**Proposed CM Priestly Jackson Proposed Consensus Comments**

(OGC Handout #1 – 6/8/2020 Meeting Future on JEA Special Committee)

1. **Article 21, Section 21.03 (Composition; compensation; officers; meetings)**

Add the following revisions to the new proposed subsection (e) (Transparency in meetings):

1. Require auditors to receive meeting agendas and materials for all JEA board meetings in substantially the same timeframe and content as provided to JEA members (current language only provides “regular” meetings)
2. Encourage CEO and JEA board to require in the JEA board policy manual that meeting agendas and materials are delivered to the public no less than 7 days in advance of each scheduled meeting, but also include flexibility for emergency and special meetings
3. **Article 21, Section 21.04(p) (Powers)**

Add the following revisions to the new proposed subsection 21.04(p):

1. Add the descriptive “activity” to the phrase “services, products, by-products” throughout the subsection
2. Expressly provide that the JEA governing body must approve all services, products, by-products and activities performed by JEA pursuant to this subsection at a duly noticed JEA board meeting
3. Provide that the JEA governing body’s approval over services, products, by-products, and activities may not be delegated to the CEO or other agent or employee
4. Provide that JEA must provide the council auditor notice of the new service, product, by-product or activity that JEA desires to provide, transfer, sell, finance or lease no less than 60 days prior to such date that the JEA governing body is scheduled to approve such new service, product, by-product or activity at a duly noticed JEA board meeting
5. Add specific provision that addresses a delay by JEA in providing the required council auditor notice; board meeting approval date must be delayed or extended by the equal number of days that JEA delays in providing the notice
6. Provide that the required notice to council auditor shall reference this subsection in the notice and the scheduled board meeting agenda that the service, product, by-product or activity is anticipated to be approved by the JEA governing body
7. Provide that no service, product, by-product or activity may be provided, transferred, sold, financed, or lease prior to the required council auditor’s notice being given and that such JEA action shall be void unless notice as provided in the charter has been provided to council auditor
8. Add a cross-reference to the New Section 21.11 providing that none of the prohibited transfers under Section 21.11 shall be permitted under this subsection (p)
9. Provide a more general and less detailed notice than the council auditor’s notice for the council and mayor
10. Revise council auditor notice requirement (v) “any other relevant or useful information developed by JEA or third party consultants” to say “any other information developed by JEA or third party consultants”
11. Require the annual comprehensive report regarding the services, products, by-products and activities to also go to the council auditor
12. **Article 21, Section 21.04(v) (Powers)**

(v) If JEA determines that it is necessary or appropriate for it to provide, operate or maintain any other utility system or function other than electric, water wastewater and natural gas, JEA shall by resolution identify such additional utility system or systems or function or functions and indicate its desire to provide such utility service or services or function or functions to the council. The JEA resolution to be provided to council for adoption and approval shall address relative real property tax treatment of JEA providing, operating or maintaining the additional utility system. Upon the adoption and approval of this resolution by JEA and the council, voting as separate entities, JEA, with respect to the specified system or systems, shall be vested with all powers set forth herein or in general law that would, but for the provisions of this article, apply to such specified utility system or systems.

Add the following new provisions subsection (v):

1. Add a similar council auditor notice requirement as in subsection 21.04(p) of no less than 60 days notice prior to filing the required JEA resolution to be provided to council for adoption and approval
2. Add similar notice content requirements as in subsection 21.04(p) to include the following:
   * (i) a system or function description
   * (ii) business plans
   * (iii) proposed contracts, if any
   * (iv) financial analysis, including projected revenues and expenses
   * (v) any other information developed by JEA or third party consultants regarding the system or function