

Questions From the Special Committee

Definitions

1. “Consultant” and “Consultants” refer to any person, including contractors and subcontractors of JEA’s attorneys, who was not a JEA employee but acted on behalf of, or provided a direct or indirect benefit to, JEA that related to any Investigatory Matter.

2. The terms “document” and “documents” mean, without limiting the generality of the foregoing, correspondence, contracts, agreements, leases, memoranda, notes, calendar, and diary entries, memoranda or notes of conversations and of meetings, studies, reports, offers, inquiries, bulletins, summaries, newsletters, compilations, charts, graphs, photographs, film, microfilm, articles, announcements, books, books of account, ledgers, vouchers, canceled checks, invoices, bills, opinions, certificates, transcripts, and all other tangible things upon which any handwriting, typing, printing, drawings, representation, ESI (electronically stored information, as defined below), magnetic or electrical impulses or other form of communication is recorded, now or at any time in your possession, custody or control, including but not limited to the originals (or any copy when originals are not available), and drafts of documents, and all copies that are different in any way from the original.

3. “ESI” means electronically stored information in all forms in which it is stored and communicated. ESI specifically includes emails, word processing files, electronic documents, spreadsheets, presentations, databases, images, movies, audio files, voicemails, text messages, and any other information stored on any computer, laptop, tablet, cell phone, smartphone, external hard drive USB drive, cd drive, dvd drive, backup drive, SharePoint site, file server, or in any remote or “cloud”-based system or location, including Dropbox. ESI specifically includes, without limitation, all of the following electronic file types: *.msg, *.pst, *.eml, *.jpg, *.tif, *.gif, *.mov, *.mpg, *.mpeg, *.wmv, *.avi, *.wav, *.mp3, *.doc, *.docx, *.wpd, *.xls, *.xlsx, *.ppt, *.pptx, *.mdb, and *.pdf. ESI also includes social media data, including information stored by you or communicated by you through Facebook, Twitter, LinkedIn, Skype, and blogs. ESI also includes business or personal email accounts such as Yahoo Mail, Gmail, Hotmail, Outlook.com, AOL mail, and other web-based email services.

4. “Investigatory Matter” and “Investigatory Matters” refer to the Total Market Compensation Strategy, JEA’s long-term incentive program or PUP, the privatization or recapitalization of JEA, and the ITN.

5. “IRP” means integrated resource plan.

6. “ITN” means the Invitation to Negotiate 127-19 issued by JEA to evaluate proposals on strategic alternatives.

7. The terms “person” and “persons” mean any natural or legal person, including corporations, companies, partnerships, limited partnerships, joint ventures, trusts, estates, public agencies, departments, bureaus, boards, associations, and all other forms of organization, partnership, business entities, or association, whether incorporated or unincorporated.

8. “PFM” refers to Public Financial Management, Inc.

9. “PUP” means the Long-Term Incentive Plan known as the Performance Unit Plan presented at the JEA Board meeting on July 23, 2019.

10. “SLT” refers, individually and collectively, each member of JEA’s senior leadership team.

11. “SLT Offsite Meeting” means any offsite SLT meeting between May 1, 2018 and December 31, 2019, including the following:

- May 31, 2018 – White Oak Conservatory
- June 26, 2018 – Ponte Vedra Inn & Club
- April 4, 2019 – Ponte Vedra Inn & Club (Tarpon Room)
- May 20, 2019 – The Dalton Agency Side Car [Sidebar]
- July 10 – 12, 2019 – Club Continental
- July 31, 2019 – Foley & Lardner’s Jacksonville Office
- August 7, 2019 – The Florida Room at the Surf Club
- August 19, 2019 – Ponte Vedra Inn & Club
- August 20, 2019 – Ponte Vedra Inn & Club
- December 19, 2019 – The Dalton Agency Side Car [Sidebar]

12. “Strategic Initiative Proposal” means the City of Jacksonville’s Request for Proposals to Provide Strategic Initiatives Financial Advisory Services to the City of Jacksonville, Florida dated December 20, 2017 (available [here](#)).

Questions

1. State the total amounts of money JEA has paid or owes to all of the Consultants collectively for their goods and services relating to any Investigatory Matter.

Answer:

2. Provide the name and title of each Consultant, JEA employee and other individual that worked on the Strategic Initiative Proposal (available [here](#)).

Answer:

3. Provide the name and title of each Consultant, JEA employee and other individual that attended each SLT Offsite Meeting.

Answer:

4. Explain why the completion of the 2019 IRP was delayed and identify each person, including Consultants, who was involved in the decision to delay the IRP.

Answer:

5. Were performance units promised to, allocated to, or purchased by any person, including any attorney with the Office of the General Council, prior to the cancellation of the PUP? If so, identify each person, his or her employer, and the number of performance units allocated to or purchased by each person.

Answer:

6. Why did E&W Development Corporation not participate in ITN negotiations?

Answer:

7. Explain why JEA selected Stephanie Burch, Randall Barnes, and Robin Smith as its ITN negotiation team and identify who participated in that decision.

Answer:

8. How many appointed employees did JEA have on October 11, 2019 and November 4, 2019, respectively?

Answer:

9. Identify each person who received or viewed the December 2019 “Project Scampi—Summary of Revised Replies” prepared by J.P. Morgan.

Answer:

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