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CITY OF JACKSONVILLE
CHARTER REVISION COMMISSION
MEETING

Proceedings held on Thursday, January 21,
2010, commencing at 9:00 a.m., City Hall, Conference
Room A, 4th Floor, Jacksonville, Florida, before
Diane M. Tropa, a Notary Public in and for the State
of Florida at Large.

PRESENT:

- WYMAN DUGGAN, Chair.
- MARY O'BRIEN, Vice Chair.
- ED AUSTIN, Commission Member.
- JIM CATLETT, Commission Member.
- WILLIAM CATLIN, Commission Member.
- JESSICA DEAL, Commission Member.
- TERESA EICHNER, Commission Member.
- ROBERT FLOWERS, SR., Commission Member.
- MECHELLE HERRINGTON, Commission Member.
- ALI KORMAN, Commission Member.
- JEANNE MILLER, Commission Member.
- GARY OLIVERAS, Commission Member.
- CURTIS THOMPSON, Commission Member.
- GEOFF YOUNGBLOOD, Commission Member.

ALSO PRESENT:

- STEVE ROHAN, Office of General Counsel.
- JEFF CLEMENTS, Research Division.

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1 P R O C E E D I N G S

2 January 21, 2010 9:00 a.m.

3 - - -

4 THE CHAIRMAN: Good morning, everybody.

5 I'm glad everybody could find our new
6 location. It was a bit of a scavenger hunt, but
7 it seems to have worked out for everybody.8 I want to thank especially Mr. Clements for
9 handling the switch -- there was actually a
10 double switch. First, we were going to be
11 downstairs in Lynwood Roberts, and then we got
12 bumped this morning up here. So Jeff has done
13 his usual outstanding job supporting us, and I
14 want to publicly thank him for that.15 I have notice -- received a notice that
16 Mr. Catlin will be a little late, and
17 Ms. Garvin -- Commissioner Garvin is out of town
18 today. So, for the record, they will not be
19 here.20 And let's go ahead and start with the roll
21 call, starting with Commissioner Thompson.

22 MR. THOMPSON: Curtis Thompson.

23 MR. OLIVERAS: Gary Oliveras.

24 MS. KORMAN: Ali Korman.

25 MR. FLOWERS: Robert Flowers.

1 MS. EICHNER: Teresa Eichner.

2 MS. O'BRIEN: Mary O'Brien.

3 THE CHAIRMAN: Wyman Duggan.

4 MR. AUSTIN: Ed Austin.

5 MS. MILLER: Jeanne Miller.

6 MR. YOUNGBLOOD: Geoff Youngblood.

7 THE CHAIRMAN: Okay. We will start with
8 the Pledge and a moment of silence.

9 (Recitation of the Pledge of Allegiance.)

10 THE CHAIRMAN: Thank you.

11 The court reporter, Ms. Tropa, has asked
12 me to remind of each you that this room is a
13 more informal setting than we record downstairs
14 in the chambers, and that can unconsciously tend
15 to encourage talking over each other on
16 occasion, so I would just ask each of you to
17 remember that when she's got -- her job is to
18 get each of our words down on paper, so be
19 mindful of that, try to not speak over each
20 other so that she can get everything down
21 accurately.

22 You have your agenda before you.

23 Mr. Clements, do you want to give us just a
24 small rundown of the other items that we have?

25 MR. CLEMENTS: Yes, sir.

1 In addition to your agenda and the
2 transcript of the prior meeting, you will find a
3 proposal from Commissioner Oliveras on the
4 strategic plan idea. There is a several-page
5 letter from Carla Miller, the ethics officer, in
6 the form of an e-mail to the commission.

7 There is a handout from Commissioner
8 Oliveras which is an article from the newspaper
9 in Rochester, New York. Actually, it -- yeah, a
10 couple of articles stapled together from the
11 newspaper in Rochester where they are going
12 through the debate on elected versus appointed
13 school board.

14 (Mr. Catlett and Ms. Deal enter the
15 proceedings.)

16 MR. CLEMENTS: And there are several
17 e-mails and letters that were sent to you at
18 your -- either to your -- the Charter Revision
19 e-mail address or to me to distribute to all of
20 you.

21 So that's what is in today's packet.

22 THE CHAIRMAN: Thank you.

23 And I will note for record that
24 Commissioners Catlett and Deal have joined us.

25 Mr. Rohan, do you have some interns you'd

1 like to introduce?

2 MR. ROHAN: Yes. Leonardo and Jessica,
3 both from Florida Coastal University. It's part
4 of our municipal law clinic at the Office of
5 General Counsel. Very happy to have them.

6 THE CHAIRMAN: Welcome.

7 MR. ROHAN: Thank you.

8 THE CHAIRMAN: You'll get to see how the
9 sausage gets made.

10 MR. ROHAN: Well, they were at Rules
11 Committee already.

12 THE CHAIRMAN: So they're full.

13 Commissioners, as you can see from our
14 agenda, we have no speakers today. I had
15 attempted to line up some speakers for today
16 regarding various different issues, and I would
17 like thank Commissioner Miller for her help in
18 that effort. We --

19 MS. MILLER: Unsuccessful.

20 THE CHAIRMAN: Well, one of them is coming
21 next week. So we will hear from a
22 representative of the State Ethics Commission
23 next week. And we had hoped to hear from
24 Mayor Frank Ortiz or somebody from his
25 administration, and -- he's the mayor of

1 Pembroke Pines. They created their own charter
2 school district, not operated by the Broward
3 County School District.

4 And, unfortunately, we just weren't able to
5 get anybody this week. I suppose there's an
6 outside chance before we're done, but I think
7 the odds of that are now diminishing.

8 However, as it turns out, I do think
9 there's plenty of items that we can discuss
10 among ourselves and probably a good time to have
11 a meeting set aside just for discussion and
12 debate. So, on the one hand, I'm sorry that I
13 wasn't able to line anybody else up for us to
14 hear from, but I do think we have some items to
15 talk about.

16 And because we laid this on the table at
17 our last meeting in order to hear from
18 Mr. Tilson, I will go to Commissioner Miller to
19 see if she wants to pick up with respect to the
20 motion that she had made on budgetary
21 considerations following our vote on the
22 sheriff.

23 MS. MILLER: Sure.

24 And I've taken into consideration some of
25 the discussion. I'm passing out at this stage

1 just some suggested language changes, which I
2 haven't had a chance to give to Mr. -- I'll do
3 that now -- Mr. Rohan.

4 And, you know, after our discussion about
5 whether or not there should be some additional
6 commission, group, entity, body, or otherwise to
7 examine the structure of the charter or the --
8 you know, the mayor's budgetary control, I got
9 to thinking that this is really a structural
10 issue with the charter itself as to all
11 independent authorities and what -- the mayor's
12 authority in general over the budge vis-a-vis
13 the council.

14 And so you'll notice that in the charter --
15 I have taken Section 6.05 of the charter, which
16 references -- this is a subsection of. It's not
17 the entirety -- regarding the mayor's veto
18 power. And if you'll look at the proposed
19 language, it just talks about ordinances or
20 resolutions adopted by the council. The mayor
21 has veto power in general over most ordinances
22 or resolutions. In order to override a veto,
23 the council has a two-thirds -- has to override
24 it by a two-thirds vote.

25 But there is a provision exception that if

1 the mayor vetoes any -- what was called an item
2 in the consolidated budget, only a majority vote
3 of the council would it take to override. And
4 it seems to me that's inconsistent with
5 generally a strong mayor form of government,
6 particularly if we're trying to get at ensuring
7 that the mayor has control over the independent
8 authorities and that budgetary control over all
9 of the aspects of consolidated government.

10 So what I have attempted to do is make sure
11 that the mayor's veto power, in fact, is
12 consistent in the charter so that it applies to
13 not just resolutions and ordinances, but to
14 budgetary issues so that it takes a two-thirds
15 vote of the council members to override an
16 ordinance, a resolution, or a budgetary veto.

17 And so this is just proposed language
18 that's open for discussion. I would -- we can
19 discuss it now, vote on it.

20 I would ask Mr. Rohan to provide it to us
21 in a proper format for -- in terms of
22 legislation or in -- versus something that we
23 would incorporate into a recommendation if this
24 commission approves that.

25 So if I move that, then I will --

1 MS. KORMAN: I have a question. This is
2 just a stupid question.

3 MS. O'BRIEN: Is that a motion?

4 MS. MILLER: Yeah. I'll go ahead and move
5 that --

6 MS. O'BRIEN: I'll second.

7 MS. MILLER: -- if that's -- okay.

8 THE CHAIRMAN: Let me just clarify.

9 So you're -- just for the record, being
10 excessively parliamentarian here.

11 You're withdrawing your previous motion?

12 MS. MILLER: Correct.

13 THE CHAIRMAN: This is a new motion?

14 MS. MILLER: Correct.

15 THE CHAIRMAN: And it's been seconded.

16 MS. MILLER: Correct.

17 THE CHAIRMAN: So we will have discussion.

18 As a reminder, since obviously we don't
19 have queue buttons, just raise your hand and
20 I'll recognize everybody.

21 MS. KORMAN: This is a really stupid
22 question, but it bothers me. Does it really say
23 "he" only as the mayor?

24 MS. MILLER: It does.

25 MS. KORMAN: I mean, can we change that?

1 Because that does not make me happy.

2 MS. MILLER: I know it's for "his"
3 consideration and --

4 MS. KORMAN: Well, I mean, just because --
5 especially in the world today, it should be
6 unisex.

7 MR. ROHAN: It's a very old charter.

8 MS. KORMAN: Thank you for making me feel
9 better, Mr. Rohan.

10 MS. MILLER: See, in general --

11 (Simultaneous speaking.)

12 MS. MILLER: It's a friendly amendment.

13 MS. KORMAN: We could say we got something
14 done with that.

15 MR. OLIVERAS: I think that language is in
16 order.

17 MS. MILLER: Gender neutral.

18 THE CHAIRMAN: Remember, we have to get
19 everything down.

20 MS. MILLER: Okay.

21 THE CHAIRMAN: One at a time.

22 MR. ROHAN: While you're on the subject,
23 midway through there, you see when the veto has
24 to be --

25 THE REPORTER: Can you come towards the

1 table --

2 MR. ROHAN: I'm sorry. Sure.

3 THE REPORTER: -- please, Steve?

4 Thank you.

5 MR. ROHAN: Midway down, it says, "Any
6 resolution or ordinance shall become effective
7 on the date provided therein unless it be
8 disapproved by the mayor and returned to the
9 council at or prior to the next regular meeting
10 of the council occurring ten days or more after
11 the date."

12 MS. MILLER: Uh-huh.

13 MR. ROHAN: Effectively, you have a
14 two-week opportunity to veto --

15 MS. MILLER: Uh-huh.

16 MR. ROHAN: -- and it may even be longer
17 than that if the bill doesn't get to the mayor
18 by that Friday after the council action.

19 I encourage you -- I don't want to give an
20 opinion, but I encourage you to look at that.
21 You have Mayor Austin here, and I think you
22 should hear from the mayor and from a member --
23 at least somebody on council as to whether you
24 want to reduce the period of time within which
25 to veto because right now it's two weeks, and it

1 can create chaos in terms of getting it back
2 before the council, and so -- and especially on
3 budget items where a budget has to be approved.

4 MS. MILLER: Uh-huh.

5 MR. ROHAN: So I would be -- I would
6 inquire of your -- Mayor Austin and your mayor
7 and others as to whether the mayor needs that
8 much time, two weeks, within which to make a
9 veto or whether they can move more expeditiously
10 than that. I strongly encourage you to take a
11 look at that.

12 THE CHAIRMAN: Feel free to stay there --
13 Commissioner Garvin is absent today -- just in
14 the interest of the recording.

15 MS. MILLER: And through the Chair to
16 Mr. Rohan and the commission, and I looked at
17 this, and I -- just from my past experience with
18 the budget -- and I know that the council
19 operates on a very strict time frame, and that's
20 governed by statutory -- by a statute in terms
21 of when the budget has to be presented, laid on
22 the table.

23 And so I'm wondering if -- if on this,
24 maybe we can work with you on an appropriate
25 time frame for the council to present any

1 budgetary items to the mayor, and then sometime
2 in the time when it's laid on table, if it's
3 appropriate, then the mayor has the opportunity
4 to veto.

5 My concern is that usually the budget is
6 passed days before the September 30, you know,
7 expiration date and the October 1st commencement
8 date of the new fiscal year, and I don't know if
9 that's enough time. So we may need to build in
10 some language that would allow for some
11 flexibility there or to adjust to that time
12 frame.

13 MR. ROHAN: No, I think it's a good idea.

14 I don't think the charter could be amended
15 to allow for a veto before the bill is passed.
16 But, on the other hand, when it comes to the
17 City's budget, for the purposes of the City's
18 budget -- and this charter provision addresses
19 the City's budget.

20 For purposes of the City budget, that time
21 could shortened further and -- because the mayor
22 knows exactly what's going on at budget time
23 to -- three or four days or two days within
24 which to veto and then for a special meeting of
25 the council to be called to address any veto

1 shortly thereafter so that the public's budget
2 can be passed in good order.

3 But I think it's an excellent idea.

4 MS. MILLER: I'd certainly entertain any --

5 MS. KORMAN: Can we hear from Mayor --
6 Commissioner Austin on his thoughts on that
7 since he has the most experience in the room?

8 THE CHAIRMAN: Absolutely.

9 MR. AUSTIN: I would love to speak to you,
10 but I can't tell you very much.

11 And it's sort of ludicrous, you know, to
12 veto something that you knew was going to be
13 overridden by a majority. I mean, we just
14 didn't do it.

15 But I don't think you need very much time.
16 I think if you -- you probably know when you
17 send it down whether you would veto it or not
18 when it comes back up. I would make the time
19 relatively short so as not to hamper with the
20 (inaudible) business.

21 MS. KORMAN: Do we need to clarify language
22 saying from the time it's passed or whatever --

23 MR. AUSTIN: Uh-huh.

24 MS. KORMAN: -- I mean, so specifically the
25 time clock starts at that moment? Does it need

1 to be that specific?

2 MR. ROHAN: Well, certainly the mayor can't
3 act on it until the council is finished with
4 their business.

5 MS. KORMAN: Right.

6 MR. ROHAN: And I will say that from -- the
7 Legislative Services Division of the City
8 Council, this City is absolutely fabulous, and
9 they do a spectacular job of getting their work
10 done.

11 MS. KORMAN: Uh-huh.

12 MR. ROHAN: The amendments have to be
13 conformed to the regular bills. All of the
14 documents have to be changed, and they usually
15 get it to the mayor -- always by that Friday.
16 I've never known them not to, but -- I don't
17 think you can make it by the date of -- the date
18 of passage. I think there has to be a process
19 by which it gets to the mayor.

20 MS. KORMAN: Mr. Chair, so we would --
21 we're suggesting, once the mayor receives it
22 from the appropriate --

23 MR. ROHAN: Uh-huh.

24 MS. KORMAN: -- there's X amount of days he
25 has to do something, I assume?

1 THE CHAIRMAN: Correct.

2 And, Mr. Rohan, this language currently
3 within the charter is delivered to the mayor's
4 office for consideration. Is that a term of art
5 in the charter, or is there a working policy in
6 the General Counsel's office as to what that
7 means? Do we need to clarify that a little bit
8 or --

9 MR. ROHAN: No. I'm -- through the Chair,
10 I think that's pretty clear.

11 THE CHAIRMAN: Okay.

12 MR. ROHAN: And I don't think it's created
13 any problem with the mayor's office. The
14 Legislative Services Division marks down -- they
15 recognize what date and time they give it to the
16 mayor.

17 THE CHAIRMAN: Uh-huh.

18 MR. ROHAN: And so there's no confusion
19 about that. We have not had a problem or a
20 contentious situation with, "Well, when did
21 he" -- "when did the mayor get it?" That's not
22 been a problem.

23 THE CHAIRMAN: Okay.

24 MR. ROHAN: So I don't think this language
25 in and of itself is a problem, okay, except for

1 the timing.

2 MS. MILLER: And I would entertain or even
3 be happy to make an additional motion for -- as
4 to budgetary items, that the veto window is
5 shorter. But I think sometimes for the
6 resolutions and ordinances, particularly
7 involving land use issues or other -- sometimes
8 it takes a little bit longer, and I think I want
9 to -- would like to make sure that the mayor has
10 enough time to review those types of issues.

11 MR. ROHAN: Uh-huh.

12 MS. MILLER: But I think for budgetary veto
13 power, for budgetary authority it could be a
14 shorter window. I mean, I -- it's just a
15 thought. Maybe it's two days, three days,
16 business days.

17 (Mr. Catlin enters the proceedings.)

18 THE CHAIRMAN: Commissioner Catlett.

19 MR. CATLETT: How often has the mayor
20 vetoed the budget sent to him? Does it ever
21 happen?

22 MR. ROHAN: Well, no.

23 The actual budget, since I've been with the
24 City, I don't recall it being -- any line item
25 vetoes. They usually work those matters out.

1 MR. CATLETT: Right.

2 MR. ROHAN: So it's --

3 MR. CATLETT: That's what I thought.

4 MR. ROHAN: -- it's more of a hypothetical
5 and a potential issue versus a real issue on the
6 budget. But I think we saw more contentiousness
7 in the budget process this year, and we may see
8 it again, and so there's no assurance that these
9 provisions will not be needed in the immediate
10 future.

11 MR. AUSTIN: You won't see that in the news
12 because you know you're going to get
13 overridden.

14 MS. MILLER: Right.

15 MR. ROHAN: Sure.

16 MR. AUSTIN: But it would be used, I think,
17 if it was reasonable.

18 MR. CATLETT: Is one week a reasonable
19 time, Mayor?

20 MR. AUSTIN: I don't think even at all. I
21 think -- like I said, I think you -- two days,
22 three days, a week, whatever fits in there. I
23 think I would do a longer study.

24 THE CHAIRMAN: Mr. Rohan.

25 MR. ROHAN: The rule does provide for the

1 mayor to provide a message. So it just simply
2 needs to be enough time for the mayor to
3 consider and be able to prepare a respectable
4 message back to the council.

5 MR. CATLETT: Three days -- three working
6 days?

7 MS. MILLER: Three business days.

8 MS. KORMAN: I would say three working
9 days.

10 MR. CATLETT: Three working days?

11 MS. KORMAN: Three business days.

12 THE CHAIRMAN: Yes. I was going to say,
13 Mr. Rohan, it does say ten days now as days
14 interpreted by the General Counsel's Office to
15 be calendar days or business days?

16 MR. ROHAN: Well, keep in mind, it's not
17 ten days. It's more than ten days. It's before
18 the next -- currently in the present language,
19 people think it's ten days.

20 THE CHAIRMAN: Right.

21 MR. ROHAN: But the truth is it's at the
22 next -- before the next council meeting, if the
23 mayor was presented with the bill at least ten
24 days before that council meeting.

25 THE CHAIRMAN: Right.

1 MR. ROHAN: So if, for instance, the mayor
2 gets the bill on the following Monday instead of
3 the Friday, then the mayor has got a month
4 unless, of course, there's a fifth week in which
5 case the mayor may have five weeks within which
6 to veto, so it's pretty open-ended. Most people
7 don't realize that.

8 THE CHAIRMAN: Yeah. Well, just for
9 purposes of your comment, "three days, four
10 days," I think we should verify, is that
11 calendar days? Is that working days, holidays
12 excluded? I mean --

13 MR. ROHAN: That needs to be clear.

14 MR. CATLETT: I would go with three working
15 days if that's not a problem for anybody.

16 THE CHAIRMAN: And, Mr. Rohan, how does the
17 General Counsel's Office interpret a two-thirds
18 requirement on a 19-member council?

19 MR. ROHAN: Thirteen.

20 THE CHAIRMAN: Okay. Vice Chair O'Brien.

21 MS. O'BRIEN: For point of discussion,
22 isn't it both on the Congress level as well as
23 on our state legislature level, in order for a
24 veto to be overridden, isn't it basically by a
25 super majority as well? So we are in conformity

1 with our other legislative bodies, both
2 federally and statewide? I mean, if so, I think
3 that's a good thing. I would like to mirror
4 that.

5 MS. MILLER: So is there a friendly
6 amendment to maybe ask Mr. Rohan to modify the
7 veto -- the days for a veto to three working
8 days from the day it's received by the mayor?

9 MR. CATLETT: So moved.

10 THE CHAIRMAN: Is there a second?

11 MS. KORMAN: Second.

12 THE CHAIRMAN: Commissioner Korman.

13 MS. KORMAN: Can I go back to a question?

14 And I apologize for not thinking about this
15 through earlier after we had this discussion.
16 Why is there the need -- and maybe it's just me
17 being naive -- to make it harder for the mayor
18 to override stuff? You know, isn't it?

19 MS. MILLER: It's not making it harder.

20 MS. KORMAN: Well, there's talk that it
21 would be -- two-thirds would be 13, right,
22 members?

23 MR. CATLETT: It's harder for the council.

24 MS. KORMAN: It's harder for the
25 council --

1 MS. MILLER: It's harder for the council.

2 MS. KORMAN: -- to --

3 MS. MILLER: It gives the mayor more
4 authority over the budget.

5 MS. KORMAN: Okay. Okay. I got it
6 confused.

7 (Simultaneous speaking.)

8 THE CHAIRMAN: Folks, sorry. One at a
9 time. Diane has got to get everybody down.

10 MS. KORMAN: Sorry. Clarification.

11 THE CHAIRMAN: So, Commissioner Korman, are
12 you clear?

13 MS. KORMAN: I think I understand now. I
14 think so, yeah.

15 THE CHAIRMAN: I think the -- correct me if
16 I'm wrong, but I think the intent here for
17 Commissioner Miller is to get at the structural
18 budgetary concerns --

19 MS. MILLER: Uh-huh.

20 THE CHAIRMAN: -- that I think really for a
21 lot of us were at the root of the issue with
22 respect to the sheriff, by giving the mayor the
23 ability -- as I pointed out at our last meeting,
24 the sheriff in his own testimony said, I'm going
25 to go around the mayor to the council. Well,

1 this, I think, is designed to give the mayor the
2 ability -- if the council accedes to the
3 sheriff's request and passes it in a line item
4 in the budget that the mayor doesn't agree with,
5 the mayor would be able to at least execute a
6 line item veto, and it would be harder for the
7 council to override that than currently.

8 MS. KORMAN: Okay. I understand.
9 Thank you.

10 THE CHAIRMAN: Okay. Vice Chair O'Brien.

11 MS. O'BRIEN: When a budget comes to the
12 City Council or to the mayor, how line detailed
13 is it?

14 MR. CATLETT: It's very detailed.

15 THE CHAIRMAN: Mr. Rohan.

16 MR. ROHAN: Extraordinarily.

17 MS. O'BRIEN: Okay. So the idea of a line
18 item veto is very doable?

19 MR. ROHAN: Yes.

20 MS. O'BRIEN: Okay. Thank you.

21 MS. DEAL: I just have a question.

22 THE CHAIRMAN: Commissioner Deal.

23 MS. DEAL: We're not talking about a line
24 item veto once the budget is passed by the
25 council, we're talking before it even goes to

1 the City Council for their consideration; is
2 that correct?

3 MS. MILLER: Unh-unh.

4 THE CHAIRMAN: No, it's not.

5 MS. MILLER: No.

6 THE CHAIRMAN: It would be after the
7 council passes the budget.

8 MS. MILLER: I think the idea is, you know,
9 just that the budget goes to City Council. The
10 City Council holds hearings, and then the City
11 Council decides whether or not to accept the
12 mayor's budget or to change it and then moves
13 forward with that.

14 So if the mayor doesn't agree with any part
15 of that, he can veto it, but then it can be
16 overridden by a simple majority, which is, you
17 know, ten votes instead of -- and so this just
18 makes it a little more -- just more -- you know,
19 makes it a little bit more structurally sound in
20 terms of the authority of the mayor, consistent
21 with the rest of the charter, consistent with
22 our -- so it's -- after the budget is passed, it
23 allows the mayor to go back in just as to that
24 section.

25 MS. DEAL: So if there has to be a balanced

1 budget by October 1st and his line item veto
2 then knocks off the balance -- and let's just
3 say it's three days before October 1 -- how does
4 that work?

5 THE CHAIRMAN: Mr. Rohan.

6 MR. ROHAN: If the mayor vetoes
7 expenditures, appropriations, then that would
8 simply balance the budget more in favor of
9 revenue than expenses.

10 MS. DEAL: Okay.

11 MR. ROHAN: So it would not imbalance the
12 budget.

13 MS. DEAL: Okay.

14 THE CHAIRMAN: Any further discussion?

15 COMMISSION MEMBERS: (No response.)

16 THE CHAIRMAN: Are we ready to vote?

17 COMMISSION MEMBERS: (Respond
18 affirmatively.)

19 THE CHAIRMAN: Okay. We will be voting on
20 Commissioner Miller's motion as amended.

21 All in favor of the amendment say aye.

22 COMMISSION MEMBERS: Aye.

23 THE CHAIRMAN: Opposed, no.

24 COMMISSION MEMBERS: (No response.)

25 THE CHAIRMAN: All in favor of the motion

1 as amended say aye.

2 COMMISSION MEMBERS: Aye.

3 THE CHAIRMAN: Opposed, no.

4 COMMISSION MEMBERS: (No response.)

5 THE CHAIRMAN: Diane, is that sufficient
6 for your purposes for the record?

7 THE REPORTER: Unanimous. Correct.

8 THE CHAIRMAN: Okay.

9 MS. MILLER: So I would ask just for the
10 sake of clarification that Mr. Rohan come back
11 to us next time with the clarification language
12 here on the -- particularly as to the timing.

13 MR. ROHAN: I will work it through with
14 Commissioner Miller and then bring it back to
15 the commission.

16 THE CHAIRMAN: That reminds me, Mr. Rohan,
17 could you give us -- could you give the
18 commission -- and I know you're not talking
19 about this -- a status report on the memo
20 regarding the legal opinion that
21 Commissioner Miller --

22 MR. ROHAN: Yes.

23 THE CHAIRMAN: -- requested with respect to
24 this board?

25 MR. ROHAN: And apparently the Charter

1 Review Commission is not the only group that's
2 interested. The school board has made specific
3 written requests on the Office of General
4 Counsel. And that study and writing is still in
5 progress and I thought it would be completed by
6 today, but it is not. And both the school board
7 and this commission are anxious to see it, and
8 we should be getting it soon.

9 THE CHAIRMAN: Thank you.

10 Commissioner Oliveras, do you have a
11 question about that?

12 MR. OLIVERAS: I have a question through
13 the Chair to Mr. Rohan.

14 With this -- whether it's a binding opinion
15 or opinion, I'm not sure what the difference is
16 not being a lawyer. But isn't it going to
17 potentially be one of three options? I mean,
18 either it is something we can look at, elected
19 versus appointed, or it's something we can't
20 look at, or it's something that we can look at
21 and then it will be decided in court if we touch
22 it? I mean, are there more options than that as
23 to what the opinion might be?

24 MR. ROHAN: Through the Chair, I have
25 already articulated orally what the options

1 really are. We just haven't committed them to
2 writing in a form that's satisfactory to the
3 office.

4 This commission can make whatever
5 recommendations they want. We expect the answer
6 to be that there are two positions. You have
7 seen them from Mr. Rinaman -- Former General
8 Counsel Rinaman and from School Board Member
9 W.C. Gentry.

10 One is from W.C. Gentry that it's
11 unconstitutional because of the constitutional
12 provision on school boards being elected. The
13 other is the Jacksonville Consolidation
14 Amendment says that this government can be
15 formed however the government determines it
16 should be formed through the legislature and
17 through referendum and that it can be modified
18 and that the school board can be modified.

19 This commission can make a recommendation.
20 If either the council or the legislature decides
21 to act on those recommendations and recommend a
22 change, then there's likely to be strong and
23 contentious litigation to resolve it in the
24 courts. And that's basically what you will
25 eventually see, I think, in the opinion of the

1 office. That's my expectation. It may change
2 by the time the final decision comes down.

3 MS. MILLER: And through the Chair to
4 Mr. Rohan, who has standing -- who would have
5 standing to bring litigation?

6 MR. ROHAN: Certainly the school board
7 members have standing.

8 MS. MILLER: Well, if they're part of the
9 consolidated government, then the issue -- they
10 have -- a citizen in their independent capacity.

11 MR. ROHAN: Yes. Just like Mr. Cook was
12 authorized to sue the City because he was a
13 candidate and he was a person who thought the
14 term limit should not apply to his office --

15 MS. MILLER: Uh-huh.

16 MR. ROHAN: -- any candidate who felt like
17 they should have the opportunity for election as
18 opposed to appointment would have standing to
19 bring an action.

20 I don't think -- in my view, the school
21 board wouldn't have any standing to, but
22 individuals would. And, conceivably, there are
23 organizations also that might have standing.

24 THE CHAIRMAN: Commission Oliveras.

25 MR. OLIVERAS: And just one more thought,

1 not so much a question, but a thought. But I
2 would really like to see the opinion before we
3 travel too terribly much farther down this
4 road because I am spending a lot of time reading
5 material on the subject of the schools, and, you
6 know, I -- you know, I'm forming thoughts and
7 opinions, and I just want to make sure it's --
8 they're actionable.

9 MS. MILLER: Yeah.

10 MR. OLIVERAS: And so I just -- it's just
11 the thought that I -- you know, it would be nice
12 to know that we're looking in a direction that
13 we can.

14 MS. MILLER: Absolutely.

15 THE CHAIRMAN: I agree, and I think
16 Commissioner Miller feels that way. I think we
17 all feel that way. That's why we requested the
18 opinion, and that's why I asked for a timing
19 report.

20 MR. ROHAN: Well, let me express my
21 apologies on behalf of the office.

22 I'm not one of the writers. What they've
23 done is -- Ms. Chastain, who represents the
24 school board, and myself, who represents this
25 commission, we're not going to be the writers of

1 the opinion.

2 THE CHAIRMAN: Sure.

3 MR. ROHAN: And I will get the message back
4 in no uncertain terms from the commission that
5 you are very anxious for a decision.

6 MR. OLIVERAS: You don't do it all over
7 there yourself?

8 MR. ROHAN: No. Some things people don't
9 like, and those things I don't do.

10 MR. OLIVERAS: I understand.

11 THE CHAIRMAN: Thank you, Mr. Rohan, for
12 that update.

13 Our next item on our agenda is -- I had
14 just put this down -- for Commissioner Catlett
15 to tell us if he has his data and analysis for
16 the staggering of terms.

17 MR. CATLETT: We do. Mr. Rohan has drafted
18 a memo that, I think, pretty much summarizes
19 where we are.

20 Do we have copies of this memo yet or do
21 you want to wait until next week?

22 MR. ROHAN: Can we --

23 MR. CATLETT: Can we defer this until next
24 week? We'd like to.

25 MR. ROHAN: I've got a memo, but I haven't

1 attached the charts.

2 MR. CATLETT: We're still working on it.
3 It's a work in progress.

4 THE CHAIRMAN: Okay.

5 MR. CATLETT: So we'd like to defer it one
6 more cycle.

7 THE CHAIRMAN: Okay. Mr. Clements, would
8 you help me remember that that should be an
9 agenda item for our next meeting?

10 MR. CLEMENTS: Yes.

11 THE CHAIRMAN: Thank you.

12 Okay. Thank you.

13 Commissioner O'Brien --

14 MS. O'BRIEN: Uh-huh.

15 THE CHAIRMAN: -- with respect to City
16 pension plan funds.

17 MS. O'BRIEN: Can I ask a favor?

18 Does anyone have the handout -- a copy of
19 the handout that I issued last week? I was
20 traveling yesterday and didn't get back in the
21 office.

22 Thanks.

23 What I'd like to just talk about, first and
24 foremost, is the current writing of the
25 retirement and pension benefits plan that's in

1 our charter. In particular, the first one that
2 I recommended, 16.07, a financial impact
3 statement, this idea came to me basically from
4 the state statute, that if we have any kind of
5 constitutional amendment, that part of that
6 constitutional amendment requires that there's a
7 financial impact statement that is included with
8 it that basically says how much this
9 constitutional amendment is going to cost the
10 taxpayers of the state of Florida.

11 To me, this is just a piece of information
12 that is important for all legislative bodies or
13 decisions that we make. And I will repeat it,
14 and then basically -- well, I move that we adopt
15 the following financial impact statement to our
16 retirement and benefit -- retirement and pension
17 benefits to the charter amendment:

18 "For every new retirement or pension plan
19 benefit included or any retirement or pension
20 plan benefit excluded in a City of Jacksonville
21 authorized retirement or pension program, the
22 council auditor must conduct a thorough
23 financial analysis of the proposed added benefit
24 or proposed excluded benefit to demonstrate the
25 financial impact, both current and long-term, of

1 the added or excluded benefit."

2 I'm inserting this.

3 "`Current' and `long-term' shall be
4 described as 1, 5, 10, 20, and 30 years.

5 "This financial impact statement must be
6 prepared and distributed to the mayor, the City
7 Council, the affected City departments, and any
8 affected collective bargaining units at a
9 minimum of ten business days prior to any vote
10 on the added or excluded benefits."

11 That's my motion.

12 THE CHAIRMAN: Is there a second?

13 MS. MILLER: Second.

14 THE CHAIRMAN: We have a motion and
15 second.

16 Is there any discussion?

17 Mr. Oliveras -- Commissioner Oliveras.

18 MR. OLIVERAS: Thank you, Mr. Chairman.

19 We still have not heard from anybody on the
20 pensions, any of the three City pensions. We
21 haven't heard from the City officials on the
22 pensions. And I think it would be premature to
23 actually vote on changing the charter regarding
24 pensions until we've heard from these folks. I
25 mean, there's -- and it -- there's a lot out

1 there, and I'm just -- it's way beyond my
2 comfort zone to make changes.

3 And some of these changes with respect to
4 Vice Chair O'Brien are already -- I mean, it's
5 in the charter. It's -- we -- the Police and
6 Fire Pension Fund at least cannot make changes
7 without the funding for changes being fully in
8 place without actuary studies being done, so I
9 wonder what we're changing by doing that.

10 And I'm just -- I would like to hear from
11 the experts. And I do not profess to be an
12 expert with the pensions. I have a lot of
13 familiarity with the pensions, but I would like
14 to hear from the people who actually count the
15 beans. I would like to hear from the people who
16 know specifically what the state statutes say
17 that govern some of this and what we already
18 have in place.

19 And I have to be, you know, terribly honest
20 about this, I don't have tremendous confidence
21 in the City's management of the pensions, and we
22 don't have to look any farther than the recent
23 thing with the City employees, hundreds of them,
24 who were improperly diverted into Social
25 Security and leaving us with yet another crisis

1 with City pensions.

2 In my mind, somebody should have been
3 fired. You know, these e-mails are very telling
4 that people behaved improperly and treated City
5 employees badly, intentionally, with regard to
6 their pension benefits. And this is going to,
7 again, cost the City on the order of tens of
8 millions of dollars to make this -- to correct
9 what was done.

10 And I think we should hear from the people
11 that know the facts and know the details before
12 we propose to change something that's going to
13 have dramatic impact on this city.

14 The history is such that there's been a lot
15 of questionable behavior, and I think there
16 needs to be an accounting for that. And we're
17 proposing changes to fix things that may not be
18 in the best interest of this city.

19 I'll leave it at that. I would just -- I
20 would say before we take action on this, I would
21 like to hear from the people that know.

22 THE CHAIRMAN: Commissioner Youngblood.

23 MR. YOUNGBLOOD: Through the Chair, I agree
24 with Commissioner Oliveras. We need to hear
25 more. And it's -- it didn't happen overnight.

1 And it's much like the officers that show up on
2 a scene for a domestic situation that took 25
3 years in the making, and they want an officer to
4 help them solve their problems in the next 10 or
5 15 minutes.

6 So I think we have an issue. You go back
7 to the root of the problem that you brought up
8 very clearly on the appointed over elected in
9 many of the positions, accountability and
10 character of the individual that we're holding
11 accountable. To think that we're going to step
12 into a situation in dealing with the pension,
13 there was accountability that was not there.
14 There was character that was not there. There
15 was structure that was clearly there that was
16 violated, and there were contracts that were
17 broken.

18 I think the City has contracts in place
19 that have been broken, and I don't know that we
20 can solve that with simple structure. And in
21 communication with Assistant Chief Deal -- Bobby
22 Deal, who served on the pension board, and
23 trying to get my mind around all the
24 difficulties they're having, I'm not real clear
25 on what happened. There's a lot of

1 finger-pointing going on on both sides.

2 So I don't know that we can make an
3 informed decision based on even hearing from
4 both sides because it's taken so long for this
5 catastrophe to come to a head. And I think now
6 in our budget shortfall that it's come to light
7 because there's no money there, and it very
8 clearly brings it to light.

9 I guess I have more questions than I have
10 answers, so I share this with the commissioners
11 is how do we hear from the appropriate parties
12 that it's not truly one-sided? As it was asked
13 of me before meeting, "Do we feel politics are
14 involved in this process?" Are you kidding me?
15 Sure, because you're dealing with money, and
16 you're dealing with positions and power and
17 authority.

18 How do we get back to accountability? How
19 do we get back to -- you can't structure
20 character. So even though we have the greatest
21 of structure, even if we deal with the issue of
22 appointed of the school board, seven-member
23 panel, I would obviously -- my personal opinion
24 is, as it was before, very clear, the election
25 process, giving the power to the people is the

1 ideal structure and -- hold those individuals
2 accountable.

3 If we've had broken accountability, what do
4 we do as a commission to help solve that? What
5 can we put in structure that holds them to
6 greater accountability? Which brings me back to
7 one of my original comments from one of the
8 first meetings is the ability to recall elected
9 officials to make it, not easy, but easier than
10 it currently is. So regardless of appointed or
11 elected, we have the ability to pull them back,
12 the people can.

13 They've made an a mistake. I think there's
14 a lot of that being bounded about throughout the
15 nation. Now, when we see we have made a mistake
16 in particular areas and we want to change our
17 vote, that recall within our charter does that.

18 So not to retable that for discussion, but
19 does that bring about and effectuate
20 accountability that we need? More for comment
21 than it is for a solution.

22 THE CHAIRMAN: Commissioner Catlett and
23 then Commissioner Korman and then Commissioner
24 O'Brien.

25 MR. CATLETT: Well, I want to make sure I

1 understood the motion. I read it last week and
2 I listened to it this week, but as I understand
3 the motion, it says that we want some
4 information made available to the public in a
5 certain format -- 5, 10, 15, 20 years, whatever
6 it was -- and that it be distributed to at least
7 the groups of people that were named.

8 I don't think we were talking about how the
9 pension works or who got money or who didn't.
10 It was strictly that the information be in a
11 format that was understandable by the average
12 guy. We've got all those actuarial things.
13 But, you know, in a certain format with a
14 certain time horizon to where everybody knew it
15 wasn't just a one-year or a five-year deal. And
16 then, secondly, that a minimum distribution
17 include the groups that you talk about.

18 And if it says more than that, Lord,
19 somebody tell me because I misunderstand her
20 totally. Is that --

21 THE CHAIRMAN: Vice Chair O'Brien.

22 MS. O'BRIEN: That is correct.

23 All this is is gathering information on a
24 short-term and long-term basis and distributing
25 it to the parties so that people can make an

1 informed decision -- whatever the political
2 decision is, I don't believe this is political
3 at all. This is truly, as both commissioners
4 said, an accountability measure. Before we make
5 a decision on either side, whether to add a
6 benefit or to exclude a benefit, how much is it
7 going to help us or cost us in that case?

8 This is truly an information amendment that
9 I would like. I do not see it as a political
10 amendment. It is in order to make all of us
11 make more informed decisions.

12 THE CHAIRMAN: Commissioner Catlett, did
13 that --

14 MR. CATLETT: That was fine with me. I
15 just want to make sure I wasn't misunderstanding
16 what I heard.

17 THE CHAIRMAN: Okay. Commissioner Korman.

18 MS. KORMAN: Mine was going along the same
19 thing as Commissioner Catlett, but --

20 Correct me if I'm wrong, but I think that
21 the State is required to put fiscal impacts on
22 any constitutional amendments that are done
23 now. So basically the information is just
24 there. It's just giving people a right to see
25 it if it ever goes at a ballot or anywhere

1 else.

2 So I would agree wholeheartedly with
3 Commissioner O'Brien that it's just information
4 that you already have. It's just letting people
5 know about it.

6 THE CHAIRMAN: Vice Chair O'Brien.

7 MS. O'BRIEN: No.

8 THE CHAIRMAN: Commissioner Deal.

9 MS. DEAL: Well, I was just thoroughly
10 confused at the direction the conversation went
11 because I simply understood it to be a financial
12 impact analysis and nothing more than that. So
13 thanks for the clarification.

14 THE CHAIRMAN: Commissioner Miller.

15 MS. MILLER: Through the Chair, I agree,
16 and I would just ask -- I don't have a copy of
17 the motion in front of me, but is there -- does
18 it say who prepares that information?

19 MS. O'BRIEN: The council auditor.

20 MS. MILLER: The council auditor's office.

21 And if it helps, you might suggest to the
22 council auditor or an independent auditor at the
23 council auditor's -- the council auditor's
24 designee would prepare that, but I -- okay. I
25 just wanted to make sure that it was the council

1 auditor.

2 MS. O'BRIEN: (Nods head.)

3 MS. MILLER: And I completely agree that
4 this seems to be and appears to be, by all
5 accounts, an act towards more transparency in
6 government and greater accountability, in fact,
7 because what we are doing is by providing full
8 and fair disclosure in a format that we can all
9 understand and understanding the long-term
10 impacts, then the council members should be held
11 accountable, the mayor, whoever, should be held
12 accountable for the --

13 THE CHAIRMAN: That's in the language, it's
14 not on there.

15 MS. MILLER: -- for the vote -- for their
16 vote.

17 If they are fully informed and if the
18 public is fully informed, then the public can
19 vote at the next election cycle as to whether or
20 not that council member was voting, in their
21 mind, in a -- or can hold them accountable for
22 any votes that might not be -- that might put
23 the budget in jeopardy.

24 So I would agree that this is more about
25 transparency and has nothing to -- it doesn't

1 hold anything contingent. It doesn't -- it's
2 not a condition for anything. It is merely a --
3 it is greater transparency and accountability.

4 So it's a great motion.

5 THE CHAIRMAN: Commissioner Eichner.

6 MS. EICHNER: What's the process now for
7 the -- for that information? Do we not see that
8 information, or do we just see it on an annual
9 basis year to year in the budget? Can anybody
10 answer that?

11 THE CHAIRMAN: Mr. Rohan.

12 MR. ROHAN: Basically -- and Mr. Keane is
13 here, so he can be more specific than I can.

14 But basically an actuarial statement of the
15 costs does have to be presented to council
16 before they consider any change in benefits.
17 The extent of that actuarial analysis I'm not
18 quite sure of. Mr. Keane might be able to speak
19 to that or one of his representatives. He's
20 here from the Police and Fire Pension Fund.

21 But I don't believe it's quite as extensive
22 as Vice Chair O'Brien's request. I could be
23 wrong about that.

24 THE CHAIRMAN: Mr. Clements was good enough
25 yesterday to let Mr. Keane know that this item

1 would be on the agenda so that he could be here
2 if he was available, and I thank you for coming,
3 Mr. Keane.

4 Commissioner, I'm happy to give Mr. Keane
5 an opportunity to comment on this proposal. I
6 don't know that he has -- Mr. Clements, could
7 you give Mr. Keane a copy of that?

8 Mr. Keane, would you like to come at this
9 time to talk about this proposal?

10 MR. KEANE: This proposal he's getting
11 ready to give me?

12 THE CHAIRMAN: Yes, sir.

13 MR. KEANE: Certainly.

14 MR. OLIVERAS: Mr. Chairman, could I ask a
15 question first?

16 THE CHAIRMAN: Commissioner Oliveras.

17 MR. OLIVERAS: Just a question through the
18 Chair to Vice Chair O'Brien. Are we pulling
19 these two issues apart, the information request
20 and then the other item for the defined
21 contribution, defined benefit? Are we
22 separating those?

23 MS. O'BRIEN: They are two separate
24 proposed amendments. As my motion was -- this
25 was specifically for 16.07, Financial Impact

1 Statement. So that's all we're discussing at
2 this point.

3 MR. OLIVERAS: Thank you.

4 THE CHAIRMAN: Commissioner Korman.

5 MS. KORMAN: Can I ask a question before
6 Mr. Keane speaks?

7 THE CHAIRMAN: Sure.

8 MS. KORMAN: Is there any way -- and this
9 goes back to, I guess, following kind of a state
10 thing -- that we could -- you know, we could
11 recommend it goes in the paper so the public is
12 aware of it so it's not just in -- what was
13 it, the mayor, City Council, City departments,
14 collective bargaining. I mean, I think it's a
15 right for the public to know. Just to be
16 informed. I mean, is that a possibility?

17 THE CHAIRMAN: Well, I don't think there's
18 a way that we could put it in the charter, a
19 requirement for the paper to publish it.

20 (Simultaneous speaking.)

21 MS. MILLER: We could publicly notice it.

22 THE CHAIRMAN: That I'm sure we could do.

23 MS. KORMAN: Okay. Thank you.

24 THE CHAIRMAN: Commissioner Youngblood.

25 MR. YOUNGBLOOD: Through the Chair, my

1 apologies to Commissioner O'Brien. I did
2 misunderstand the motion, then, because I
3 assumed that we were getting more into the
4 structure. My apologies.

5 THE CHAIRMAN: Mr. Keane, would you like to
6 comment?

7 MR. KEANE: Sure.

8 THE CHAIRMAN: Please have a seat there
9 next to our court reporter so she can get your
10 testimony accurately. And I will ask --

11 MR. KEANE: The court reporter --

12 THE CHAIRMAN: I'll ask her to swear you
13 in.

14 MR. KEANE: -- comes to our other meetings
15 and we are close friends.

16 THE REPORTER: Would you raise your right
17 hand for me, please.

18 MR. KEANE: (Complies.)

19 THE REPORTER: Do you affirm that the
20 testimony you're about to give will be the
21 truth, the whole truth, and nothing but the
22 truth?

23 MR. KEANE: Always, I do.

24 THE REPORTER: Thank you.

25 THE CHAIRMAN: And, Mr. Keane, just to

1 clarify what we were just discussing, on the
2 piece of paper you have in front of you, the
3 only item that we are discussing today is under
4 16.07, not 16.08. There's been no motion made
5 on 16.08.

6 And also the language in front of you does
7 not have some language that Vice Chair O'Brien
8 had when she made her motion, which would simply
9 be that the cost or benefit be identified at
10 specific benchmarks on a time line, 1, 5, 10,
11 20, 30.

12 So, with that information, I'm interested
13 in your thoughts.

14 MR. KEANE: Okay. First, I'd like to make
15 a statement or a request, if I can.

16 THE CHAIRMAN: Sure.

17 MR. KEANE: Mayor Austin, how are you doing
18 this morning?

19 MR. AUSTIN: Better. Thank you.

20 MR. KEANE: I've read, with interest,
21 accounts in the newspaper, mainly the
22 Ron Littlepage column and some other stories in
23 the paper, and he reports -- and y'all can tell
24 us how accurate that is today -- that some
25 members of this commission -- and thank you on

1 behalf of the citizens for donating your time to
2 help make our city better -- have received
3 pressure through their employer. He didn't say
4 whether it was pressure to do something or not
5 to do something.

6 One of the best things about government is
7 to have clear transparency and understanding
8 what we're doing. If anybody here has been
9 pressured, now is the time to name names. And
10 if someone is out slinking in the halls trying
11 to contact your employer to pressure you to be
12 for something or against something, they ought
13 to get out in the light of day, show up here at
14 the public meeting, and say what their thoughts
15 are.

16 And if some of y'all have been pressured,
17 you ought not to be voting here anymore because
18 how can you vote fairly on an issue if your
19 employer said, "If you vote yes, I'm going to
20 fire you."

21 If my boss told me, "Thanks for helping the
22 community and go and serve on this committee,
23 but they're proposing something that is to our
24 detriment, so you be against it or you won't be
25 here," how do you think I would show up here and

1 vote? I'd vote my wallet. I'd vote for the
2 people that are paying my salary.

3 And surely if these reports that are in the
4 public press are correct, they need to be
5 investigated. They need to be looked into.

6 We have the very distinguished former chief
7 prosecutor of this circuit sitting right here on
8 this committee and one of our top mayors since
9 consolidation. He wouldn't put up for that kind
10 of shenanigans, and I recommend -- why is not
11 the Ethics Commission looking into it? Why
12 isn't anybody disturbed about it? You've got to
13 be, I would think.

14 And could I get some kind of response
15 before I answer these questions?

16 THE CHAIRMAN: Well, I would ordinarily not
17 respond, but let me say that I have absolute
18 faith and confidence in the character of the
19 people around this table, and I have no doubt
20 that they would not allow that type of pressure
21 to influence how they acted or didn't act in
22 their execution of their public duties here.

23 Frankly, I'm astonished that you would say
24 on the record that you would do otherwise, and
25 I'm dumbfounded, but I am confident that these

1 people would not behave in that manner.

2 So to the extent that you're implying or
3 suggesting or explicitly stating that somehow
4 the fact that that pressure has occurred
5 invalidates any actions we take going forward, I
6 wholeheartedly reject that suggestion.

7 Now, as to your statement that the people
8 who attempted to effect this pressure should be
9 identified, personally -- not as Chair -- I
10 agree with that, but that is a personal decision
11 to be made by the commissioners whose employers
12 were contacted, and I back them to the full and
13 however they want to react to that --

14 MR. KEANE: Okay.

15 THE CHAIRMAN: -- because that is a
16 personal issue for them.

17 MR. KEANE: Okay. That's fine.

18 Now, I didn't say that I would vote the way
19 my employer wanted me to vote, so you just
20 mischaracterized what I said.

21 THE CHAIRMAN: I believe you said --

22 MR. KEANE: I would have got off the
23 committee. That's what I would have done.

24 That's what I would have done.

25 THE CHAIRMAN: Well, I think the record

1 will speak for itself.

2 MR. KEANE: Well, I want to clarify that --
3 if you didn't get that down, that my intent was
4 that I would have gotten off the committee.

5 THE CHAIRMAN: But I would like very much
6 your opinion on this proposal.

7 MR. KEANE: This proposal appears to say
8 that you want the council auditor to make
9 actuarial impact statements. Is that basically
10 the thrust of it?

11 THE CHAIRMAN: Correct.

12 MR. KEANE: Well, Chapter 112 of the
13 Florida Statutes already covers this in the
14 public -- Pension Protection Act. It requires
15 an actual impact statement, not be made by the
16 council auditor, but made by an ERISA-enrolled,
17 qualified actuary.

18 The ballot referendum issue here is --
19 requires a statement from the Financial Impact
20 Estimating Conference.

21 THE CHAIRMAN: That's for reference only.

22 MR. KEANE: Right.

23 THE CHAIRMAN: That's the state --

24 MR. KEANE: Well, let me tell you about
25 those people so you'll know where we are coming

1 from by reference.

2 That's a group of four people: one that
3 works for the governor, one that is appointed by
4 the Senate president, one that's appointed by
5 the Speaker of the House, and another
6 professionally-qualified employee. That's four
7 people to evaluate the cost of items that go on
8 the constitutional amendment question.

9 As to deciding issues for the cost of
10 actuarial impact, those people, good as they are
11 at what they do, are woefully unqualified to
12 make that kind of judgment on a pension issue.
13 The council auditor and his professional staff,
14 all good people, none of them are legally
15 empowered to create actuarial impact
16 statements.

17 To make a change in a public pension fund
18 to create a new benefit in Florida requires the
19 preparation of an actuarial impact statement by
20 an enrolled actuary who meets the requirement of
21 ERISA.

22 Although the ERISA provisions do not
23 imply -- apply directly to pension funds, the
24 legislative leaders all across the country said
25 this is a good standard for everybody, it ought

1 to be a good standard for us, so that's what we
2 follow.

3 The information -- the text of the proposed
4 amendment is collected. It's sent to the
5 actuary. They look at the census of the people
6 that it's going to impact. They calculate it
7 both as a dollar cost and a percent of payroll
8 cost. That actuarial impact statement has to be
9 approved by the State. It has to be prepared
10 and presented to the State and to the
11 legislative body that's going to make the vote
12 on the change prior to the final reading of the
13 bill.

14 So if you want to have actuarial impact
15 statements, Chapter 112 of Florida Statutes
16 already requires them. And so, I mean, we're
17 doing this. But we're doing it with qualified
18 people, enrolled actuaries.

19 And so, you know, I mean, that's my comment
20 on that. I'll be glad to tell you more, talk as
21 long as you want me to, but, you know, I want
22 to -- in the interest of your time, I want to
23 give y'all the brief summary.

24 THE CHAIRMAN: Commissioners, does anybody
25 have any questions for Mr. Keane on his comments

1 and observations?

2 Commissioner Eichner.

3 MS. EICHNER: So just based on the language
4 that's here in this proposed amendment, is City
5 Council the only one that currently gets a copy
6 of that actuarial, or does the mayor's office
7 and the City departments also get a copy?

8 MR. KEANE: The copy of the actuarial
9 impact statement goes to the City Council, and
10 it's filed in -- you know, if the bill number is
11 2010-63, one's in there. The council auditor
12 gets one. The mayor's office gets one. The
13 director of finance gets one. Years ago, when
14 our -- Commissioner Miller was here, we used to
15 give her one when she worked over in this
16 building. They're everywhere.

17 MS. EICHNER: Okay.

18 MR. KEANE: They're also sent to the State,
19 which has oversight authority for police and
20 fire pension funds. On the general employee
21 side, there's another department in the State
22 that gets them.

23 THE CHAIRMAN: Commissioner Oliveras.

24 MR. OLIVERAS: Thank you, Mr. Chairman.

25 Mr. Keane, the issue of transparency has

1 been raised with pensions. How would you
2 characterize the level of transparency with what
3 you deal with with Police and Fire, and give
4 us -- can you give us examples of that -- the
5 state of the transparency as it exists today?

6 MR. KEANE: Well, if you've been around for
7 the last year, it's pretty transparent. They
8 write a story about us on the average of every
9 ten days.

10 There's no one in this room that does not
11 realize that we have just started emerging from
12 the worst fiscal crisis in the history of our
13 country.

14 On the City side over here, tax collections
15 are down. Property values are down driving tax
16 collections down even further. BJP tax
17 collections are down. But somehow enlightened
18 City officials think that the fiscal crisis
19 that's on this building doesn't apply to the
20 Police and Fire Pension Fund.

21 Our actuarial assumption is to make a
22 return of 8.5 percent. That's difficult to do
23 when bonds are paying 2 percent. When we return
24 to the historic average where bonds are paying
25 6-and-a-half, 7 percent, 50 percent of the

1 unfunded actuarial accrued liability will
2 evaporate. As the market continues to go back
3 up toward 14,000, some more of that will be
4 overcome.

5 Now, the cause of the unfunding of the --
6 all three pension plans -- the newspaper usually
7 doesn't get this right. They talk about the
8 Police and Fire Pension Fund. There's three
9 pension plans in the City pension system: the
10 Police and Fire, the General Employees, and the
11 Correctional Officers Pension Plan. Hello, all
12 of them have unfunded liabilities, and it's a
13 nature of the fiscal times we're in.

14 In the early '90s, the Police and Fire
15 Pension Fund was 100 percent funded. The
16 general employees was over 100 percent funded.
17 But because of the impact of the worldwide
18 fiscal crisis and our national depression, it's
19 impacted us.

20 What does being unfunded \$800 million
21 really mean? Not much, because as time goes on,
22 we continue to gather new assets, the assets
23 appreciate in value and things work out. We
24 have resources to pay all the promised pension
25 benefits for the next 15 to 20 years.

1 When you go buy a house and you sign the
2 mortgage, you owe the bank two numbers: You owe
3 the monthly payment, and you owe the balance.
4 You make the monthly payment, they let you stay
5 there. If somebody says, "How much is your
6 house payment," you don't tell them the balance
7 of the mortgage. You tell them the monthly
8 payment.

9 The City today, as we stand here and as
10 they have going back to 1990, has always paid
11 the minimum required contribution to the Police
12 and Fire Pension Fund. There's no doubt about
13 that. We say that many times.

14 Mayor Delaney jumped on me not long ago.
15 He said, "The way they report that in paper" --
16 I said, "Mayor, I mean, you know, we're the
17 victim of it. They're just implying y'all did
18 something different."

19 When Mayor Austin was the mayor, the exact
20 contribution -- the minimum contribution was
21 paid. When Mayor Delaney was the mayor, the
22 minimum contribution was paid. When John Peyton
23 became mayor and for his first seven years in
24 office now, the minimum contribution has been
25 paid.

1 So what causes all this problem? Values
2 went down. Stocks went from 14,000 to 6,000.
3 We're up over 34 percent in our Police and Fire
4 Pension portfolio since the trough of the market
5 on March the 9th. We're up \$250 million, which
6 is a good recovery in ten months.

7 If you lose -- if you have \$100 and you
8 lose 50 percent, you now have \$50. But if you
9 make 50 percent the next year, you didn't solve
10 the problem because now all you got is \$75. So
11 good returns one year as a snapshot doesn't make
12 it. It has to be a prolonged period of time,
13 and that's what we're in for. We're here for a
14 long, long time.

15 The Police and Fire Pension Fund, in its
16 original form, was the first public pension fund
17 created by the legislature in 1915. Because of
18 the depression, those funds went under.

19 The first public pension funds resurrected
20 by the Florida legislature in 1937 were the
21 Police and Fire Pension Fund and the General
22 Employees Pension Fund of the City of
23 Jacksonville.

24 We have a long history of having forward
25 thinking, enlightened leaders that led us. And

1 while we're in the darkness financially right
2 now because of the funding issue, we've got a
3 lot of candles and a lot of matches, and we're
4 going to keep lighting our way as we get out of
5 this. It's difficult and -- but it is in no way
6 due to excessive benefits.

7 The Times-Union did their own study a year
8 and a half ago and found out the benefits for
9 the Police and Fire Pension Fund in Jacksonville
10 are less than the Florida Retirement System,
11 less than Miami, less than Tampa, less than
12 Fort Lauderdale.

13 There's no major pension benefits been
14 enacted for Police and Fire in the Peyton
15 administration except for changing the health
16 insurance subsidy from \$3 a month to \$5 a month,
17 and we paid for part of that with our 175 and
18 185 money. So it's not an issue of excessive
19 benefits. It's an issue of the financial times
20 we're in. And we're going to work our way out
21 of it.

22 MR. OLIVERAS: Mr. Keane, about the
23 transparency issue, if the mayor or a council
24 member or even a citizen group wanted to know
25 what's on the books, what level of transparency

1 currently exists?

2 MR. KEANE: Well, the Police and Fire
3 Pension Fund is managed by a board of trustees
4 of five members. Two are appointed by the City
5 Council. One is elected by the firefighters.
6 One is elected by the police officers. And the
7 majority of those four select a fifth, who is
8 currently former Sheriff Glover.

9 So we have a board of trustees. Chief
10 Bobby Deal is the police trustee. Rich Tuten --
11 Fire Lieutenant Tuten is the fire trustee.
12 Peter Sleiman is one of the two City Council
13 appointees. The other is Barbara Jaffe.
14 Ms. Jaffe has been recognized by Forbes Magazine
15 for the last seven years as one of the top 100
16 women in finance. The only reason she hasn't
17 been recognized for eight years, they've only
18 been doing it for seven. So we're lucky to have
19 her on our board. Peter Sleiman is a real
20 estate developer, and he's been on the board for
21 almost 20 years -- over 20 years.

22 The treasurer of the City of Jacksonville,
23 by law, is the treasurer of our fund. We don't
24 have any secrets over there. We're a
25 governmental agency, clear and transparent.

1 They do the bookkeeping for us. They print the
2 checks. There's not a question of what's going
3 on over there that nobody knows about.

4 MR. OLIVERAS: Thank you.

5 THE CHAIRMAN: Vice Chair O'Brien.

6 MS. O'BRIEN: Thank you so much.

7 That helped shine a light on some things I
8 didn't know at the state law level.

9 MR. KEANE: Yeah.

10 MS. O'BRIEN: And I'm very glad that we do
11 it there, and I think good ideas can certainly
12 be reiterated.

13 MR. KEANE: Yeah.

14 MS. O'BRIEN: And, to me, the idea of
15 putting this in our own charter, the financial
16 impact statement, is a reiteration of a great
17 idea that's happening at the state level.

18 Kind of like the ethics code that I know
19 we'll be discussing, there's a state ethics
20 code, but as the City of Jacksonville and the
21 Charter Review Commission, we may just decide
22 that it's important to put an ethics code back
23 in our own charter, so I don't argue your points
24 at all.

25 I would just like there to be a more local

1 feel of accountability and transparency, as
2 discussed. I have no disagreement that the
3 council auditor -- that his financial analysis
4 could be -- and I hope he would certainly
5 consider and include the facts of the State
6 actuary. I just think sometimes they speak in a
7 different language that maybe I'm not smart
8 enough to understand.

9 And I think the council auditor's office,
10 who has to, through this motion, which I'm open
11 to amending if -- you know, to smart amendments,
12 if it needs to be rephrased into a more
13 understandable manner that everybody -- the
14 mayor, the City Council people -- all the City
15 Council people aren't all CPAs -- you know, City
16 departments and the collective bargaining units
17 and the people who are affected by the
18 collective bargaining units.

19 I mean, to me, what I like about this --
20 it's not just about removing a benefit, but it's
21 about adding benefits. Don't you think that --
22 you know, you're a sanitation worker who's part
23 of the City's union wants to know if he's
24 getting a new benefit what kind of benefit that
25 is to him? I'd want to know that as an

1 employee.

2 To me, all this does is allows it to be
3 more accountable and tells me exactly what I'm
4 getting. What am I going to get in year one?
5 What am I going to get in year five? What am I
6 going to get in year thirty if I have the
7 privilege of working for the City that long?
8 It's pretty simple.

9 MR. KEANE: Well, I'd like to respond to
10 that since you asked me a question.

11 That happens right now. Let's take a
12 proposal, somebody wants to change the pension
13 plan from A to B. A City Council member
14 introduce it, we introduce it, or somebody.
15 It's introduced. It's in bill form.

16 MS. O'BRIEN: Uh-huh.

17 MR. KEANE: It goes to the actuary. It
18 comes back. It goes to the council auditor.
19 The council auditor, he is one of the former
20 council attorneys, and the other one is sitting
21 right there. The council auditor takes several
22 weeks at times to go over this so they
23 understand every nuance of it, and we have
24 lengthy public hearings.

25 This is not something that's done at -- the

1 last item on the agenda when everybody has
2 left. I mean, there's lengthy here --

3 When Mayor Austin was the mayor, he had
4 lengthy discussions with his staff on proposed
5 pension things. Nothing happens quick. The
6 council auditor does what -- the gist of what
7 you're saying, they do an in-depth financial
8 review.

9 Would you agree with that, Counselor?

10 THE CHAIRMAN: Mr. Keane, we're following a
11 rule here with respect to our speakers, that
12 they should direct their questions to me and not
13 to an individual commissioner.

14 MR. KEANE: Well, excuse me, Mr. Chairman.
15 Maybe you can ask the former council
16 attorney if that's not correct.

17 THE CHAIRMAN: Well, our -- right now, our
18 focus is to see if there are commissioners who
19 have questions of you, not vice versa.

20 MR. KEANE: Okay. I thought I was trying
21 to answer a question just then.

22 THE CHAIRMAN: Are there anybody -- any
23 other commissioners have any more questions for
24 Mr. Keane?

25 COMMISSION MEMBERS: (No response.)

1 THE CHAIRMAN: All right. Thank you,
2 Mr. Keane. We appreciate you coming down.

3 MR. KEANE: Okay. Thanks. Have a great
4 day.

5 See you later, Mayor.

6 THE CHAIRMAN: Commissioner Miller.

7 MS. MILLER: Through the Chair to
8 Commissioner O'Brien, I would offer a friendly
9 amendment based on Mr. Keane's suggestion.
10 The council auditor may or may not have the
11 capacity internally to prepare a qualified
12 actuarial statement, and we certainly want that
13 to be a credible statement. So I would suggest,
14 after the words "council auditor" maybe a comma,
15 and then say, "or designee through an
16 appropriate independent professional qualified
17 to prepare such statement," or something like
18 that.

19 It's a little bit wordy, but that's just
20 off the cuff -- so that the council auditor has
21 the authority and the ability to hire an
22 independent professional to prepare the required
23 statement, if necessary.

24 THE CHAIRMAN: Commissioner Miller, to
25 clarify your proposed amendment, I did think it

1 was helpful that Mr. Keane used what appeared to
2 be a term of art, an ERISA-enrolled actuary.

3 MS. MILLER: Yes.

4 THE CHAIRMAN: Certainly I would think that
5 that's the kind of person we would want
6 performing the review, so I'm -- I'm just
7 clarifying that that's the intent of your
8 amendment.

9 MS. MILLER: That is the intent, is to have
10 an appropriate professional prepare that if
11 that's what's required. I don't know if that's
12 what's required, but if that's what required,
13 then we this should certainly mirror -- you
14 know, there's nothing new in the world. We just
15 copy what a good practice is, and this is
16 obviously a good practice.

17 So I would offer that as a friendly
18 amendment to clarify, and we can work out the
19 wording, but that's certainly the intent.

20 THE CHAIRMAN: Mr. Rohan, did you capture
21 the sense of that amendment?

22 I suspect you're going to be asked to put
23 this --

24 MR. ROHAN: Yes, sir.

25 My -- as this is going on -- I can't speak

1 for the council auditor, but it's my view
2 that -- I've known all along that the council
3 auditor could not make an actuarial statement,
4 but the council auditor would either use the
5 City's actuary, or if this were enacted,
6 probably Police and Fire's actuary would provide
7 the information to the council auditor that
8 would satisfy this. So the council auditor will
9 gather the information. But we can put that
10 language in here. That would not create a
11 problem. And I understand what the amendment
12 is.

13 THE CHAIRMAN: Commissioner Miller.

14 MS. MILLER: May I just clarify?

15 Based on my experience -- and Mr. Keane
16 asked for my comment on that. Based on my
17 experience -- and that was several years ago,
18 and things may have changed, but the council
19 auditor receives information and does not always
20 have the time or opportunity due to political
21 pressures -- they work for the City Council --
22 to conduct an independent study.

23 So this, in my mind, provides the council
24 auditor the time and the resources it needs to
25 conduct an independent study, not from the

1 Police and Fire Pension actuary, not necessarily
2 from the City actuary, from an independent
3 actuary that they can hire for this purpose.

4 My experience, again, several years ago was
5 that the council auditor was -- had to rely on
6 the opinions of others. And with all due
7 respect to the accounting profession, as we
8 know, just like lawyers, everyone has their own
9 opinion. And a lot of it has to do with your
10 assumptions and the assumptions that you use in
11 terms of the market. Just as Mr. Keane said, we
12 have to go with the most likely conservative
13 assumptions, and there are rules for that in
14 terms of what you assume in terms of market
15 growth to calculate the liability.

16 And I'm not an expert at this, but I know
17 enough to know that the council auditor should
18 be empowered to hire their own independent
19 professional to take a look at it. They can
20 take a look at all the information, but they
21 should have their own opinion. And that's my
22 intent, not to rely on someone else's, but to
23 conduct their own if they see it necessary.

24 THE CHAIRMAN: Okay. So I'm taking that as
25 a friendly amendment.

1 Is there a second?

2 MR. CATLIN: Second.

3 THE CHAIRMAN: Okay. Commissioner Austin
4 and then Commissioner Korman.

5 Did you want to speak, Mr. Austin?

6 MR. AUSTIN: No.

7 THE CHAIRMAN: Commissioner Korman.

8 MS. KORMAN: I guess I wanted to follow up
9 on Mr. Keane's point to ask -- as he said, some
10 of this stuff is already done, and he referred
11 to Commissioner Miller and Mayor Austin, their
12 thoughts if this is already done. I mean, did
13 they -- was it helpful? Was it what we were
14 trying to accomplish?

15 Because he's saying one thing, and I don't
16 know if that's accurate. I'm not one of the
17 elected officials to know -- not that I'm
18 questioning his accuracy, but you guys would
19 know better if what they deliver was helpful.

20 MS. MILLER: I'll be happy to speak, but I
21 will defer to Mr. Rohan as to current practice.

22 In my opinion, this proposed amendment
23 would ensure -- would ensure that all affected
24 departments and entities had all of the
25 information ahead of time and a certain type of

1 analysis. The analysis that's prepared may not
2 be in this format. And as, I think,
3 Commissioner O'Brien mentioned, sometimes --
4 like lawyers, again, we speak a different
5 language. So how do we get it into the most
6 transparent format?

7 So some of the information may be
8 delivered, but this would ensure -- because at
9 the time, it was not widespread, or it was not
10 consistently distributed. So I think this would
11 ensure both that it would be a clear statement,
12 that it would ensure that all affected
13 departments as well as the council auditor had
14 the opportunity to review it ahead of time, and
15 the council auditor had an opportunity to
16 conduct an independent review.

17 THE CHAIRMAN: Mr. Rohan.

18 MR. ROHAN: Through the Chair, I concur
19 with Commissioner Miller's statement.

20 I think if Mr. Clements or myself got you
21 an actuarial impact statement from the last
22 increase in benefits, it would probably not be
23 as detailed as Vice Chair O'Brien's request is.
24 So all this does is ask that it be put in more
25 detailed form and -- with showing 30, 20, 10,

1 and 5 year costs.

2 MS. O'BRIEN: Thank you.

3 THE CHAIRMAN: Okay. Any other questions,
4 comments?

5 COMMISSION MEMBERS: (No response.)

6 THE CHAIRMAN: I have a clarification I
7 would like to make based on something Mr. Rohan
8 said a moment ago.

9 I understand the intent of what we're
10 trying to get at here. It sounds like there's a
11 risk that the council auditor will still simply
12 rely on data information performed by others and
13 provided to them, and I don't -- and I think --
14 it's my sense that we want to make sure that
15 that's not what happens. So I would ask, do we
16 want to consider maybe providing -- not that the
17 council auditor do it, but we make sure that
18 some independent third party does it.

19 Mr. Rohan.

20 MR. ROHAN: My understanding after, let's
21 see, 20 years of working with the actuaries and
22 the auditors and the finance division is that on
23 any given set of assumptions, the actuaries
24 never disagree with each other. It's pretty
25 much put the material into a computer and come

1 out with actuarial results. And there's never
2 ever, in my experience -- and we've had even
3 litigation -- any contention that one actuary is
4 right and one actuary is wrong. They always
5 come out with the same numbers. It's not --
6 it's rocket science for all of us, but it's
7 basic actuarial science for them.

8 And to your point, there's no question
9 that -- in my view that the auditors, if they
10 came in here and responded -- which I think they
11 ought to be given an opportunity to speak to
12 this subject -- they would say, "We cannot make
13 actuarial assumptions or review somebody
14 else's" -- actually, they would have to rely on
15 an actuary.

16 Now, their -- they don't have a big
17 budget. Let me remind you of this. They
18 would -- tendency, they would ask -- what would
19 happen in practice? Here's what happens:

20 The council auditors are de facto one of
21 the most powerful groups in local government in
22 the City of Jacksonville because the City
23 Council listens to them almost all the time, not
24 all the time, but almost all the time. And if
25 they say, "Stop the legislation because we need

1 to study it further," the council usually stops
2 the legislation to study it further. The
3 council doesn't follow all their
4 recommendations, but they get the information.

5 What happens to the mayor's office and the
6 Police and Fire Pension Fund and everybody else
7 who wants legislation passed is they find out
8 what the council auditors want and need and they
9 supply it.

10 If the General Counsel's Office has a
11 settlement that we need approved by council, the
12 first people we go to are the council auditors
13 and say, "Here are the facts. We need your
14 recommendation." And if the auditors oppose it,
15 they probably will try and redo it.

16 And if the auditors oppose certain
17 legislation, usually the mayor's office or any
18 department or the sheriff will work with them
19 until they -- the auditors will agree with
20 them.

21 So if you put any requirement in here, the
22 auditor -- what will happen is the Police and
23 Fire Pension Fund and the City's pension fund --
24 because it's not just Police and Fire; it's the
25 City's pension fund -- the City officials and

1 the Police and Fire officials will tell their
2 actuary to provide the following information.

3 And our experience is that that information
4 would be accurate, that the actuaries don't
5 lie. Their reputations are at stake. And while
6 we check them off and verify -- trust but
7 verify, that's not going to be a problem. And
8 my only concern is that I don't think the
9 council auditor's office has the funding to go
10 out and hire actuaries. Ultimately, they would
11 rely on the City's actuary for confirmation of
12 anything.

13 THE CHAIRMAN: Thank you, Mr. Rohan, for
14 that clarification.

15 Vice chair O'Brien.

16 MS. O'BRIEN: Is the City -- when you refer
17 to the City actuary, who does that actuary
18 report to?

19 MR. ROHAN: The finance director.

20 MS. O'BRIEN: Okay.

21 MR. ROHAN: The City's finance director,
22 independent contractor.

23 MS. O'BRIEN: Okay. I mean, personally, I
24 don't believe that the council auditor's has --
25 you know, is on one side or the other. I'm not

1 as bent on the issue of saying whether or not --
2 I'm open to it being independent, but I do
3 realize the budgetary constraints. I have faith
4 in our council auditor, so I'm happy with it as
5 is, but if the commission wants to go with an
6 independent, I'm certainly happy with that too.

7 THE CHAIRMAN: Mr. Clements, did you have a
8 question?

9 MR. CLEMENTS: I just wanted to clarify
10 with Steve, the City administration hires the
11 actuary for the General Employees Pension Fund.
12 I think the Police and Fire Pension Fund hires
13 their actuary. But they both hire the same
14 person. Isn't it --

15 MR. ROHAN: No.

16 MR. CLEMENTS: It's not the same one
17 anymore? It used to be Tierney?

18 MR. ROHAN: Tierney is the City's actuary,
19 and Jarman Welch (phonetic) from Atlanta has
20 always been the Police and Fire actuary.

21 MR. CLEMENTS: Okay.

22 MR. ROHAN: No, they're not the same.

23 If there's any contentiousness between the
24 City and the Police and Fire Pension Fund or if
25 the City needs information with regard to the

1 unions and negotiations, the City's actuary is
2 assisting the City administration and the City
3 Council in providing actuarial answers. They're
4 not advocates. They just provide the answers.

5 THE CHAIRMAN: Commissioner Deal and then
6 Commissioner Miller.

7 MS. DEAL: I was just going to say, I would
8 like to hear from the council auditor on what
9 their -- what they would feel like their
10 processes would be in order to --

11 THE CHAIRMAN: Implement this.

12 MS. DEAL: Yes.

13 THE CHAIRMAN: Commissioner Miller.

14 MS. MILLER: Through the Chair, and that's
15 fine. We can hear from the council auditor.

16 I don't have a strong opinion one way or
17 the other as to whether or not it has to be
18 independent. I would prefer to rely on the
19 discretion of the council auditor because
20 council auditors are very highly qualified, and
21 they know the law as well as most lawyers do in
22 that area. So if they need a qualified,
23 enrolled ERISA actuary, then we will get one --
24 or they'll get one.

25 So I would rather -- I think the point of

1 this is the format of the information, the
2 format of the information and the distribution
3 of the information. So I think that's what's --
4 that's the point of this, and I don't want us to
5 get too wrapped up around who does that. I
6 mean, the council auditor -- I have every
7 confidence that the council auditor will
8 distribute a lot of information and in a very
9 fair and transparent manner.

10 So it's more about the format of the
11 information to me. So if this confuses things,
12 then we can withdraw it. But I would rather
13 just say that -- leave it to the discretion of
14 the council auditor to hire an appropriate
15 person if they need to.

16 THE CHAIRMAN: Any other questions or
17 comments, discussion on this?

18 COMMISSION MEMBERS: (No response.)

19 THE CHAIRMAN: Is it a sense of the
20 commission that we would like to wait to hear
21 from the auditor before we vote on this, or do
22 we feel comfortable that we can -- is there --
23 Vice Chair O'Brien.

24 MS. O'BRIEN: I think as a -- since this is
25 a charter issue, again, we're supposed to be

1 looking at this -- all of our issues from a
2 50,000-foot level. We're not supposed to be,
3 for the most part, implementing specifically how
4 things are to be done. That is to be done by
5 the City Council and by the City departments.

6 My goal is to put the framework of -- you
7 know, we want more transparency. We want to
8 know -- I want to know as a taxpayer how much
9 this -- you know, putting in this benefit or
10 taking out this benefit is going to either cost
11 me or save me in the short run and the long
12 run.

13 And I would like to be able to say that --
14 this plan in itself gives the council auditor
15 all the discretion in the world of how to
16 implement it as long as it impacts 1, 5, 10, 20,
17 and 30 years and as long as it's distributed at
18 a minimum to these affected parties.

19 I would ask that we vote for it -- vote on
20 it.

21 THE CHAIRMAN: Okay.

22 MR. CATLETT: Move and call the question.

23 THE CHAIRMAN: Okay. It's nondebatable.

24 All in favor of calling the question say
25 aye.

1 COMMISSION MEMBERS: Aye.

2 THE CHAIRMAN: Opposed, no.

3 Okay. We have a motion and second on the
4 amendment.

5 Is everybody clear on the amendment?

6 Anybody want the amendment restated before we
7 vote?

8 Mr. Rohan, do you have the amendment --
9 sense of the amendment?

10 MR. ROHAN: Yes.

11 THE CHAIRMAN: Commissioner Eichner.

12 MS. EICHNER: I think I stepped out in that
13 discussion.

14 THE CHAIRMAN: Oh, okay.

15 MS. EICHNER: So if it could be read, that
16 would be great.

17 MR. ROHAN: Well, the amendment was to add
18 to the proposal that either an ERISA-enrolled
19 actuary or a designee of the council auditor be
20 authorized to prepare the necessary
21 information. I'll nail it down with
22 Commissioner -- Vice Chair O'Brien.

23 THE CHAIRMAN: All in favor -- I'm sorry.
24 Commissioner Eichner, is that okay?

25 MS. EICHNER: Yeah. Thank you.

1 THE CHAIRMAN: Sure.

2 All in favor of the amendment say aye.

3 COMMISSION MEMBERS: Aye.

4 THE CHAIRMAN: Opposed, no.

5 MR. OLIVERAS: No.

6 THE CHAIRMAN: For the record, that was
7 Commissioner Oliveras.

8 And all in favor of the motion as amended
9 say aye.

10 COMMISSION MEMBERS: Aye.

11 THE CHAIRMAN: Opposed, no.

12 MR. OLIVERAS: No.

13 THE CHAIRMAN: Thank you. That motion
14 passes.

15 And, Mr. Rohan, if you would just circulate
16 that language at our next meeting just so we can
17 all have it for our records.

18 Thank you.

19 I would like to move, if it's okay, to
20 Commissioner Oliveras' strategic plan as our
21 next item of discussion.

22 Commissioner, I will just give you the
23 floor.

24 MR. OLIVERAS: Thank you, Mr. Chairman.

25 Again, as I said before, I would like to

1 take full credit for this but, in fact, this is
2 Dr. Corrigan's idea from UNF, and I proudly
3 proclaim that I stole it from him -- or co-opted
4 it.

5 But I think that this is -- this is
6 something that -- as I said before, it really
7 does kind of transcend some of these issues
8 we've talked about when we talk about the
9 sheriff and when we talk about the school board,
10 the council. And we see it kind of playing out
11 now. The mayor is beginning an initiative now
12 for some downtown revitalization.

13 I think it is really important to the
14 future of this city that when a mayor takes
15 office that his or her agenda, their ideas,
16 their philosophy, what they want to accomplish
17 during their term is something that the rest of
18 the city leaders have a chance to participate in
19 and buy into.

20 And in some ways, I think it does reinforce
21 the idea of the notion of a strong mayor because
22 then that City official who chooses to not share
23 the mayor's vision on something, that person
24 really has to perhaps explain themselves to the
25 community, why they're not in support of, just

1 as an example, the mayor's early literacy
2 program.

3 And in some ways, it's a little bit
4 coercive, but I don't know that that's a
5 problem. I think that that helps when we take
6 all of these individuals, these agencies, and we
7 ask them to look in a common direction and share
8 in a given mayor's vision of where he or she
9 wants to take the city. I think it's important
10 that we have something where the mayor can bring
11 these people in together, have a framework to do
12 that, and the strategic plan does that.

13 And I'm familiar with -- actually, the only
14 other strategic plan I'm familiar with is the
15 school board's strategic plan, and they state
16 enumerated goals and have quite a few
17 objectives. And what is really helpful -- and
18 anybody in City government or any citizen can
19 look at these. They're online. And you can see
20 where the school district is making progress in
21 an area that's a specific objective. And then
22 you can see where they're not making the
23 progress that they had stated as an objective.
24 And then it forces an entity to reevaluate, you
25 know, why is the idea not working?

1 And I think that is also something that
2 would be helpful to a mayor, to be able to, in
3 midstream, say, "Okay. This idea that's
4 important to me is not -- it's not coming to
5 fruition, and we're going to make a change --
6 we're going to make a correction or a change in
7 direction to make this very important thing
8 happen."

9 And so I think the strategic plan, it does
10 those things. And I welcome input from my
11 fellow commissioners. As I said before, I'm not
12 married to anything in here specifically. I'm
13 open to any suggestions or thoughts that might
14 make this a better document to present, but I
15 think the idea is very sound. And I think
16 Dr. Corrigan was very correct in his assertion
17 that a strategic plan is really the coin of the
18 realm, and it should be a part of the city
19 structure, and I think it would be something
20 that would be helpful to the mayor.

21 And with that, I'll give it back to you,
22 Mr. Chairman.

23 THE CHAIRMAN: Okay. Thank you,
24 Commissioner Oliveras. Thank you for taking the
25 time to do this.

1 MR. OLIVERAS: And thank you to Mr. Rohan
2 for his assistance in putting in some language
3 that I think strengthened it quite a bit.

4 THE CHAIRMAN: Thank you, Mr. Rohan.

5 I'll open it up for discussion on the
6 proposed language. Questions, comments?

7 Vice Chair O'Brien.

8 MS. O'BRIEN: Commissioner, I love the
9 idea. As I have expressed a number of times, I
10 think it's a wonderful idea.

11 I have two suggestions. Due to the fact
12 that a mayor is only elected for four-year terms
13 and some of the comments we've received from the
14 public about this -- I think there's one in our
15 packet -- I believe that it should probably be a
16 four-year strategic plan. I think it would be
17 hard for a mayor to strategic plan for year five
18 if he's not elected -- if he or she is not
19 elected for that year.

20 And then, second of all, I would love to be
21 able to include at a minimum, "The strategic
22 plan shall include a vision statement, mission
23 statement, enumerated goals, provide for annual
24 performance reviews in a financial outline."

25 Originally, I said "financial plan," but I

1 think that might be too detailed -- the plan
2 comes through the annual budget -- but a
3 financial outline in order to show how or the
4 idea that they have for funding the strategic
5 plan.

6 THE CHAIRMAN: Commissioner Catlett.

7 MR. CATLETT: Mr. Chairman, I've had the
8 opportunity to work with every single mayor
9 since consolidation, and I will tell you that
10 the day they come into office they do not have a
11 grand plan. They're just so relieved to have
12 the campaign over with.

13 I think I could speak for Mayor Austin on
14 this since I worked on his campaign also, that
15 when the campaign is over that's when they sit
16 down and say, "Okay. Where were we and what can
17 we do from where we are?" And they need to do a
18 strategic plan. But the day they come in, they
19 don't have that plan ready. Their big plan was
20 to get elected so that they can come up with a
21 strategic plan.

22 And, frankly, you know, I don't know how
23 long they should be given to come up with that
24 plan, but the day they walk in, under the
25 current system, not the system that Mr. Webb has

1 proposed that has been approved by the council
2 to put on the ballot, but on the current system,
3 they walk in the door and the first thing that
4 hits them is the budget.

5 They're elected in the spring to take
6 office in the summer for a budget that is
7 effective in October. They really don't have a
8 lot of time for a strategic plan under the
9 current system until after that budget is
10 prepared and set in place.

11 So, you know, I think you have to give them
12 a lot of time to get the vision of what they
13 want. I promise you, the successful Renaissance
14 Plan that Mayor Austin proposed and got approved
15 that built the stadium and remodeled this
16 building and did the LaVilla project, the day he
17 came into office he probably didn't have all
18 that thought out.

19 Would you agree with that, Mayor?

20 MR. AUSTIN: Absolutely, not even
21 conceived.

22 MR. CATLETT: So I guess what I'm saying is
23 you ought to give them a year to come up with a
24 plan because the first day they're in office,
25 they're faced with the budget that day. Not six

1 months from now, but right now, they're faced
2 with a budget that somebody else prepared and
3 laid on their desk to deal with.

4 So if we're going to do this -- I think
5 it's a great idea. I believe in a strategic
6 plan. I think you've got to give them a year to
7 get the plan ready for the rest of their term,
8 for the remaining three years. I don't think
9 you can -- you can do a four-year plan, but the
10 first year, they don't have a plan when they
11 come into office.

12 And then to make it worse, if you have a
13 mayor -- and this is no reflection on anybody.
14 But, you know, when you start a new job and you
15 haven't been in that job, you have to hire new
16 people that you feel you're comfortable with and
17 can trust and that are capable, and they have to
18 find their way around too. It's not just the
19 mayor. It's his whole staff.

20 So I just -- I would feel a lot more
21 comfortable giving the mayor a year to come up
22 with a plan for the balance of his term where he
23 can decide what his vision is and -- rather than
24 saying it's a four-year plan coming in the
25 door.

1 I don't see how it's -- I think the
2 planning aspect is excellent. I think the whole
3 premise is excellent. I just don't see, as a
4 practical matter, how you could do it from day
5 one. And certainly I don't think John Peyton
6 had a grand plan day one when he came into
7 office, or John Delaney.

8 I mean, I just -- I've known every one of
9 them, and they were -- their big plan was to hit
10 the ground running with a budget someone else
11 had prepared and hope they could modify it to do
12 what they wanted to do and then they started
13 thinking about what they wanted to accomplish:
14 Better Jacksonville, Renaissance, you know,
15 other types of efforts.

16 THE CHAIRMAN: Commissioner Oliveras.

17 MR. OLIVERAS: I don't disagree. I would
18 just say that six months is a fair amount of
19 time. I don't know that it's enough, and I'm
20 completely open to options, but I think that by
21 having a timetable it reminds mayoral candidates
22 who have a number of ideas and priorities that
23 they're actively campaigning on when they're
24 running for office to -- and, you know, these
25 are pretty large campaigns with a pretty fair

1 amount of staff, that somebody can start
2 coalescing these thoughts and ideas into
3 specific directions that candidate wants to go
4 in should he or she be elected.

5 But I -- so I think that there necessarily
6 needs to be a timetable. Otherwise, it won't
7 get done. And that's -- and this is not a
8 criticism of the current or any former mayor,
9 but when -- if an idea comes midstream or an
10 initiative comes near the end of a term, is it
11 going to come to fruition? Is it going to
12 work? Is it going to be accomplished?

13 And so I think that a strategic plan has to
14 necessarily be frontloaded. And now what the
15 specific timetable is, I'm open to the will of
16 the commissioners on this.

17 THE CHAIRMAN: Commissioner Flowers.

18 MR. FLOWERS: Thank you, Mr. Chairman.

19 I just wanted to -- in growth management --
20 because if you have a plan, some things need to
21 be consistent so that we can have a continuous
22 plan, so it wouldn't be every time someone is
23 elected. It would be based on the City's plan
24 as opposed to the mayor's plan.

25 So I certainly support the idea.

1 THE CHAIRMAN: Commission Thompson and then
2 Commissioner Miller.

3 MR. THOMPSON: Through the Chair, I kind of
4 agree with Commissioner Catlett. One year, give
5 one year for the plan.

6 THE CHAIRMAN: Commissioner Miller and then
7 Commissioner Catlin.

8 MS. MILLER: Through the Chair, I agree
9 with what's been said.

10 And, thank you, Commissioner Oliveras, for
11 preparing this.

12 I agree with this in concept completely. I
13 just have some suggestions for tweaking the
14 structure of this. And I agree it should be
15 every term, whether it's one year -- that's
16 probably the most reasonable thing, given all
17 the pressures when taking office. If it's six
18 months -- it should be some time frame, but also
19 suggest that the recommendations, where it says
20 provide for annual performance reviews and the
21 financial outline, that there be measurements.

22 I would like to ensure that -- instead of
23 referencing specific -- what the charge of the
24 strategic plan is going to be, that it should
25 address or provide clear guidance for all

1 aspects of consolidated government and that the
2 mayor shall appoint or convene the strategic
3 planning group from all aspects of consolidated
4 government.

5 So the mayor will take in all aspects and
6 all independent authorities because there's a
7 lot of -- I don't want us to get into the point
8 of saying exactly what needs to go to the
9 strategic plan and by doing so we exclude
10 something that really needs to go in the
11 strategic plan, like growth management or
12 something like transportation or the port, so I
13 would like to maybe make the language a little
14 more broad to ensure that the mayor convenes a
15 strategic plan to -- and provide meaningful,
16 measurable performance outcomes, recommendations
17 for all aspects of consolidated government.

18 The strategic planning committee,
19 commission, whatever, should consist of a
20 representative from each of the independent
21 authorities and districts in the consolidated
22 government as well as any other representatives
23 from the private sector, and then -- and then
24 provide -- ask the mayor to report on the
25 progress of the strategic plan when the mayor

1 gives his budget address to the council every
2 year.

3 So that -- ideally, there -- they should be
4 one and the same. Here is where we are, here is
5 where we're going, and if the mayor is going to
6 tweak it or change it, then those
7 recommendations should come forward during the
8 mayor's budget address in early July every year.

9 So those are my -- those are my
10 suggestions. Again, it is getting to be most
11 realistic, including outcomes, making sure that
12 it's inclusive of all aspects of consolidated
13 government, and that there is an annual report
14 presented with the budget.

15 THE CHAIRMAN: Okay. So let me summarize.

16 You think the -- it should be broader and
17 more nonspecific in scope to make sure that they
18 don't -- by listing, exclude something that
19 later we want to talk about.

20 MS. MILLER: That's my concern.

21 I mean, we can go through and list it, but
22 I'm concerned about if there's something new
23 that comes along, but giving the mayor
24 discretion, but the requirement is that it must
25 include a representative from each district,

1 agency, what have you within consolidated
2 government.

3 So that is --

4 THE CHAIRMAN: And there will be
5 benchmarks?

6 MS. MILLER: Benchmarks.

7 And an annual report at the mayor's budget
8 address.

9 THE CHAIRMAN: Mr. Rohan.

10 MR. ROHAN: Since I have to draft it --

11 THE CHAIRMAN: That's why I'm trying to
12 make sure we get --

13 MR. ROHAN: I think there are about 50 or
14 60 agencies in the consolidated government. Do
15 you want all of those to be on this committee --

16 MS. MILLER: No. I think what we'll maybe
17 have to do is come up with -- I know you've put
18 as nonvoting members the constitutional
19 officers, but a voting member is also the
20 sheriff. So I'm not sure how the other
21 constitutional officers or independent
22 authorities feel about that, but I -- it just
23 seems to me they should all be participating and
24 be held accountable.

25 In order to be held accountable, they need

1 to participate in terms of building consensus.

2 THE CHAIRMAN: Mr. Rohan.

3 MR. ROHAN: I can explain that.

4 The sheriff -- virtually all the other
5 constitutional officers are ministerial
6 positions. The tax collector collects the tax,
7 the supervisor of elections conducts the
8 elections, and the property appraiser appraises
9 property. The sheriff is the only elected
10 policymaker who is responsible for a huge
11 portion of our day-to-day life and setting
12 policy in the city. That's why the sheriff was
13 separated out as somebody who probably needed to
14 be at the table.

15 But there are -- there are seven
16 independent agencies also. Are you aware of
17 that? Including -- Police and Fire Pension Fund
18 is one of them, and so I leave it to you all
19 to --

20 MS. MILLER: Here's something that was
21 mentioned and it's a very good point. If the
22 mayor wants to work on downtown development and
23 wants to change maybe some of the roadways
24 downtown to two-way streets instead of a one-way
25 street, he's going to need the cooperation of

1 the JTA. So how do you get the JTA on board?

2 This is the mayor's strategic plan and so
3 maybe it is that there are nonvoting members, or
4 if he wants to work toward the development of
5 Cecil Commerce Center with the JAA, who is a key
6 partner out there, how does he get their buy-in
7 and publicly get their buy-in to get down on
8 paper that this is a goal, this is measurable,
9 and hopefully holding not just the mayor
10 accountable but JAA accountable when they bring
11 their budget every year and say, well, where are
12 you in helping us with Cecil Commerce Center?

13 So that's -- I don't know what the right
14 balance is, but those are my concerns. I don't
15 have the right answer and -- and have been
16 struggling with what to do, but I think we
17 should think about how we empower the mayor and
18 make sure we get consensus to a point, but then
19 let the mayor set the course and hold those
20 agencies accountable.

21 So these are just comments. I'm sorry I
22 don't have specific suggestions. I certainly
23 understand the ministerial offices. I agree
24 with that.

25 I don't think there should be dual

1 representation from the school board; that's
2 redundant. And so -- just want to make sure
3 that it's meaningful to the independent
4 authorities and at least they have an
5 opportunity to weigh in, but let the mayor set
6 the course.

7 THE CHAIRMAN: Commissioner Oliveras and
8 then Commissioner Korman.

9 MR. OLIVERAS: Thank you, Mr. Chairman.

10 Through the Chair to Commissioner Miller,
11 what I was thinking was that -- what I don't
12 want to have happen is a mayor have to ride herd
13 on a massive committee and spend a lot of time
14 trying to corral people in and maintain order
15 during a meeting. And having been a part of
16 large committees, that's typically what happens.

17 What I jotted down was -- just as a thought
18 when Commissioner Miller was speaking was --
19 when referring to the -- the people included in
20 the committee, "or others as the mayor deems
21 appropriate."

22 Because what I really want to have happen
23 here is for a given mayor to -- if he or she
24 says, I want to have this agency involved, I
25 want to have this individual involved, yeah,

1 absolutely, include that person, and -- because
2 this is something that is going to -- I see this
3 as a tool for a mayor to shine the light on his
4 or her agenda, to get the buy-in from the other
5 elected officials, appointed executive
6 directors, to move the City towards common goals
7 and to at least look in the same direction where
8 I think a lot of times we see now that, you
9 know, the sheriff will go in one direction and
10 the mayor's going 180 degrees in the other.

11 You know, sometimes those debates have to
12 occur, but I -- you know, you tend not to make
13 progress. And so what I want to see is a mayor
14 have a committee large enough to accomplish what
15 he or she wants to have done but small enough to
16 where work actually occurs in the committee and
17 it's meaningful progress, and I don't know the
18 specific number either.

19 THE CHAIRMAN: Commissioner Korman has
20 waived her question.

21 Commissioner Catlin.

22 MR. CATLIN: Quick question, Commissioner
23 Oliveras. Is there a reason why you didn't
24 include the general counsel on there? I mean, I
25 don't know if it's an assumption that a general

1 counsel -- a representative would have a seat at
2 the table, or is there a reason why . . .

3 MR. OLIVERAS: Through the Chair, it was an
4 omission on my part, but I -- they're always
5 around. They're everywhere.

6 MS. MILLER: As we know, the role of the
7 General Counsel's Office is not to provide
8 policy advice. This is policy advice.

9 So certainly if there are legal questions,
10 I'm sure the General Counsel's Office will staff
11 the strategic plan committee.

12 MR. OLIVERAS: And, through the Chair, if
13 that needs to be listed, I mean, I don't --
14 through the Chair to Mr. Rohan. Would that --

15 MR. ROHAN: It's -- through the Chair, it's
16 a Sunshine committee because it's a committee
17 created by charter, and the General Counsel's
18 Office would certainly provide legal
19 representation and whatever additional input
20 we're requested.

21 MR. OLIVERAS: Y'all are always around.
22 Thank you.

23 MS. MILLER: And I will -- I would like
24 to -- in the first sentence or the first
25 provision there, the first part of the first

1 paragraph, just ensure that the scope -- so that
2 it is establishing a four-year strategic plan
3 that will address, maybe, say all aspects of the
4 consolidated government, including without
5 limitation -- and then go into these so that we
6 are not limited to those areas.

7 And then as to the composition, I just
8 don't -- I understand why the school board
9 chairman and superintendent would be involved.
10 There just should be a representative from the
11 school board, and -- if that's the will of the
12 committee, the sheriff, two -- at least two
13 local corporate executives selected by the mayor
14 and any others, I guess, as Mr. Oliveras -- as
15 the mayor deems appropriate.

16 So I would rather set minimums instead of
17 saying that it has to be just this many people
18 and let the mayor decide who needs to be on the
19 committee.

20 Those are my friendly suggestions.

21 THE CHAIRMAN: Any other discussion?

22 COMMISSION MEMBERS: (No response.)

23 THE CHAIRMAN: I have a few comments that I
24 want to make, just a suggestion.

25 It occurred to me that it might be helpful

1 to have the executive director or the -- or the
2 president, board president of JCCI be a part of
3 this group. I don't know that we necessarily
4 have to call them out, specifically identify
5 them; it would just say that whoever else the
6 mayor wants to have, since it's already been
7 discussed. But I do think we're talking about
8 strategic issues affecting the city, that's a
9 resource --

10 MR. OLIVERAS: And that's what they do.

11 THE CHAIRMAN: That's exactly what they do,
12 right. So I'm just throwing it out there. I
13 don't know if -- Commissioner Oliveras, if you
14 didn't want include them by name but . . .

15 MR. OLIVERAS: Just -- in my mind,
16 Mr. Chairman, that's a good idea because I have
17 their most recent report in my stack here and
18 they do tremendous work for the community now
19 and, as you said, they're an excellent resource,
20 so I --

21 If we need to include them by name, I'm
22 fine with that or, you know, as the mayor deems
23 necessary or appropriate. Whichever way the
24 will of the commission is I'm fine with.

25 THE CHAIRMAN: Okay. The other comment I

1 had is in the last paragraph. "The strategic
2 plan submitted to the citizens must be approved
3 by the committee and the mayor."

4 My concern is that the mayor is the chief
5 executive. This is her chance to set the
6 agenda, so my concern is -- that was for
7 Commissioner Korman.

8 I don't want to -- I don't want to create a
9 structure that potentially could bind the chief
10 executive's hands right out of the box, if you
11 will, if for whatever reason -- I mean, I think
12 it's great that we convene this group and it's
13 great that the mayor outline a vision for the
14 city and hopefully get buy-in from all of those
15 people, but I don't think it should be a
16 condition of going forward with the plan.
17 Otherwise, you could stymie the plan in
18 committee.

19 So that's a concern I have, but I don't
20 know what -- what was the basis for the language
21 in the -- the proposed language. Was there a
22 specific reason you wanted to --

23 MR. OLIVERAS: I don't know that there was
24 a specific reason and -- actually, if -- because
25 again, this is about the mayor's vision and this

1 is about the mayor's -- pushing his or her
2 agenda and accomplishing these goals.

3 So I -- again, I'm not beholden to this
4 language. Unless Mr. Rohan sees a reason why it
5 should be there, we can just strike that
6 possibly.

7 THE CHAIRMAN: Mr. Rohan.

8 MR. ROHAN: The reason why it's there, why
9 the current language is here, is, number one,
10 committees usually vote. So it was recognizing
11 that general principle, that committees vote,
12 but it's the mayor's strategic plan, so
13 obviously we have to have the approval of the
14 mayor because it's the mayor's strategic plan.

15 This can be easily rewritten to just simply
16 say an ad hoc committee shall be selected to
17 assist the mayor and provide guidance to the
18 mayor in the development of a strategic plan,
19 and that way the -- there doesn't have to be a
20 vote and this language can be changed at your
21 pleasure. That's very easy to do.

22 MR. OLIVERAS: I think that would
23 accomplish what -- and I agree that -- again, I
24 want to reinforce that this is the mayor's plan,
25 and I think we have all seen where a very good

1 idea gets derailed because somebody who is not
2 inclined to buy-in, you know, has a tableside
3 mutiny, and we don't want that to happen.

4 THE CHAIRMAN: Well, I think -- any other
5 comments?

6 COMMISSION MEMBERS: (No response.)

7 THE CHAIRMAN: I think this is a great --
8 Go ahead. I'm sorry.

9 MR. AUSTIN: Sorry. You finish.

10 THE CHAIRMAN: I was just going to say I
11 think this a great concept. I think we all
12 think it's a great concept. I think our
13 discussion today has strengthened it.

14 Do we want to have Mr. Rohan do a revised
15 draft that we vote on?

16 COMMISSION MEMBERS: (Shake heads.)

17 THE CHAIRMAN: Do we want to vote today?

18 MR. OLIVERAS: There's been a few
19 revisions.

20 THE CHAIRMAN: Mr. Rohan --

21 MR. ROHAN: I'll do my best. I mean, I've
22 got them all listed and --

23 THE CHAIRMAN: The ones that I have are a
24 year instead of ten days; four years instead of
25 five years; broader in scope; ad hoc as to the

1 membership and --

2 MR. ROHAN: One clarification.

3 The original ten days, I saw it as a year
4 to deliver, but do you not want to have it
5 started at a certain time?

6 THE CHAIRMAN: Well, getting back to the
7 point that Commissioner Catlett made, if for
8 whatever reason the referendum doesn't pass, do
9 you want to put that time clock on the mayor
10 when there are --

11 MS. MILLER: Ninety days.

12 MR. CATLETT: Ninety days he starts and in
13 a year he finishes.

14 MR. OLIVERAS: Definitely agreeable.

15 MR. ROHAN: Start with 90, report within --
16 at the end of the year.

17 Benchmarks and an annual report, the budget
18 address. Those were the . . .

19 MS. KORMAN: Could we decide, Mr. Chair,
20 Mr. Rohan, is it five years or four years? Do
21 we have that -- we said four. We all agree it's
22 going to be four after the -- four-year plan.

23 MR. ROHAN: Commissioner, I forget whether
24 you had four and I changed it to five -- and let
25 me explain why I changed it to five, because

1 Commissioner Oliveras says we'll put in a whole
2 bunch of things and we'll let everybody talk
3 about them and discuss them and we'll come up
4 with the best results as a commission.

5 But it's been my experience that in
6 collective bargaining, virtually every
7 collective bargaining agreement is designed in
8 good times when there is not a lot of
9 contention -- and Commissioner Oliveras is
10 familiar with this -- to move between one
11 administration to the next so that it will be
12 started the year or two years before the end of
13 the term and continue for three years into the
14 next term. And so because of that, because of
15 that tradition, I put five years so that the new
16 mayor will have something in place and there's
17 some -- something going on and a plan that the
18 new mayor can accept or reject as they develop
19 their own plan.

20 So that's why I put five years instead of
21 four, so that there would be continuity going
22 beyond the administration.

23 THE CHAIRMAN: Commissioner Miller.

24 MS. MILLER: Mr. Rohan, I think you might
25 be able to answer this. Doesn't the City

1 prepare a five-year CIP? The Capital
2 Improvement Plan, isn't that on a five-year --
3 I mean, in terms of planning capital
4 improvements and implementing budget
5 expenditures for capital improvements, that's a
6 five-year plan. Is that . . .

7 MR. ROHAN: That's an excellent point, and
8 they do have a five-year capital improvement
9 plan which is redone every year.

10 MS. MILLER: It's updated.

11 MR. ROHAN: And so I don't know -- I'm not
12 a strategic plan expert -- whether corporations
13 make new strategic plans every year, every two
14 years or they let it go for the duration of
15 time.

16 MS. KORMAN: (Nods head.)

17 MR. ROHAN: Okay. But that was a good
18 point about the capital --

19 MS. MILLER: But there are necessary
20 adjustments because the Capital Improvement Plan
21 includes, you know, obviously the basis or
22 assumptions based on income or revenue income.
23 Say road improvements for the Better
24 Jacksonville Plan, what have you, when income
25 comes in, sometimes that has to be adjusted

1 based on income projections.

2 So, obviously, the strategic plan can be
3 adjusted based on the current market
4 environment.

5 THE CHAIRMAN: Mr. Rohan.

6 MR. ROHAN: And, as written, there's
7 nothing binding about the strategic plan. It's
8 a public document that's going to represent the
9 intent of the mayor.

10 THE CHAIRMAN: So five years or four?

11 MR. AUSTIN: How do you know it's -- pardon
12 me. I'm sorry.

13 THE CHAIRMAN: Commissioner Austin.

14 MR. AUSTIN: How do you know they're going
15 to be on the mayor's side? This is just a
16 freestanding committee in the middle of the
17 administration of the City affairs? Is that
18 what it is, it's just a freestanding committee?

19 MR. ROHAN: No.

20 THE CHAIRMAN: Mr. Rohan.

21 MR. ROHAN: This --

22 MR. AUSTIN: Well, it doesn't have any
23 authority, does it? Real authority? Can they
24 change anything?

25 MR. OLIVERAS: Through the Chair, no.

1 The members of the committee, it's ad hoc
2 and they're advisory in nature essentially to
3 the mayor, and the mayor is bringing them in --

4 MR. AUSTIN: They can advise the mayor of
5 things that the mayor doesn't want to do.

6 MR. OLIVERAS: Well, no. What this is an
7 opportunity for -- they could. You're
8 absolutely right.

9 MR. AUSTIN: Yeah.

10 MR. OLIVERAS: But we --

11 MR. AUSTIN: You know, I've been sitting
12 here for 45 minutes -- and this is the first
13 time I disagree with the chairman. I think this
14 is an awful idea, I really do.

15 I mean, the mayor goes in, he wants to
16 develop downtown, he wants to get economic
17 development going, he wants to make darn sure we
18 don't lose the Jaguars or whatever his agenda
19 is. He's got an agenda and he's got a million
20 people -- 600,000, 500,000 voting that endorsed
21 that agenda.

22 Now, you don't need to redefine that. You
23 don't need to have people tell you. That's why
24 you do it. I mean, you put your name out there
25 and it's very simple. And I've never seen a

1 committee that didn't muddle something up.

2 THE CHAIRMAN: Present company excepted.

3 MR. AUSTIN: And it's just they are --
4 they're not -- I mean, the mayor is an
5 executive. I mean, the mayor -- that's why
6 we're talking about this strong mayor thing, to
7 have this municipal corporation control through
8 a process of a board of directors, strong board
9 of directors. We go through all of that.

10 And you don't need to have a private sector
11 advisory committee muddling around in the middle
12 of the mayor and the City Council trying to run
13 this city. I mean, it's a billion-dollar
14 business and it runs every day, and the mayor is
15 going to sit there and diddle around with this
16 committee when he wants to be moving things.

17 I'm sorry. It's just -- I think it's a
18 terrible act.

19 MR. OLIVERAS: Through the Chair to
20 Commissioner Austin, I have been a member of
21 many committees --

22 MR. AUSTIN: But if I lose this, it will be
23 consistent. I've lost all the rest of them.

24 MR. OLIVERAS: I think what this does is
25 this allows a mayor to come in early in his or

1 her administration -- and to use Commissioner
2 Miller's thought of JTA, if you need to get
3 buy-in from JTA on changing streets downtown, as
4 part of downtown redevelopment, when a mayor
5 goes in and says, look, I need your support to
6 make these streets two-way or we're going to
7 have a festival street on Forsyth and I need
8 your support, and he gets that support initially
9 from the JTA, then it becomes more difficult for
10 the JTA not to provide their cooperation when
11 they start -- you know, when the banging and
12 hammering starts going on.

13 MR. AUSTIN: If you're talking about
14 bringing the JEA and the Port Authority and the
15 Airport Authority and all these agencies
16 together and the mayor talking, then that's --
17 that's a different thing.

18 MS. MILLER: That's the intent of this, I
19 think.

20 MR. AUSTIN: I mean, that makes sense.
21 That makes a lot of sense to me, to have
22 everybody on board, working towards the common
23 goal to help build the city. I tried to
24 articulate that earlier and I didn't do a very
25 good job of it. But, I swear, a committee -- I

1 don't understand how it would work.

2 The mayor may have an entirely different
3 agenda than this group has. He got elected;
4 they didn't.

5 THE CHAIRMAN: Let me ask one question to
6 clarify the discussion that we're having to make
7 sure we're not talking past each other.

8 I understand exactly the point you're
9 making. My conception of the proposal is that
10 the committee would be formed so that the mayor
11 can impress his vision on all of these
12 stakeholders in the consolidated government, say
13 here's what I ran on, here's what I got elected
14 to do, here's how I'm going to implement it, and
15 here's how each of you is going to play a role
16 in implementing that vision.

17 MR. OLIVERAS: Get on board the train.

18 THE CHAIRMAN: If I'm incorrect --

19 MR. OLIVERAS: You are correct,
20 Mr. Chairman. That's how I see this. This is
21 the mayor bringing these people into his or her
22 plan for economic growth, social issues, you
23 know, public safety issues.

24 MR. AUSTIN: And every mayor would have a
25 different way of doing that. I had a thousand

1 people down at the convention center. We got
2 them to break out and come up with a project --
3 we did it differently. Another mayor is going
4 to do it entirely different.

5 MR. OLIVERAS: If I may, Mr. Chairman,
6 through the Chair, I think what this can provide
7 is -- if something that the mayor really wants
8 and it's a part of his or her strategic plan is
9 not happening, then it really does give the
10 mayor a certain amount of leverage to go back to
11 whoever that individual or that independent
12 authority is and say, hey, you need to step up.
13 We need -- we identified this as something that
14 needed improvement and you agreed and you're not
15 doing any of the heavy lifting.

16 I think this -- I think this supports the
17 mayor, and I think it has flexibility in it so
18 that the mayor is not nailed down to having to
19 do A, B, and C.

20 MR. AUSTIN: He's nailed down to having to
21 do this when he might want to be doing a lot of
22 other things.

23 THE CHAIRMAN: Commissioner Miller and then
24 Commissioner Catlett.

25 MS. MILLER: Mr. Mayor -- through the Chair

1 to Mayor Austin, you make excellent points. I
2 agree with you, and I agree with Commissioner --
3 Mr. Chairman and -- that the intent of this is
4 to do exactly what you said, to convene certain
5 aspects of consolidated government to move the
6 City forward with the mayor's vision and plan.

7 And this is an attempt to help, but
8 sometimes help is not helpful. So I would ask
9 you, then --

10 MR. AUSTIN: Unintended consequences.

11 MS. MILLER: Right. Exactly. Unintended
12 consequences.

13 So what would be helpful to do that? Is
14 there any mechanism? Is there any structure?
15 Is there something we can do to ensure -- to
16 provide the mayor with that authority in the
17 charter? If it's not this, then what are --
18 what would be helpful, in your opinion?

19 MR. AUSTIN: It's hard. I've never seen
20 dotted lines work. And when you've got an
21 organizational chart, if you don't have
22 authority, you -- then they don't work. To me,
23 they don't work. That's why I was advocating
24 getting some of these -- add other agencies
25 structurally.

1 There might be some mechanism that you
2 could set up, the authorities and the mayor,
3 that they would consult on long-term objectives
4 of the City and to make sure they work together,
5 some idea of the corporate unity of the whole.

6 It's -- I'm running out of -- but you've
7 got a consolidated government that was designed
8 to pull it all together because the shared
9 responsibility means no one is responsible kind
10 of thing, and it started -- it was always
11 pulling us apart. We've still got some of
12 that.

13 If you had some way that you could bring
14 the independent agencies and the elected
15 officials together to discuss the long-term
16 goals, to pull together on major issues -- the
17 independent authorities have problems that the
18 mayor can help with, and the mayor has problems
19 that the independent authorities can help with,
20 but I don't know you do that without fixing it,
21 without a direct line of authority. I have no
22 earthly idea how you do it.

23 I'll tell you, if you go back and study and
24 look at the original blueprint for
25 consolidation, that's the best thing I've seen.

1 They pretty much talk about what I'm talking
2 about: authority, direct lines, accountability,
3 the mayor being accountable. And the -- they
4 had pretty much pulled those things together.

5 And I haven't been able to improve --
6 everything I've said has been based on what they
7 said that wasn't done politically because it was
8 not politically expedient.

9 MS. MILLER: I guess the budgetary item
10 that we passed earlier would also help if the
11 mayor has the ability -- the council --

12 (Simultaneous speaking.)

13 MR. AUSTIN: You could put more emphasis on
14 that budget. I agree wholeheartedly with that.
15 I think that -- where you can sit down, analyze
16 budgets and have a veto power is -- means
17 something. I agree with that. I think we made
18 a move there.

19 It's hard to talk about this without
20 thinking that somebody wants to be a dictator,
21 you know, and it's -- that has nothing to do
22 with it. It's just being a corporation that's a
23 real corporation. If you had a corporation, an
24 elected head of security and one is elected the
25 treasurer, it would be bankrupt in a year

1 because nobody would be pulling together to make
2 money.

3 You know, that's all this is about, is
4 about consolidating it so that it works.

5 THE CHAIRMAN: Commissioner Catlett.

6 MR. CATLETT: I'm going to bring up what is
7 a practical observation. This is not
8 philosophy. This is an observation not relating
9 to any one mayor.

10 It has occurred to me over time that the
11 heads of independent agencies may be summoned by
12 the mayor for a discussion and frequently are,
13 and the mayor explains things -- I'm not
14 pointing to any particular mayor -- explains
15 things in terms of his vision and the assistance
16 he wants from that agency.

17 Most agencies receive some money from the
18 City and are happy to assist whatever the mayor
19 wants to do. Either way, the mayor has
20 appointees on these agencies, and if the
21 director does not want to participate and assist
22 the mayor, over time I can pretty much guarantee
23 you those appointees will change the higher the
24 executive director.

25 Now, I wouldn't go into this except that I

1 worked for one of those agencies, and I could
2 assure you that if the mayor wanted something
3 done, we were anxious to assist, and those who
4 were not anxious to assist did not have the same
5 luck that we had.

6 Is that pretty well put?

7 MR. AUSTIN: I think that's true. Some of
8 it, though, is -- will get someone (inaudible).

9 MR. CATLETT: I'll give you a classic
10 example. I'm going to give you an example. I'm
11 not going to belabor this, but once our airport
12 and our seaport were together. They did not
13 share a common vision with the mayor. They
14 became two different agencies, both with a
15 common vision with their mayor. It's amazing
16 how this happened over time.

17 Would you agree with that, Mayor?

18 MR. AUSTIN: Yeah.

19 MR. CATLETT: Since you led that
20 effort, I thought . . .

21 THE CHAIRMAN: Commissioner Youngblood and
22 then Vice Chair O'Brien.

23 MR. YOUNGBLOOD: I'm glad the discussion
24 was tabled because I felt the same way. I
25 wasn't -- completely the direction of politics

1 that has been in the past, and I like the idea
2 of policy because if we truly, let's say, plan
3 to fail -- if you fail to plan, you can plan to
4 fail. So I like the strategic goal and the
5 direction.

6 I know we do it within our industry and
7 within our business. And as an executive, I
8 have to make a decision and that decision
9 stands. It's not a dictatorship, but it's
10 nonetheless a decision that everybody has to be
11 accountable for.

12 So what can we do -- kind of right between
13 the two here, between the politics as usual and
14 some policy that we can help you with? That's
15 what I think Commissioner Miller was asking also
16 former Mayor Ed Austin, is there some more help
17 that we can afford you to allow you to reach
18 into those agencies outside of just an appointed
19 position and outside of hiring lobbyists to do
20 certain activities for you, that we can clearly
21 craft good policy to better help that strong
22 mayor form of government, that executive
23 position?

24 MR. AUSTIN: It's a difficult one because
25 it's critical that those agencies be

1 independent, that they run like businesses.

2 But it's a policy level, that there should
3 be some way that you can hook them up better
4 than the way they're hooked up now. And I
5 really don't know how to do that. We've been
6 talking about that since about the second day.

7 There must be some way that there would be
8 a sharing of vision, so to speak, and I don't
9 know how you -- that just depends on who you
10 elect or whether you can do it, but there should
11 be some way that all those agencies strive to
12 help each other and pull the city in the
13 direction that it needs to be.

14 MR. YOUNGBLOOD: To hone in on the
15 question, is there a particular agency that's
16 always been rogue that the mayor would like to
17 pull back in? Is there one in particular?

18 MR. AUSTIN: They pop up once in a while,
19 but not really. Most of them will come to you
20 if you're reasonable.

21 This is a great exercise. I'm getting a
22 headache.

23 THE CHAIRMAN: Vice Chair O'Brien.

24 MS. O'BRIEN: I was just going to say I'm
25 still a fan of the idea of a strategic plan

1 because I think in reality most of our elected
2 officials, including our mayor, usually get
3 elected due to one or two key issues, not a
4 broad-based policy issue that affects many
5 different levels of government. Quite honestly,
6 it boils down to taxes and maybe one other thing
7 or something along that line.

8 What I like about the strategic plan, it's
9 a boarder based policy issue. It's not one
10 that's necessarily going to be based on what's
11 popular in terms of electabilty, but truly
12 what's best for our government at that time.

13 And the fact that it's a strategic plan, I
14 do foresee it being an organic plan. It is
15 going to change, you know, possibly from year to
16 year, not in the key issues that it's addressing
17 but in aspects and maybe specific tasks that are
18 addressed with the key issue.

19 But I still like the idea of me, as a
20 citizen, knowing what the goals -- overall goals
21 are of my mayor.

22 THE CHAIRMAN: Commissioner Miller, then
23 Mr. Rohan.

24 MS. MILLER: Through the Chair to Mayor
25 Austin, would it be helpful, if it's possible --

1 I'd defer to Mr. Rohan on whether or not it's
2 possible -- to give the mayor final selection or
3 removal authority for all the independent
4 agencies and districts for their executive
5 officers -- the executive office --

6 MR. AUSTIN: The mayor would have to sign
7 off on the executive director?

8 MS. MILLER: Correct. Just like the
9 executive director of the JEDC.

10 (Simultaneous speaking.)

11 MR. AUSTIN: I tried to do that with the
12 school board and got killed -- I don't mean the
13 school board, the library board.

14 MS. MILLER: The library board is a great
15 example, though. I mean, that's a department of
16 the City.

17 MR. AUSTIN: That might -- I don't know.
18 I'd have to think about that.

19 I don't think that you really can cut in on
20 the true independence of those agencies to hire
21 who they want to hire. They need to make
22 business decisions without the pull and
23 persuasion of political people.

24 In other words, they're there to run the
25 JEA in a businesslike way, maximize the profit

1 to the City, so forth. The same thing is true
2 of the Airport Authority. If the mayor
3 starts -- if he can pick that person, he can
4 pick other people. I don't think that would
5 be -- their independence is critical on a
6 business decision.

7 THE CHAIRMAN: Mr. Rohan, do you want to
8 make a comment?

9 MR. ROHAN: If the articulation of what
10 Commissioner Austin is looking for is simply --
11 and it's consistent with what Professor Corrigan
12 had -- was to simply -- in the charter, remember
13 this is your constitutional document -- to
14 simply direct the creation of a strategic
15 plan -- and you might put a little of this, what
16 it should include, and then that's it, and then
17 you just leave it to the mayor to --

18 (Simultaneous speaking.)

19 MR. AUSTIN: And you could include the
20 independent authorities, you know. It might be
21 good to have something that's including the
22 independent authorities that are a good -- you
23 know, in conjunction with the mayor.

24 Y'all go ahead. I'll be quiet.

25 THE CHAIRMAN: Commissioner Oliveras and

1 then --

2 MR. OLIVERAS: One last thing.

3 I think that -- and Commissioner Miller
4 just said less is more. We want this -- I
5 envision this as something that is not
6 constraining to a given mayor. This is
7 something that provides flexibility, provides
8 midterm agility if a shift needs to occur. You
9 know, the economy blowing up the way it did
10 would necessarily require a change in direction
11 in some lines for mayoral tenure.

12 I want this to be something that provides
13 that for the mayor, that it's not an anchor
14 around the mayor's neck. Oh, my goodness, last
15 year I proposed something and now I'm beholden
16 to that. That's not my vision.

17 My vision is something that -- this
18 provides the mayor essentially a platform, a
19 platform on his or her issues, on his or her
20 agenda, on the things that that mayor during
21 their candidacy said were important issues, and
22 this provides a mechanism for the mayor to bring
23 other stakeholders in the City into his or her
24 vision and move it forward.

25 And it needs to be flexible, it needs to be

1 agile, and I -- so less is definitely more.

2 THE CHAIRMAN: Commissioner Eichner.

3 MS. EICHNER: (Inaudible.)

4 THE CHAIRMAN: Okay. Commissioner
5 Youngblood.

6 MR. YOUNGBLOOD: Isn't that currently
7 already done? I mean, I agree, strategic
8 planning is good, good planning, but it's
9 currently already done. The mayor already does
10 reach in with his appointments to communicate
11 with all levels of the independent authorities
12 and each of the areas of government. It's
13 already currently being done.

14 I mean, far be it for me to try to put a
15 lobbyist out of business, but he did a very good
16 job lobbying -- current mayor now, lobbying for
17 the three new taxes. He went out physically
18 with Town Hall meetings all over the city of
19 Jacksonville and had a very clear platform.

20 He reached into every agency to communicate
21 his issue from the position of mayor without
22 have any plan in place. I just think, why put
23 something in place that's already being done
24 just for the sake of adding something to it?

25 I don't like to make changes to the

1 constitution.

2 THE CHAIRMAN: Vice Chair O'Brien and then
3 Commissioner Korman.

4 MS. O'BRIEN: What I like about the idea of
5 the strategic plan, it's a long-range plan --
6 five years, four years, whatever we decide,
7 either one -- as opposed to -- most of those
8 issues, in particular the three fees, that was
9 an immediate budgetary issue. That was about
10 balancing the budget that year.

11 What I like about this is encouraging the
12 mayor in some -- it comes naturally to some.
13 With some it may not come naturally, but it's in
14 place and it provides a longer term plan with --
15 you know, I like the aspect of having some kind
16 of financial outline. It's great to say we want
17 to do this, but unless we know how we're going
18 to fund it -- in this case, over four or five
19 years, you know, I want to know how that plan is
20 to be done. That's why I like the idea of a
21 multiyear strategic plan as opposed to an annual
22 budget, which is pretty much what we do now.

23 THE CHAIRMAN: Commissioner Korman.

24 MS. KORMAN: She took my thoughts. She
25 just took them all.

1 THE CHAIRMAN: Mr. Rohan.

2 MR. ROHAN: If you'd like, for the next
3 meeting I can have two forms of this done. One,
4 the more is better, or in the second
5 alternative, less is more, and have a concise
6 version and an expanded version for your debate
7 next cycle.

8 MR. AUSTIN: How about bringing a third
9 version, a blank page.

10 MR. ROHAN: That's always in your
11 jurisdiction.

12 MS. KORMAN: Just one point, once again, we
13 have no idea who the future mayor will be, the
14 sheriff, the school board, so we're just trying
15 to help out people who may not -- like
16 Commissioner O'Brien said, may not have these
17 thoughts. Some people tend to work better when
18 they have a plan set up for them already, so it
19 just -- it's just a helpful tool for our future
20 mayors.

21 THE CHAIRMAN: Commissioner Catlett.

22 MR. CATLETT: Very briefly, let's talk
23 about the current mayor and what he said in his
24 campaign versus what he did.

25 He said that he would reduce the size of

1 government. He's done that. He said he would
2 cut taxes. He had a major tax cut the first
3 year he was in. He was hot on early reading
4 programs. He implemented that. So he did all
5 the things he talked about.

6 Did I leave something out from his
7 campaign?

8 MS. EICHNER: No, you didn't.

9 MR. CATLETT: That pretty much took care of
10 it.

11 I mean, you were in that. Did I leave
12 something out?

13 MS. EICHNER: No.

14 MR. CATLETT: Okay. He accomplished those
15 things in rapid fashion, but he didn't call it a
16 strategic plan.

17 What we're talking about, if I
18 understand -- and I'm trying to make sure I
19 do -- is that we're talking about somebody
20 saying, this is my plan -- subject to council
21 approval, obviously. This is my plan of what I
22 plan to do over the next period of time using
23 the Capital Improvement Program to implement
24 that plan.

25 Am I correct in understanding this?

1 MR. OLIVERAS: Through the Chair, not
2 necessarily, because some of these -- a mayor
3 would -- I mean, some of these issues are not
4 necessarily linked to finances. Some of these
5 are, you know, quality of life issues. Some of
6 these are inclusion issues. And so these are --
7 these are things that a mayor is going to have
8 as a part of his or her set of priorities, and
9 they may not be something that the City Council
10 has to give their blessing to. This could be
11 something that the mayor is going to push as a
12 social issue, as part of his or her philosophy,
13 and so --

14 But what it does is -- and I am new to the
15 concept of strategic plans, but what a strategic
16 plan does is it lays it out for buy-in
17 initially, to get the buy-in, to get the
18 cooperation from stakeholders, and then there is
19 that sense of accountability.

20 If we need something that -- the library
21 board, since they were just mentioned -- that
22 they can help with, and the mayor says, look, I
23 need this from you, I need X from you, and then
24 they kind of start to back away from that. The
25 mayor can come back and say, you know, you were

1 a part of this. You agreed to this and you
2 thought this was a priority to make Jacksonville
3 a better city, to move us forward together. Now
4 you're stepping away from that. Don't you want
5 to come back in out of the cold?

6 I think that can -- I'm looking at this as
7 a tool to help a mayor. In no way do I see this
8 as constraining, I wouldn't want it to be. I'm
9 not looking for something that binds the mayor
10 to something that -- again, when the economy
11 turned south, changes had to be made. You know,
12 the paradigm shifted.

13 This is something that should be a tool to
14 assist a mayor in accomplishing his or her
15 objectives for their administration. And I
16 think it's a good thing, and I want it to be
17 something that is not constraining.

18 And if any commissioner feels that there is
19 an element in here that is that, is
20 constraining, then we should look at that and
21 take that out.

22 THE CHAIRMAN: Commissioner Eichner.

23 MS. EICHNER: Well, you know, this is a
24 great discussion because I -- there's a couple
25 of things that I thought about in the

1 conversation. And I like Commissioner Miller's
2 idea of adding all aspects of government to it
3 so that everything is included in what we know
4 as our strategic plan.

5 The challenge that I could see happening
6 down the road is that -- I mean, elected
7 officials are agile. They have to be, because
8 they're answering to the public, and so what
9 happens in our community determines sometimes
10 the way that we respond to it. So sometimes
11 it's not necessarily our vision for the city,
12 but we move in that direction.

13 You know, downtown. The development of
14 downtown was not, eight years ago, part of a
15 campaign promise. You know, the River City
16 Renaissance program wasn't. Better Jacksonville
17 plan wasn't.

18 So I struggle with taking what could be
19 perceived as a promise on a campaign into a
20 strategic plan for the city, and -- I mean, I
21 like the idea of making sure that we're all
22 moving in the right direction and that everybody
23 has buy-in, but I trouble with how it's
24 implemented over a period of time.

25 Five years is a long time in government to

1 move, you know, the gauge a little bit, how do
2 we do that? So, you know -- I mean, I like the
3 idea. I just -- you know, I struggle with
4 exactly how it's implemented, but I think it
5 needs to be as broad and as vague in the makeup
6 of it so that the mayor does have some
7 flexibility in who -- you know, who this ad hoc
8 committee is or how long the strategic plan is
9 for, but I like the idea of maybe just crossing
10 over a couple different terms, so . . .

11 THE CHAIRMAN: Commissioner Youngblood.

12 MR. YOUNGBLOOD: Through the Chair to --
13 Mr. Rohan, I think he said it best, that less is
14 more, and I think Commissioner Miller echoing
15 the very same thing.

16 We don't want it to be used as a tool to
17 bludgeon the mayor when the strategic plan is in
18 place and he has to deviate from it because of
19 decisions at that time, which everybody knows we
20 try to make the best of planning, but we deviate
21 from it because of the events that transpire
22 that make us change those plans.

23 I don't want it to be used against the
24 mayor then. Say, "Here's your strategic plan."
25 I guarantee the media in the room today, when

1 they see that strategic plan, that's going to be
2 the Holy Grail and a track to run on for that
3 mayor. And when he deviates from it, they're
4 going to beat him to death with it. So that
5 would be the concern.

6 MR. OLIVERAS: They beat him to death on
7 everything else.

8 THE CHAIRMAN: Commissioner Thompson.

9 MR. THOMPSON: Yes. Mr. Chairman, I'd
10 like -- I'd like this to be optional. The mayor
11 could use it or not use it.

12 THE CHAIRMAN: Certainly. I mean, that
13 could be part of the -- absolutely. That would
14 be up to us to decide if we want to craft it
15 that way.

16 MR. YOUNGBLOOD: Then we don't need to put
17 it in the charter.

18 THE CHAIRMAN: Well, perhaps we -- we've
19 thoroughly discussed this for today. I think
20 perhaps we should -- I mean, I'm not trying to
21 shut off debate by any means, but I think we're
22 all kind of -- we've expressed ourselves very
23 clearly. Perhaps we should let Mr. Rohan come
24 back with another draft and we can look at it
25 again, but I'm not trying shut off debate, so --

1 Commissioner Miller.

2 MS. MILLER: I just have a general
3 observation on this motion, on the -- I agree
4 with you, to ask Mr. Rohan to come back and we
5 can all pick it apart again if we choose to, but
6 we -- just as we look forward to making a
7 recommendation to the City Council, you know,
8 this is enhancing -- hopefully to enhance the
9 role of the mayor, power and authority that --
10 the veto override requirement, enhance the
11 authority of the mayor, but we're making
12 recommendations to City Council.

13 I'm not sure how -- I'm just making an
14 observation, but I -- I'd like to make sure that
15 the mayor is on board with this because if City
16 Council chooses not to introduce legislation to
17 do this, the mayor can't.

18 So, again, sometimes help is not helpful
19 and maybe we can have a way to have a
20 representative from the mayor's office come
21 and -- or at least send these to the mayor to
22 make sure that -- I would like to know that our
23 work is not in vain, and if the council chooses
24 not to pick it up, then the mayor's office or
25 someone else who has authority to introduce

1 legislation can pick it up and introduce it.

2 Just a thought because I'd like to think
3 that our work will go toward some productive
4 result. Just something to think about for
5 later.

6 THE CHAIRMAN: Okay. So, Mr. Rohan, your
7 to-do list is getting longer and longer.

8 MR. ROHAN: My pleasure.

9 THE CHAIRMAN: We'll look for you to
10 massage this and we'll take it up again at a
11 later meeting.

12 But I appreciate this great discussion we
13 have all had. I think it's been fruitful. I
14 think -- if nothing happens, I think it's worth
15 having a discussion, so I appreciate that.

16 I would like to -- if there's nothing else
17 on that issue, I want to move on briefly to
18 another item that I have on the agenda as "JEA
19 annual contribution follow-up." I'm sure you
20 all recall the conversation we had about that.
21 We had a presentation by Mr. Dickenson and they
22 provided materials to us.

23 And then as a result of information that --
24 questions, I guess, that were asked during that
25 meeting, additional information was provided by

1 the JEA as follow-up information.

2 The motion that was voted on at that
3 meeting was that we would no longer continue to
4 examine the issue of seeking additional money
5 from JEA to the City out of either the franchise
6 fee or the annual contribution as calculated by
7 JEA.

8 In the materials that JEA provided to us at
9 that meeting, their financial information that
10 they gave us, one of the items was their revenue
11 from resales of -- and that is electrical
12 capacity that is sold to other utilities because
13 it's surplus.

14 Mr. Dickenson said in his testimony, we
15 don't let the generator sit idle. If it's
16 public property, we're going to continue to make
17 money off of them, and so they sell that to
18 other utilities.

19 There was a footnote in their numbers, the
20 revenue numbers that said excludes resale. So I
21 asked them to provide what that number is, how
22 much did they make from resales, because the
23 resale is not a part of the calculation of the
24 net contribution to the City.

25 And that is also from information that JEA

1 provided -- Mr. Dickenson provided to me. I
2 can't remember if that was part of his package
3 to the whole committee, but -- but the net
4 contribution calculation that's done every year
5 does not include, as one of its factors, the
6 resale revenue.

7 Well, as it turns out, this -- as you all
8 received in the packet, that's \$19 million for
9 last year. And so the question that I would
10 like to propose -- to raise, really -- I mean, I
11 know we have talked about this, we've had a
12 whole meeting on it. And if there's no interest
13 in examining that particular item as a source of
14 additional revenue for the City, then so be it.

15 I just wanted to point out that that was
16 follow-up information provided to us. It's a
17 substantial sum of money. Obviously, it will
18 fluctuate every year. I'm sure it's not, you
19 know, \$19 million every year. There's a host of
20 factors that go into that.

21 But what Mr. Dickenson told us at the time
22 was if we -- taking any additional revenue out
23 of their net contribution would affect their
24 bond rating and would affect rates. And we
25 agreed -- we voted not to do that, and we also

1 voted not to look at the franchise fee.

2 Well, this is a line item that seems to
3 fall between those two sources of revenue. It's
4 not part of the franchise. It's not part of the
5 net contribution, according to Mr. Dickenson's
6 testimony at the time, and I will certainly give
7 him the opportunity to clarify it if we decide
8 to move forward with this.

9 But the resale revenue, taking that -- or
10 looking at taking some of that for the City
11 would not affect rates and would not affect the
12 bond rating because he said the factors that
13 affect that is the net contribution. But,
14 again, I'll give him a chance to clarify that.

15 So I raise this as an issue. Time is
16 short. We don't have a lot of time left, but I
17 wanted to raise it and get your thoughts.

18 Commissioner Korman.

19 MS. KORMAN: I mean, I think it would be
20 important to bring Mr. Dickenson in because I
21 want to know where that money currently goes,
22 how JEA uses it -- if JEA uses it, because it's
23 like a franchise fee basically does.

24 So I think -- and I'm more than happy to
25 explore the issue at a further meeting.

1 MS. MILLER: I agree. I'd like to, since
2 it is new information, ask Mr. Dickenson to come
3 back and talk about that particular -- where
4 that revenue goes and if it's truly -- if it's
5 going to fluctuate, then certainly consider a
6 percentage of that, whatever it is, and then
7 given -- back to the City.

8 THE CHAIRMAN: Does anybody --
9 Commissioner Youngblood.

10 MR. YOUNGBLOOD: So you seek to put the
11 money where? Are we looking for money for
12 charter schools or is it you don't know yet?

13 THE CHAIRMAN: Right. It's just an issue
14 to look at.

15 MR. YOUNGBLOOD: But what would be the
16 direction? Once the money is found and we
17 determine that it is truly a surplus and it
18 truly is extra, what is it that we seek to
19 remedy within the charter? Where would the
20 money be spent? What was the idea?

21 THE CHAIRMAN: That would be something we
22 would discuss.

23 MR. YOUNGBLOOD: Okay.

24 THE CHAIRMAN: Commissioner Deal.

25 MS. DEAL: Teala is here from JEA.

1 Are you able to give us that information
2 today or --

3 MS. MILTON: I can't give you the
4 information today, but I can tell you --

5 THE CHAIRMAN: Teala, can I ask you to move
6 closer to Diane so she can hear you?

7 (Simultaneous speaking.)

8 THE CHAIRMAN: Teala, come and sit down
9 next to Diane and give her your name and
10 address.

11 MS. MILTON: Teala Milton, JEA,
12 21 West Church Street.

13 I'm not here prepared to discuss the
14 issue. I did speak with Jim this morning, and
15 he would be more than happy to come and explain
16 the details of anything or answer any other
17 questions that you might have, but -- just give
18 him the date and he will be happy to be here.

19 Basically, that's it. He's committed to
20 and give you anything you need to know.

21 All right?

22 THE CHAIRMAN: Thank you.

23 (Ms. Herrington exits the proceedings.).

24 THE CHAIRMAN: Does anybody feel strongly
25 about not taking this up again?

1 COMMISSION MEMBERS: (No response.)

2 THE CHAIRMAN: Okay. Then what I would
3 propose is that -- I will contact Mr. Dickenson,
4 ask him if he would like -- he can just give us
5 a written description of his position on this
6 that I can circulate to the commission and then
7 you can look at it. And based on the
8 information he provides, if we want to decide to
9 call him back, we can do that.

10 Commissioner Korman.

11 MS. KORMAN: I think you sent something
12 from the JEA. I can't remember that
13 information. Can you re-send it back to us?

14 THE CHAIRMAN: Yes. I'll have Mr. Clements
15 do that. It was the follow-up information
16 packet.

17 MS. KORMAN: Something came to us from --

18 THE CHAIRMAN: Commissioner Eichner.

19 MS. EICHNER: My particular question on
20 this issue is -- I'd like some clarification on
21 whether it changes rates or not.

22 THE CHAIRMAN: Right. I agree. I'll ask
23 Mr. Dickenson to provide data on that.

24 MS. O'BRIEN: And whether or not it's going
25 into the infrastructure, capital expenditure of

1 the JEA.

2 THE CHAIRMAN: Okay. Then that's what I'll
3 do. I'll follow up with Mr. Dickenson and get
4 some additional information about those funds,
5 perhaps a five-year trend line, how they program
6 the funds now, and whether it will affect their
7 rates or bond -- bond underwriting and rating.

8 And I'll give him the option that he can
9 either come tell us in person or he can put it
10 in a written communication that I will
11 disseminate to all of you, and then we can
12 decide if we want to move forward on that issue.

13 MS. MILTON: Whatever is your pleasure.

14 THE CHAIRMAN: Thank you.

15 Thank you, Commissioners.

16 And it's 11:30. I do -- we have at least
17 one public comment card. So we can begin the
18 discussion on ethics, but it's clear we're not
19 going to wrap it up today. Or if you would
20 like, we can move into public comment and then
21 conclude for the day and take it up at a
22 separate meeting when -- we already have
23 Mr. Claypool coming next week.

24 MS. KORMAN: I would personally just make a
25 motion or whatever to push ethics because we've

1 had a very lengthy discussion today, and I just
2 think we need, probably, a little break.

3 THE CHAIRMAN: Is that the sense of the
4 commission?

5 COMMISSION MEMBERS: Yes.

6 THE CHAIRMAN: Okay. Carla, I apologize.

7 MS. C. MILLER: That's all right. I'm busy
8 working.

9 THE CHAIRMAN: I have a speaker card from
10 Ms. Shirko.

11 If anybody else would like to speak, please
12 fill one out. If you could, just bring it to
13 me.

14 Ms. Shirko, if you would go down and sit
15 next to Ms. Tropa so that she can hear you
16 clearly.

17 AUDIENCE MEMBER: Martha Shirko, 3739 Tully
18 Court, Jacksonville, 32207.

19 In talking -- in your discussion with the
20 strategic plan for the mayor's office -- with
21 Delaney's Better Jacksonville Plan, we were
22 promised quarterly reports on the results of the
23 Better Jacksonville Plan. These quarterly
24 results were reported at the City Council
25 meetings until Mr. Mousa left the City, and

1 that's into the Peyton administration, I might
2 add. Then the Better Jacksonville Plan was no
3 longer managed, in my opinion, at all. The
4 total program -- as a total program.

5 It fell through the cracks and each
6 separate department that was involved, like the
7 road projects and the infamous courthouse
8 project and the library, that -- every person
9 that was involved with each of those different
10 areas of their expertise kind of did things on
11 their own and nobody took -- each department
12 spent what they felt they needed to spend to
13 make the project what we, the taxpayers, would
14 like to have seen, which -- the library is my
15 library. I mean, I think it's gorgeous. I
16 think it's money well spent, long overdue.

17 The courthouse is another issue. That's
18 the biggest fiasco, I think, since I've been in
19 Jacksonville, since 1982, that this city has
20 every undertaken. It's a total disgrace.

21 It was originally promised to be
22 \$190 million. It's now up to \$350 million, and
23 it's probably the worst-case scenario of
24 mismanagement by any City project, and I just
25 think that delays cost -- even when we canceled

1 and Peyton pulled the plug on the courthouse, we
2 caused the funding to go out of sight because we
3 delayed restarting it for about three, four,
4 maybe close to five years before restarting it.
5 Meanwhile, all the funding for materials on
6 this, of course, jacked up out of sight. So
7 that's why we're up to \$350 million on the
8 courthouse.

9 So I would hope that -- I think that we
10 should have a strategic plan from the mayor, and
11 I think that that strategic plan should be part
12 of the annual budget address so we can see how
13 he is affecting what he was voted to do, and I
14 strongly encourage you all to pursue that aspect
15 and to actually changing the charter for that.

16 And I think y'all are doing great job.
17 I've enjoyed every bit of the discussion. You
18 have some very knowledgeable people, and I know
19 all of y'all are very knowledgeable in each of
20 your expertise, and I think you're doing a great
21 job. We do need Charter Revision Commission
22 changes.

23 Thank you very much.

24 THE CHAIRMAN: Thank you, Ms. Shirko.

25 Mr. Andrews.

1 AUDIENCE MEMBER: I'm Joe Andrews, 7198
2 Cypress Cove Road, Jacksonville.

3 Listening to your discussion about
4 strategic planning, I picked up on a number of
5 things that seem to introduce conflict.

6 Just off the top of my head, I think
7 Mayor Austin's comment was on point. Rather
8 than now try to ad lib comments, I think since
9 you did not take a vote on it, I think I will go
10 home and write a set of coherent thoughts on it
11 and present it to you in writing for your next
12 meeting or whatever.

13 But out of deference to Commissioner
14 Oliveras, who I have developed a great deal of
15 respect for over the proceedings of these
16 meetings, I think this is a bad idea, and I will
17 try to explain it in detail in writing.

18 Thank you.

19 THE CHAIRMAN: Thank you, Mr. Andrews.
20 Ms. Bussard.

21 AUDIENCE MEMBER: Hi.

22 I'm Billie Bussard, 16 Hobson Road,
23 Jacksonville Beach, Florida, a 50-year resident
24 of Duval County, 25 years' work as -- in the
25 newspaper industry as a journalist. And I was

1 also a businessperson for 12 years, so I have a
2 vested interest in this community.

3 I -- my expertise in most of my years as a
4 journalist was following education issues. I am
5 prompted to come here to support the wonderful
6 op-ed piece that W.C. Gentry had in opposition
7 to mayoral control of schools.

8 I have a 40-foot wall of research that I
9 began accumulating on education issues in 1992,
10 when I was an editorial writer for the Florida
11 Times-Union when I worked in that department for
12 almost eight years.

13 I have a book in the works. I started five
14 years ago, but because my husband and mother got
15 seriously ill, I was unable to complete it.
16 They both died last year, unfortunately, and I
17 now am working on that.

18 Anyone who has looked at mayoral control of
19 schools knows it has been a gross failure. And
20 there is a wonderful article that appeared
21 January 14, 2010, in a Rochester newspaper by
22 William C. Cala, C-a-l-a, and he points out the
23 extra costs incurred by New York City schools,
24 by Chicago schools.

25 I have taken an interest in Chicago schools

1 since I now have a family member -- I took a
2 nine-day research trip up to Chicago and
3 Bluffton, Illinois to do research on my book.
4 The Bluffton -- I mean Bluffton, Indiana.
5 Excuse me.

6 The Bluffton, Indiana trip was to research
7 the origins of year-round school, which you
8 folks know was tried here in Jacksonville and in
9 Florida and was a colossal failure. I have a
10 website where I post my research,
11 www.summermatters.com.

12 I am paid by none to do this, but I just
13 feel so strongly that the direction of the
14 corporate takeover of America's children, which
15 these school reforms represent, including
16 mayoral control of schools, is one -- is a huge
17 threat to our democracy.

18 If anyone would like to contact me, I will
19 be glad to provide you with research. I have a
20 52-page research paper on the issue of
21 year-round schools, but I have also a lot of
22 research on mayoral control of schools. My home
23 phone number (904) 249-2468.

24 The issue, ladies and gentlemen, is
25 poverty. We -- as W.C. Gentry has wonderfully

1 laid out, our government has failed to provide
2 equal opportunity for people in poor areas, and
3 if -- all the studies show -- even in
4 international comparisons of how children
5 perform, which we're always bashing American
6 schools because of our performance -- when you
7 have international comparisons of like economic
8 status of students, you find American students
9 do as well or better.

10 You folks who are making these decisions
11 really need to do your research. I have 40 feet
12 of research to back what I say.

13 That's all I have to say.

14 THE CHAIRMAN: Thank you, Ms. Bussard.

15 I have no other speaker cards.

16 Mr. Catlett.

17 MR. CATLETT: We had this gentleman from
18 New York who spoke on behalf of appointed school
19 boards and he gave a presentation and a bunch
20 information and some ideas that may be
21 applicable. I'm not addressing whether it
22 should be elected or appointed, but only that
23 some of those ideas might be transferrable to
24 either an elected or an appointed school board.

25 I would like to propose that we furnish the

1 school board and their staff with a copy of the
2 transcript of this presentation, if we can.
3 Only for information and for -- you know, a good
4 idea, no matter of who it came from, is a good
5 idea.

6 And, you know, I'm not talking about
7 supporting appointed school boards at all. I'm
8 just saying that there are some ideas there we
9 ought to look at with our current school board,
10 and I'd like to propose that we send that to
11 them for consideration.

12 THE CHAIRMAN: Does anybody object to
13 that?

14 COMMISSION MEMBERS: (No response.)

15 THE CHAIRMAN: Mr. Clements, if you would
16 make sure --

17 MR. CLEMENTS: I can tell you that they've
18 already requested and I've sent them a copy of
19 the PowerPoint presentation.

20 MR. AUSTIN: Could I get a copy too?

21 MR. CLEMENTS: Yes, sir.

22 MR. CATLETT: Mr. Chairman and
23 Mr. Clements, what I'm also saying is the -- the
24 transcript. Only because the transcript is
25 where he elaborated the ideas. The PowerPoint

1 was to direct us toward an appointed system, and
2 the ideas were really in his speech.

3 So if we could do both of those, I would
4 really appreciate that.

5 THE CHAIRMAN: Other comments?

6 MS. BUSSARD: Can you put it online so the
7 people --

8 THE CHAIRMAN: Mr. Clements, could you give
9 us a status report on getting that online?

10 MR. CLEMENTS: I'm sure that it can be
11 done. In fact, I think it may already -- well,
12 I can't swear that it's already on there, but if
13 not, we will certainly get it on there.

14 THE CHAIRMAN: Thank you.

15 I do think that would be helpful.

16 Commissioner Oliveras.

17 MR. OLIVERAS: Mr. Chairman, I am in search
18 of unadulterated statistics on progress in our
19 schools, weaknesses in our schools, and I don't
20 know -- I mean, I don't know where to go to get
21 this information. I mean, maybe it's the
22 Florida Department of Education.

23 Is there somebody that we can bring in
24 that's an unaffiliated third party that can
25 speak to specifics without being an advocate for

1 or against, somebody that is as impartial as
2 possible? I would really, really like to hear
3 from somebody who is not a party to something.

4 I don't know if that's doable with the time
5 we have left, but I'm at the point -- with
6 regard to the school issue in general, I would
7 really like some impartial data.

8 THE CHAIRMAN: Well, I've got a speaker
9 scheduled for the 28th, which is now next week,
10 a woman named Leslie Jacobs from New Orleans,
11 who is going speak on not just mayoral control
12 but also charter schools and various aspects
13 of -- make sure you know what you're doing.

14 I've also got someone scheduled from Kansas
15 City for February 4th, who I understand has done
16 quite a bit of research -- he's an academic.
17 He's a Ph.D. -- quite a bit of research on
18 educational reform issues.

19 And I have tried to get -- we tried to get
20 somebody from Pembroke Pines to come, and that
21 may still happen, but I doubt it at this late
22 date.

23 So I'm trying to find those people.

24 I called Stephen Goldsmith's office. He's
25 the former mayor of Indianapolis who's regarded

1 as kind of the guru of downtown renaissance and
2 big city renaissance. He's now on the faculty
3 of the Kennedy School of Government at Harvard,
4 you know, after his term as mayor ended. I made
5 a request for him to consider coming to talk to
6 us, so I'm trying to find people who are
7 credible.

8 Now, I don't know how impartial they are.
9 I mean, I think most of the people who have
10 spent a lot of time studying this issue are
11 probably going to have concluded that one way or
12 the other is better. I'm hopeful that they can
13 give us their best shot at an unbiased
14 presentation of both the pros and cons.

15 So I'm trying to find those people.

16 MR. OLIVERAS: Thank you.

17 THE CHAIRMAN: Commissioner Korman.

18 MS. KORMAN: I have to say I respectfully
19 disagree. I thought Mr. Tilson who came was
20 impartial. I don't know who the Tilson fund is,
21 I don't know anything he stands for. I thought
22 he provided facts and evidence that was gathered
23 from state departments, whatever it was.

24 I think -- Chairman, I commend you. I
25 think bringing him in was -- I think shed a lot

1 of light for a lot of us, especially with the
2 cold hard facts out there. So I have to say I
3 think he was pretty impartial as far as what his
4 views are on appointing versus elected overall.

5 You know, when we asked questions, he gave
6 us opinion, but I don't think he tried to, in
7 his presentation --

8 MR. OLIVERAS: Well, I guess what I mean,
9 through the Chair, is that I -- you know, I hit
10 Google on this thing and, you know, I didn't
11 like what I found.

12 I forwarded this white paper from the
13 Rochester schools and I started reading the
14 online articles, and they have the same -- exact
15 same debate going on there currently, and it's
16 very nasty.

17 But this nine-page paper was written and
18 there's statistics in there and there's
19 experts -- the Ph.D. from the American
20 Enterprise Institute completely refutes the
21 graduation statistics and the success statistics
22 from New York City schools.

23 So, you know, it's becoming very difficult
24 to hear the testimony and see the -- because,
25 frankly, I was impressed with that same

1 presentation from Mr. Tilson. I thought, wow,
2 this is good, useful information. This is
3 helpful. And then I read this, and this is a
4 guy from -- a Ph.D. who's written a bunch of
5 books, who's testified to Congress, and said
6 basically what they did is they came up with
7 these data codes, and the kids that dropped out
8 of school and didn't graduate just kind of
9 disappeared off the balance sheets, and so they
10 manipulated their data.

11 So who is right? Who is telling the
12 absolute truth and who is telling the truth from
13 a perspective? And that's why I say I am
14 desperately in search of raw, unadulterated,
15 unopinionated data for our schools.

16 THE CHAIRMAN: Commissioner Flowers.

17 MR. FLOWERS: Mr. Chairman, we have all of
18 that right here with Ms. Bussard who has offered
19 to help us with a 52-page thing.

20 My understanding of education is one thing,
21 and what we are getting is training. And when
22 you begin to analyze the difference, it's a
23 semantic thing. But when we really define
24 education, we're going to see that we're just
25 training people.

1 So I think her presentation -- I don't know
2 it, but it will begin to help us understand the
3 difference between training and education. And
4 none of our speakers have really gotten into
5 that component because why? We have created a
6 systematic thing nationally of poverty, and all
7 these things affecting education is being
8 managed to training instead of educating.

9 I think you can educate people out of a
10 mental poverty situation, but you can train them
11 to behave in a fashion that's profitable. When
12 you can educate a child in fourth grade and know
13 who is going to be in prison in 20, something is
14 wrong. And until we get to really separate
15 education in a fashion that is a part of
16 humanity as opposed to an education system,
17 maybe we will be getting to a point.

18 Thank you.

19 I don't know that she would do that, but
20 she's right there.

21 MS. BUSSARD: MEMBER: I know some people
22 who would be very good.

23 THE CHAIRMAN: Vice Chair O'Brien.

24 MS. O'BRIEN: Commissioner Oliveras, is one
25 of your concerns -- I know it is for me -- in

1 conflicting data, is -- in particular, I'm more
2 interested about our Duval County schools and
3 how we're performing statewide and nationally.
4 You know, whatever Finland is doing, they're
5 doing. Tell me how we're doing in the United
6 States and in our state.

7 To me, I feel like we're getting
8 conflicting data. The most recent data that was
9 presented by Mr. Tilson was not at all positive
10 to Duval County by any means. The data that was
11 shared with us by our own school board talked
12 about all the progress that we were making and
13 the great strides we're making.

14 I see some contradiction. Yes, there were
15 strides in the Duval County system, according to
16 our school presenters, but, unfortunately, you
17 see that progress is the least amount of
18 progress in the state based on the statistics
19 that were shared last week.

20 So, to me, is that really progress at all?
21 And that's what I know I need. I didn't know if
22 that's what you were looking at.

23 MR. OLIVERAS: You're exactly right.

24 Through the Chair, two observations. One
25 is Mr. Tilson's ranking of Duval County schools

1 is bad. I mean -- and I don't dispute that,
2 but -- I have three children in the system, two
3 in high school, and our graduation requirements
4 in Duval County are higher than many other
5 counties, more credits are required, language
6 arts and math and science. So the graduation
7 requirements are higher here than they are in
8 some of the counties that are showing higher
9 graduation rates.

10 So it's difficult to get an apples to
11 apples comparison. If everybody has the same
12 credit requirement, the same graduation
13 requirement, then it's easier to see what the
14 spread is, and that's -- that's why I say I'm
15 frustrated in that I'm not able to look past the
16 noise of -- you know, I think that when we see
17 that -- like I said, I was very impressed with
18 that presentation. I thought, this is good
19 stuff. And then I went back and, you know --
20 and I remember that my son is taking science
21 every year. He's a senior this year. And
22 that's not the same graduation requirement in
23 other counties.

24 So it's -- you know, it's the truth from a
25 perspective, and I just -- that's my concern. I

1 would just like to have unfiltered data, data
2 that we can see that's an apples and apples
3 comparison.

4 THE CHAIRMAN: Commissioner Youngblood.

5 MR. YOUNGBLOOD: Through the Chair, I spoke
6 with Representative Mike Weinstein this past
7 week and I asked him if he would weigh in on
8 it. He said he would be willing to come speak
9 to us and asked of the particular issues he may
10 be most knowledgeable in. He said he has had a
11 direct relationship with all 67 counties
12 throughout the entire state of Florida.

13 So I think he'd be a very valuable resource
14 for us with Take Stock in Children, obviously
15 having the care and the compassion for the city,
16 and he wants see the system work.

17 I think if we ask, is the system working
18 here in the city of Jacksonville, if we have
19 \$1.9 billion being spent on 125,000 students,
20 that's an Ivy League education. So we know it's
21 broken.

22 Then we come back to, as we spoke of
23 earlier, character and accountability, and I
24 think that's what we're going to be digging into
25 is finding, how do we make those current seven

1 members on our elected school board more
2 accountable to the people, and ultimately is
3 there an opportunity to have a hybrid as
4 Mr. Tilson, as he spoke of, kind of a hybrid,
5 because he did have some really good ideas,
6 unique ideas.

7 I like the idea of pay differential. I
8 think it would come down to the teacher unions
9 having a lot of control over the teachers and
10 teachers holding jobs and positions, that they
11 shouldn't be teachers any longer. We may need
12 to get rid of them and have to work with the
13 unions to do that. And they said that's the
14 fight they had in New York also, and Mayor
15 Bloomberg there is in a pretty heated fight with
16 the school board and with the teachers unions.

17 I like the pay differential idea of those
18 at the failing schools, that we afford them more
19 money to go into the failing schools and bring
20 good teachers to them. I think we truly can
21 effectuate change, and I'd like to hear more
22 from Representative Weinstein.

23 THE CHAIRMAN: Commissioner Miller, you had
24 your hand up earlier.

25 MS. MILLER: Just as to the data, an

1 observation just from my experience in the last
2 four years. It is very hard to collect, retain,
3 maintain consistent data in terms of outcomes
4 for education. But the Florida Department of
5 Education collects that information, and they
6 collect it based on certain standards. They
7 measure graduation.

8 The graduation rate, there is actually two
9 or three different graduation rates if you
10 include GED or you don't, so -- but that's all
11 publicly available and they collect it. At
12 least they're consistent in their data
13 collection.

14 If we, you know, really wanted for someone
15 to -- I don't know that we have enough time for
16 someone to really crunch the data, then it may
17 be helpful -- and compare Duval County with
18 others on the same data sets, then it might be
19 helpful to engage someone -- if they're willing
20 to do it -- someone at JCCI who's an expert in
21 crunching numbers or Matt Corrigan or someone
22 like that could analyze it.

23 But I think if you look at Mr. Tilson's
24 data, he's taken the same data sets from the
25 Florida Department of Education. He's just

1 spread it out over a long period of time.

2 So the one item that Duval County
3 representatives kept pointing to was that we've
4 made progress compared to ourselves. No
5 question we've made progress compared to
6 ourselves.

7 What Mr. Tilson did is he said -- he looked
8 at, over time, a two or three-year period, for
9 the same time period what was the progress rate
10 on the same data points for Hillsborough,
11 Broward, Orange, Miami-Dade. So he took the
12 same data sets and he also provided us with more
13 information than the school board provided.
14 Okay? They provided us on one window. He
15 provided us with more. I'm not saying it's all
16 of it. And if there's a weighted difference
17 based on credentials, then that's going to be
18 harder to take into consideration.

19 So, you know, I don't know that we could
20 get someone from Florida DOE to come in and talk
21 about the data sets, but at the end of the day
22 we know that our schools are in crisis. We know
23 that at least, I think, half of our high schools
24 are F. We know that we're in jeopardy of the
25 State coming in to take some of our high schools

1 away because they're turnaround schools, because
2 they're consistently rated.

3 So we know there's an issue, and so we can
4 talk about data, but we -- but I think we know
5 that there's a problem. And I agree with
6 Commissioner Youngblood that we get back to what
7 is the best method of creating a system of
8 accountability countywide so that all of us as
9 voters, citizens of this county are accountable
10 for those performance results through either
11 election, appointment, whatever the system is.
12 And that includes the mayor, and that -- and the
13 school board.

14 So I don't know the answer yet. I
15 appreciate Mr. Tilson's presentation in terms of
16 options as well as the materials, and if you --
17 so I suppose we can get an answer for anything
18 on the data and we can get more data, but I
19 think I would like to focus our energies and
20 efforts on the best accountable solution for
21 Duval County, for us, because we're going to be
22 different than Detroit, Indianapolis. We're
23 going to be different. We have different needs,
24 different systems. They need to remedy certain
25 issues. We need to remedy certain issues. So

1 how do we create a solution that is specific to
2 our needs? That's what I'd like to focus our
3 efforts on.

4 THE CHAIRMAN: Commissioner Korman.

5 MS. KORMAN: I want to respond to
6 Commissioner Youngblood about Representative
7 Weinstein, who is a respected leader.

8 My concern is when we go back and bring in
9 officials like Representative Weinstein or
10 Senator Wise or Secretary Horne, that's not
11 going to provide us -- that's opinion. It's not
12 going to provide us the data that -- sounds like
13 people are looking for consistent data.

14 As much as I respect those people, I think
15 it's going backwards. I think if we want to
16 continue, we've got to get someone from DOE who
17 does it for a living. Weinstein's a -- a
18 volunteer. He's an elected official. Education
19 is not his prime. If he was doing it every day
20 at DOE, I'd say all power. You know, let's go
21 for it.

22 But my concern, once again, is we would
23 have a speaker. It wouldn't -- we've made so
24 much progress to move forward. We have to
25 continue instead of stepping back.

1 So I just personally think if we are going
2 to have more speakers, go with Chairman Duggan
3 and what he decided and also go to the DOE,
4 Florida DOE, and get information from them.

5 THE CHAIRMAN: Commissioner --

6 MR. YOUNGBLOOD: The reason I
7 recommended -- through the Chair to Commissioner
8 Korman, the reason I recommended Mike Weinstein
9 is he currently still serves as the president of
10 Take Stock in Children, which has a direct
11 impact on every county throughout the entire
12 state of Florida, and a state representative, so
13 I think he has a duplicity of -- two different
14 levels, both government and education.

15 MS. KORMAN: Is he still president? I
16 thought he worked for the State Attorney's
17 Office now.

18 MR. YOUNGBLOOD: He does. He has several
19 positions, as many of us know, he's held within
20 the City, and that's why I think he's a very
21 valuable resource for that commission.

22 THE CHAIRMAN: I will call him.

23 Other comments?

24 Commissioner Eichner.

25 MS. EICHNER: You know, I think, again,

1 that we're having a great discussion on this
2 issue, but I'll point to one thing that I keep
3 coming back to every time we have this same
4 discussion.

5 When we compare ourselves to other Florida
6 counties, which I think is a healthy exercise
7 for us to be able to do, the one thing that I
8 keep coming back to is that every single county
9 in the state has an elected board.

10 So if they're making larger learning gains
11 and their children and their graduation rate is
12 better than ours, then why can't we figure out
13 what that problem is rather than the debate that
14 we're having whether they should be appointed or
15 elected. It works in other counties. You know,
16 let's figure out why it works in other
17 counties.

18 The speaker in Pembroke Pines would be
19 great, if we could get him, just to see what
20 happens because I don't -- I don't know that the
21 debate lands on whether they should be elected
22 or appointed.

23 It works in places where it's elected, and
24 we're comparing ourselves to other Florida
25 counties where they're elected. So, you know, I

1 don't want to micromanage what -- you know, the
2 person that I have elected to the school board
3 to do, but I think there are some
4 recommendations that we could make that would be
5 healthy rather than trying to figure out whether
6 they should be appointed or elected.

7 So I'll just leave that on the table for
8 discussion.

9 THE CHAIRMAN: Anything else?

10 COMMISSION MEMBERS: (No response.)

11 THE CHAIRMAN: Okay. We're adjourned.

12 Thanks a lot.

13 (The above proceedings were adjourned at
14 12:05 p.m.)

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C E R T I F I C A T E

STATE OF FLORIDA:

COUNTY OF DUVAL :

I, Diane M. Tropa, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

Dated this 26th day of January, 2010.

Diane M. Tropa