and/or historic buildings. He noted the magnitude of this project to the future of downtown. CVP Carrico said he identified a firm from Philadelphia, Ballard Spahr, with extensive expertise. The firm worked previously on projects including the National Harbor, Denver Union Station, Hippodrome Theater in Baltimore, Annapolis City Dock project, and the Miami-Dade Courthouse. Mr. Fackler said that council is permitted by Charter to retain outside counsel. Council Vice President Carrico mentioned the billing rates, \$400/hour for GrayRobinson and \$625/hour (blended rate) for Ballard Spahr.

Council Member Salem said the committee should consider the firm recommended by CVP Carrico. Council Member Johnson asked if the funds (\$100,000) appropriated through 2024-160-E will be enough for guidance during the Trio negotiations. Mr. Fackler said most professional service contracts contain “not to exceed” language to keep fees in check, and that fees fluctuate based on the scope of work, length of time and complexity. CVP Carrico indicated that the firm is aware of the \$100,000 budget. Council Member Salem said that much of the work has already been done so the timeline will reflect that.

Council Member Howland asked if the Ballard Spahr firm is connected to the lobbying firm Ballard Partners. CVP Carrico said they are not affiliated. Council Member Peluso asked about blended billing hourly rates. Mr. Fackler said that a blended rate is for services of two or more staff members at the same hourly rate when the staff members are normally billed at different hourly rates, it reduces the partner’s hourly rate and raises the others to get an overall lower hourly rate. Council Member Johnson asked if OGC will review the Laura Street Trio agreement. Mr. Fackler said that the contracts will be drafted by the retained legislative counsel, and they can be reviewed as part of the legislation if requested. Mary Staffopoulos said that OGC generally drafts the engagement letters for outside counsel. Ms. Staffopoulos explained that although an engagement letter was signed previously with GrayRobinson, the funds appropriated for outside counsel through 2024-160-E are not encumbered and the bill did not identify a specific law firm. The Office of General Counsel will collaborate with Ballard Spahr on an engagement letter. CVP Carrico said his expectation is to have an agreement with a bill that has gone through the legislative process by the holiday break in December.

Motion/2nd CMs Salem/Howland: Proceed with contract negotiations for legislative counsel from Ballard Spahr, specific to the Laura Street Trio project.

Public Participation: none

Approved unanimously (4-0) by voice vote.

Comments from Committee Members

Council Member Howland mentioned 2 incidents within the city council office related to staff complaints. He suggested an internal staff climate survey to dispel or confirm any office issues. An annual workplace climate survey was listed in the council secretary job expectations approved by the Personnel Committee in 2022. Council Member Salem said he discussed a survey with Ms. Moser, Director of Employee Services, in June at the end of his council president term but he was unsure of the status of the process. Ms. Sidman, Council Secretary/Director, said she discussed a staff survey with Council President White, former Council Member Bowman, and Ms. Moser. She indicated that she asked whether any other City entities do surveys, and she gleaned that JEA conducts an annual employee survey using Glint as a vendor. Ms. Sidman was not certain of the exact cost, but she estimated a range of approximately \$70,000 - \$100,000. Council Member Johnson asked whether selecting a survey vendor would have to go through Procurement and a bid process. Ms. Staffopoulos said it could be handled through a direct contract and an exemption from competitive solicitation as outlined in Sec. 126.108, *Ordinance Code*.

Motion/2nd CMs Johnson/Carrico: Recommend an appropriation of \$4500 from the council contingency account for a staff survey conducted within a 90-day period, to be conducted annually going forward.
(Withdrawn by CM Johnson)

Council Member Salem said that division chiefs should be evaluated in the survey as well, and he emphasized that Ms. Sidman should not spearhead this process, but instead Ms. Moser should take charge of the next steps. He suggested that it may be possible to have the survey conducted internally through Employee Services. There was discussion about who should conduct the survey and who should select the third-party survey vendor. Councilman Johnson emphasized the need to do the survey correctly and without bias, using an objective outside entity. Funding for the survey, if needed, will be addressed in an appropriation in future legislation.

Motion/2nd CMs Howland/Johnson: Request that within 30 days the Director of Employee Services, or deputy, report to the Personnel Committee at least 2 recommendations for third-party survey vendors for an annual city council workplace climate survey, to be conducted within 90 days.

Public Participation: none

Approved unanimously (4-0) by voice vote.

With no further business, CVP Carrico adjourned the meeting.

Meeting adjourned: 3:49 p.m.

Minutes: Colleen Hampsey, Council Research

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9.23.24 Posted 5:00 p.m.