

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CITY OF JACKSONVILLE  
CHARTER REVISION COMMISSION  
MEETING

Proceedings held on Thursday, November 12,  
2009, commencing at 9:00 a.m., City Hall, Lynwood  
Roberts Room, 1st 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.
- TERESA EICHNER, Commission Member.
- ROBERT FLOWERS, SR., Commission Member.
- BEVERLY GARVIN, Commission Member.
- ALI KORMAN, 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.

- - -

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

P R O C E E D I N G S

November 12, 2009 9:00 a.m.

- - -

THE CHAIRMAN: Good morning.

I'll call to order this November 12, 2009,  
meeting of the Charter Revision Commission.

We do have eight. I'll ask if each of you  
could go around and announce your presence,  
starting with Vice Chair O'Brien.

MS. O'BRIEN: Mary O'Brien.

MR. OLIVERAS: Gary Oliveras.

MR. FLOWERS: Robert Flowers.

MR. YOUNGBLOOD: Geoff Youngblood.

MS. EICHNER: Teresa Eichner.

MS. GARVIN: Beverly Garvin.

MR. CATLIN: Billy Catlin.

THE CHAIRMAN: Thank you.

I do know that Commissioner Deal texted me  
this morning. She's come down sick, so she will  
not be here. Commissioner Miller is out of  
town. Commissioner Catlin, I know, has to leave  
at 11:15. I believe -- were there any other  
commissioners who informed you of -- and  
Ms. Eichner is leaving early.

Okay. So we'll get right into it.

1           Please join me for the Pledge and a moment  
2 of silence, and my thoughts will certainly be  
3 with the families of the Fort Hood victims.

4           (Recitation of the Pledge of Allegiance.)

5           THE CHAIRMAN: Thank you.

6           As all of you know, our topic for today is  
7 election issues, and we have I hope what you  
8 would agree is a knowledgeable panel about these  
9 issues. Our first presenter is going to be  
10 Mr. Bill Scheu, who is the former interim  
11 supervisor of elections.

12           And without further ado, Mr. Scheu.

13           MR. SCHEU: Good morning.

14           THE CHAIRMAN: Good morning.

15           MR. SCHEU: Thank you all for what y'all  
16 do. It's a tough job and I hope y'all bring  
17 thought to it, and that's very important, so  
18 thank you for -- on behalf of the citizens, Mr.  
19 Chairman, and all of you.

20           THE CHAIRMAN: Thank you.

21           We will begin by having our court reporter  
22 swear you in.

23           MR. SCHEU: Oh, I'm sworn. Okay. Great.

24           THE REPORTER: Do you affirm that the  
25 testimony you're about to give will be the

1 truth, the whole truth, and nothing but the  
2 truth so help you God?

3 MR. SCHEU: I do.

4 THE REPORTER: Thank you.

5 MR. SCHEU: Thank you.

6 THE CHAIRMAN: Thank you.

7 Please proceed.

8 MR. SCHEU: Okay. Thank you.

9 The chairman asked me to come speak to  
10 y'all about term limits and staggered terms, and  
11 so I've got some just very brief remarks.

12 Just some history on that, Tillie Fowler --  
13 y'all may recall the context of how term limits  
14 for City -- really about City Council more than  
15 anything else.

16 The City Council was presented with a  
17 proposal to put a referendum on the ballot -- I  
18 want to say it was in 1988 or thereabouts --  
19 and -- for terms limits on the City Council and  
20 on the other officers, and they voted it down  
21 ten to nine.

22 Lawyers have to get close to the  
23 microphone.

24 And Tillie really energized the community  
25 to consider a referendum that would consider

1 term limits. This grew out of a JCCI study on  
2 the electoral process. Skip Cramer is here, and  
3 he'll talk a little bit about that, I presume.

4 (Mr. Austin enters the proceedings.)

5 MR. SCHEU: But she asked Nancy Edwards,  
6 Bill Brinton and I to work with her to put that  
7 on the ballot. And the council voted in  
8 September that year, and it was -- I guess it  
9 was '88 because there was an election at that  
10 point.

11 One of our great leaders just walking in.  
12 Just saw him at breakfast.

13 And so we had about 30 days to put that --  
14 to get the referendum proposal printed and  
15 distributed so that it could be at the polling  
16 places in the 1988 fall elections so that we  
17 could get a sufficient number of persons signing  
18 the petitions to get it on the ballot the next  
19 time around, which, I believe, would have been  
20 the City elections in 1989, the spring.

21 And to show you how strongly the citizens  
22 felt about that, we had 45 days to do that, and  
23 we had -- I think it was 37,000 petitions -- no,  
24 maybe it was 60,000 petitions in that one day,  
25 using 45 days of preparation to get that on the

1 ballot. So that shows you how much the  
2 citizenry really felt that it was important to  
3 have term limits in our city.

4 It later went on -- it got on the ballot,  
5 and keep in mind this was after the council had  
6 voted ten to nine not to put it on the ballot,  
7 but the citizens spoke and it passed -- the  
8 referendum itself passed -- I think it was by a  
9 78 percent margin.

10 So it was overwhelmingly supported in the  
11 community because people really felt that term  
12 limits was important to expand the electoral  
13 process and participation in government, and the  
14 reason was the power of incumbency -- and it's  
15 been too long, I can't go back and get all those  
16 statistics, but the reason was the power of  
17 incumbency was so strong that even though,  
18 theoretically, the voters had a right to change  
19 their leadership every four years, in the real  
20 world it didn't work out that way.

21 And I think, as y'all have observed -- I  
22 think y'all would probably conceive that to be  
23 the -- true.

24 And from the Jacksonville experiment, the  
25 Eight is Enough campaign, two years later, for

1 term limits for statewide government was passed  
2 overwhelmingly in the state, and then -- that  
3 included Congress. And then y'all may remember  
4 the Supreme Court, in a five-four decision, held  
5 that the constitution provided that it needed to  
6 be a federal constitutional amendment, not a  
7 state amendment that would govern the election  
8 of Congress.

9 That was a very close vote, and we don't  
10 need to go into that, but the point of all that  
11 was to say that the citizenry really felt that  
12 term limits was an important way of broadening  
13 democracy, encouraging leadership to form,  
14 expanding both for minority and women  
15 participation in elected leadership, and that  
16 really has been the way it has worked.

17 In terms of broadening participation in  
18 term limits, it has been an unqualified  
19 success. You may remember in Duval County, that  
20 was a charter amendment and it covered all of  
21 the elected officials, City Council and then the  
22 clerk of the circuit court, property appraiser  
23 probably.

24 Since that time, the Supreme Court of  
25 Florida ruled that since the sheriff and the

1 clerk, the property appraiser and the tax  
2 collector -- there may be one other --

3 THE CHAIRMAN: Supervisor.

4 MR. SCHEU: -- supervisor of elections, how  
5 can I forget -- that those were constitutional  
6 officers and they could not be subjected to a  
7 local charter amendment because they had  
8 statewide constitutional-granted powers. So  
9 Jacksonville now, I believe that it applies to  
10 City Council, and the mayor comes under a  
11 separate division.

12 (Mr. Catlett enters the proceedings.)

13 MR. SCHEU: So in terms of its  
14 effectiveness, I think it's been a very big  
15 success.

16 Now, the criticism of term limits  
17 beforehand -- and continue to this day -- were  
18 that staff would have too much power, that  
19 people would not be familiar -- people who are  
20 elected would not be familiar enough with the  
21 particular government they were overseeing.  
22 City Council would not be familiar -- as  
23 familiar as Mr. Catlett with the bureaucracy.  
24 And then to some extent that criticism has been  
25 justified, so --

1           One way to deal with that is to say, well,  
2           should we have more than two terms? And that's  
3           what Wyman asked me to speak about, and I really  
4           have mixed feelings about that.

5           The citizens have spoken, two terms, that's  
6           eight years. And one could argue that that's  
7           plenty, that anyone that should be elected to  
8           our City Council, that that should be plenty of  
9           time, but you do run the risk of a whole group  
10          of new council people coming in in one term that  
11          really do not have the institutional history,  
12          and that's a fair criticism.

13          So I guess I'd end up suggesting to you  
14          that another term for City Council may be a good  
15          idea, but if I were -- I would not scrap term  
16          limits. I think that's a -- I think you would  
17          be very foolish to recommend that because the  
18          citizens really feel strongly, continue to feel  
19          strongly about that.

20          If you do recommend a third term, I would  
21          not suggest -- I would suggest that you not say  
22          to the council "y'all do this" because you can  
23          amend the charter three ways. You can do it by  
24          the council, by the legislature, or by voter  
25          referendum. I would urge you to recommend that

1           this be done by referendum. I think the  
2           citizens feel so strongly about it.

3                     The other part of it is -- I've tried to  
4           think, what would I recommend -- and this  
5           relates to the staggered terms issue, and I  
6           think that's really a good idea.

7                     But in terms of what y'all should do --  
8           y'all probably read the editorial Monday or  
9           Tuesday, I did. So that y'all don't get down in  
10          the weeds on this, maybe -- and I don't know how  
11          y'all work -- maybe you would recommend -- if  
12          you support such a proposal, you just recommend  
13          to the council that they devote sufficient  
14          committee time, et cetera, to implement such a  
15          proposal to put it on the ballot because,  
16          frankly, I can't recommend any way to implement  
17          that, and I think y'all would really bog down if  
18          you said, well, we're going to implement it by  
19          this group of people serving two terms and these  
20          three or one term. I think that's something --  
21          y'all should deal with the -- with the concept  
22          and let the council deal with the details.

23                     So that's really all that I wanted to say,  
24          that it's been a great success; the citizens  
25          feel very strongly about it; and it should be

1 changed, if at all, by ballot; and that y'all  
2 shouldn't get down in the weeds.

3 THE CHAIRMAN: Thank you, Mr. Scheu.

4 I have a follow-up question, two actually.

5 First, I just want to clarify, do you think  
6 staggering is a good idea --

7 MR. SCHEU: (Nods head.)

8 THE CHAIRMAN: -- and worth looking at?

9 Okay. And, secondly, what about term  
10 limits for the mayor, should that be increased  
11 to three terms?

12 MR. SCHEU: I don't -- probably  
13 Mayor Austin is the best to say that.

14 I don't think that. I think you should not  
15 deal with the mayor at all. I think that's a  
16 two term -- the governor is two terms, the  
17 president is two terms. The mayor -- I mean,  
18 that has -- if you -- well, if you don't get a  
19 grasp of the government from an executive  
20 position in a pretty short time, it's going to  
21 be very disheartening, so I would not do the  
22 mayor.

23 THE CHAIRMAN: Commissioner Oliveras.

24 (Mr. Thompson enters the proceedings.)

25 MR. OLIVERAS: Thank you for being here

1 today, Mr. Scheu.

2 MR. SCHEU: Thank you.

3 MR. OLIVERAS: The last empaneled Charter  
4 Revision Commission made the recommendation for  
5 staggering the City Council term limits and it  
6 was voted down -- or not taken up rather.

7 How can we sell this as a good idea that it  
8 would be seriously considered by the council?

9 MR. SCHEU: Hire Rogers Towers.

10 Just teasing, Joe.

11 You know, I don't know. That's a question  
12 of credibility. I think you'd have to get  
13 people that were involved before to come say,  
14 you know, this is a good idea. I think you'd  
15 have to find influential -- and "influential"  
16 means a lot of different things.

17 I think the parties would need to have a  
18 say in it. I would think persuasion of -- that  
19 this is the right thing to do for the public.

20 I may be wrong, but I don't think the  
21 council did anything with that Charter Revision  
22 Commission -- recommended.

23 I did ask Bill Brinton what he felt about  
24 this, and I think he generally agrees with me.  
25 And he was going to write me a letter, but he

1           didn't, so -- he may show up here some time  
2           today, and he'd be a valuable voice for this  
3           too.

4           MR. AUSTIN: Bill --

5           MR. SCHEU: Bill Brinton.

6           But, you know, I don't -- it would be the  
7           same -- it's the power of persuasion, so . . .

8           MR. OLIVERAS: Thank you.

9           THE CHAIRMAN: Commissioner Youngblood.

10          MR. YOUNGBLOOD: Through the Chair, could I  
11          ask -- it's a little off topic, but something  
12          that would pertain to your internship there --  
13          or your -- interim supervisor of elections,  
14          appointed over elected.

15          I know it's off topic, but someone that  
16          served in that capacity I'd like to hear from --  
17          how it would have affected your job and position  
18          had you been appointed versus the election  
19          process.

20          Now, knowing you were, for an interim time,  
21          there, how would that affect you if that  
22          position as a constitutional officer was  
23          appointed versus elected as it stands now?

24          MR. SCHEU: Well, my feelings about that  
25          office are that -- it really should be someone

1           that is not seeking any other office. I think  
2           to the most extent it should be someone that has  
3           credibility and integrity in the community. And  
4           I must say, I think Jerry Holland has done a  
5           great job doing it. Jerry and I have disagreed  
6           about some things, but Jerry has really brought  
7           some real professionalism.

8                     But that office -- so I think it really --  
9           appointed would be just fine for that.

10                    That office -- the people that work in that  
11           office are very dedicated. They really work  
12           hard. And one of the most disappointing things  
13           of serving as a public official was the media,  
14           and that is they don't -- my first day they were  
15           in a bunker mode. They just were -- everything  
16           they did, they -- the media -- it didn't matter  
17           what they were doing.

18                    One of the saddest experiences of my whole  
19           service was -- the Times-Union had a reporter,  
20           who I will not name, who covered politics and  
21           the supervisor's office, and when we were -- I  
22           had a couple of days left. He wanted to do a  
23           final interview, and I said, you know, these  
24           people that work in this office really work hard  
25           and they're going to make mistakes, but they're

1 not trying to get everybody. They -- everybody  
2 is going to make mistakes, but they're trying to  
3 do the right thing. Don't you think you could  
4 give them the -- at least a presumption of good  
5 faith? And he said he would never give any  
6 public employee, particularly an elected  
7 official, a presumption of good faith.

8 Well, that was just devastating because  
9 what does that say about communication of that  
10 psychology and philosophy to citizens? I mean,  
11 it was just another way of destroying our faith  
12 in our institutions. That was the saddest day  
13 of my service. But, unfortunately, that's just  
14 the way it is.

15 And that's a long way around your  
16 question. I think that that person needs to be  
17 professional and sort of nonpolitical.

18 MR. YOUNGBLOOD: That was a very  
19 straightforward answer. Thank you.

20 And not as a follow-up, but back on topic,  
21 as you know, just a few weeks ago we had  
22 presented to the City Council and ruffled a few  
23 feathers, I believe, but Jerry Holland spoke to  
24 us from the aspect of moving it to the  
25 gubernatorial cycle.

1 MR. SCHEU: Right.

2 MR. YOUNGBLOOD: What's your opinion on  
3 that? If we truly were able to draft something  
4 either by referendum or draft something through  
5 a J bill to City Council, what's your opinion  
6 there to move it to that cycle?

7 MR. SCHEU: Wyman heard that very loud in  
8 his -- I think that's very foolish. And I can  
9 go into that, but I think that separating out  
10 our City elections is wise because people can  
11 focus on it. And as Bill Brinton would say,  
12 there's some things of leadership and elections  
13 in our government that isn't -- they're really  
14 too important to say that we're not going to do  
15 it to save money.

16 Now, that's -- I don't want that to be  
17 taken out of context, but having people focus on  
18 their City elections is very important, and you  
19 get lost.

20 John Crescimbeni would have had some  
21 interesting observations because he ran for  
22 office on both things. And, unfortunately --  
23 Wyman heard this from Bill and I -- y'all didn't  
24 call anybody that had any larger perspectives.  
25 All you called for testimony were people that

1           were in favor of it, and so that was a mistake,  
2           and so -- that's enough said. Wyman knows how I  
3           feel. You can ask Wyman about that.

4           MR. YOUNGBLOOD: Thank you, Mr. Scheu.

5           MR. SCHEU: Thank you.

6           THE CHAIRMAN: Vice Chair O'Brien.

7           MS. O'BRIEN: Actually, along the lines of  
8           your last statement, we have some issues that  
9           are coming up that are going to be, I think,  
10          controversial. Your question of -- I guess the  
11          challenge that we have is bringing people to  
12          speak to us who are on both sides of the table.

13          How would you suggest, in looking at the  
14          election issue where maybe it was one-sided --  
15          the issues that we've heard, moving forward, how  
16          would you suggest that we make sure that we're  
17          bringing in both sides of the party -- you know,  
18          both sides of the argument?

19          MR. SCHEU: Sure. Well, I --  
20          unfortunately, I think most people really don't  
21          know what you're doing, and I think that that's  
22          part -- probably communication.

23          Bill and I were talking about this the  
24          other day, and I can't -- oh, we're not sure  
25          that we understand what the process is. Y'all

1 invited citizens to come talk to you at the  
2 beginning, I think, as far as issues, but is  
3 there a time when citizens can just come talk to  
4 y'all, and when is that?

5 THE CHAIRMAN: We have public comment every  
6 meeting.

7 MR. SCHEU: Okay. Well, y'all probably  
8 need to advise people of that and really be more  
9 proactive about encouraging people to come  
10 and -- do y'all meet at this time?

11 THE CHAIRMAN: Yes.

12 MR. SCHEU: So maybe some -- maybe an  
13 afternoon -- late afternoon meeting might be  
14 helpful to get people to come. Communication  
15 more than anything is . . .

16 THE CHAIRMAN: Commissioners, any other  
17 questions?

18 MR. CATLETT: Good morning, Bill.

19 MR. SCHEU: Good morning, James.

20 MR. CATLETT: Just to declare, Bill was on  
21 the Downtown Development Authority when I was  
22 staff there a hundred years ago.

23 MR. SCHEU: Jim saved us from many things  
24 and created many things.

25 MR. CATLETT: Well, in any event, I want to

1 point out that the mayor has a vast staff of  
2 people that do research and prepare the initial  
3 budget. The council, when it steps in after an  
4 election, doesn't have that myriad of staff. If  
5 they are lucky, they find some council aide that  
6 is not going to repeat because their  
7 councilperson has termed out and they could take  
8 advantage of that experience, but the reality of  
9 it is a new councilperson coming in really  
10 doesn't know much about the budget, and this is  
11 a billion dollar budget and it's a budget that's  
12 really important to the citizens.

13 In fact, outside of land use and zoning,  
14 it's the main thing that the council does, is  
15 this budget, and they have the responsibility of  
16 examining what the mayor presents and making the  
17 real decision themselves. So it seems  
18 ridiculous to me that we don't have staggered  
19 terms and that we don't have three terms to  
20 spread that staggering across.

21 I totally agree with you, that the mayor  
22 is -- two terms is plenty, but he also has the  
23 advantages of a tremendous staff, his staff and  
24 the outgoing mayor's staff, which frequently are  
25 the same people, whereas councilpeople are

1 working at a disadvantage when it comes to the  
2 bureaucracy and staff when they walk in the  
3 door.

4 So I echo your thoughts totally on three  
5 terms and putting it on referendum. The one  
6 place we diverge a little bit is on the --  
7 working in the weeds.

8 One of the reasons that the council is not  
9 successful at figuring out the things we're  
10 talking about is that they get caught in the  
11 weeds. They have so many needs and so many  
12 decisions to make, all the zonings and land use  
13 and budgetary things, so I -- I'm going to say  
14 this, that -- because I was there with  
15 Councilman Alvarez at the time we attempted  
16 this.

17 I think that we probably need to get into  
18 the weeds a little bit, not all the way, but we  
19 need to propose to them how this would work and  
20 then let them figure out the details of it, but  
21 I think it's just not enough to say three terms  
22 and stagger them. I think we're going to have  
23 to give some thought at how to do that because  
24 that didn't come across real well last time, and  
25 I think that was the -- it wasn't the concept;

1           it was the fact that --

2                   Between getting lost in the weeds and the  
3           concept, there's a middle ground somewhere, and  
4           we probably need to go further than we've gone,  
5           but -- but not into the weeds, as you said,  
6           because I think the council -- you know, they're  
7           all well-intentioned people. You don't have any  
8           bad people on this council. I know them all  
9           personally; they're all good people. They may  
10          have different philosophies or opinions, but in  
11          their hearts they all are doing exactly what  
12          they think their citizenry and their district or  
13          the county as a whole want to do. And sometimes  
14          they need input from the public and maybe even a  
15          group like this to help sort some of that out  
16          for them, so I -- I'd like to propose that --  
17          although we don't get in the weeds, that we're a  
18          little more specific with how it would work.

19                   And I notice we have a couple of  
20          ex-councilpeople on here that are also excellent  
21          folks. I've known them both for years. But in  
22          terms of talking with some of the current  
23          councilpeople about how -- if there's a  
24          negative, let's hear it on the front end and  
25          work it out and then what we propose to be

1 something that would actually go on the ballot  
2 or close to it to where they don't have to try  
3 to start from scratch, just from the concept,  
4 because that -- they don't really have a team  
5 set up to do that, and we're kind of the  
6 council's team, if you will, to help solve some  
7 of these problems.

8 MR. SCHEU: Well, if I could respond.

9 I think that would be fine, but y'all then  
10 need to prioritize your work because I do  
11 think -- and I haven't really followed you, but  
12 y'all don't need to be getting in the weeds on  
13 15 different things. You need to pick them out  
14 and do it, and then -- but take advice from  
15 those people, have a working session where you  
16 have people come in and work with you to frame  
17 that.

18 MR. CATLETT: Good idea.

19 THE CHAIRMAN: Commissioner Youngblood.

20 MR. YOUNGBLOOD: Through the Chair, who do  
21 you recommend? You said there is -- we didn't  
22 really hear the opposing side, other than the  
23 public, and we still hear from the public at  
24 each of the meetings.

25 Who is it that you have in mind that we

1           should hear from, then, since we only heard from  
2           a select group that came and spoke to us about  
3           the election laws and changing of term limits  
4           and so forth. Who do you recommend?

5           MR. SCHEU: Well, I think the issues are  
6           different, so -- you mean on this issue?

7           MR. YOUNGBLOOD: On this issue of term  
8           limits.

9           MR. SCHEU: Well, I would --

10          MR. YOUNGBLOOD: Staggering the election  
11          process.

12          MR. SCHEU: I would think Jim Rinaman would  
13          be someone. JCCI -- I think JCCI is very  
14          valuable. Bill Brinton, who I see hovering over  
15          there, would be someone. I think the parties,  
16          and I would get some people that -- I mean, I  
17          just really think you need to be inclusive.  
18          There might be some people that don't think term  
19          limits is right anyway, so that would be -- I  
20          don't really know who that would be anymore, but  
21          those would be some people. I would say Tillie,  
22          but you can't get Tillie back.

23          So those would be --

24          MR. YOUNGBLOOD: We look forward to your  
25          recommendations because we'd love to hear from

1           them also to make a better decision.

2           MR. SCHEU:   Okay.   Good.   Thanks.

3           MS. O'BRIEN:   I have two questions.

4           First, in terms of term limits, please help  
5 me understand, is there an option -- right now,  
6 of course, all of our terms are four years.

7           Is there an option legally to do either two  
8 terms that are six years apiece or to do -- or  
9 would we have to do four-year terms and then  
10 potentially change it to three?

11          MR. SCHEU:   It's two four-year -- two full  
12 four-year terms.

13          MS. O'BRIEN:   But if we were to make a  
14 recommendation, is it constitutionally legal to  
15 do -- instead of -- you're adding another term,  
16 or potentially we're discussing as a group a  
17 third term of four years.   Would it be possible  
18 to recommend two terms, but to change the term  
19 from four to six years?

20          MR. SCHEU:   I don't know.   You probably --  
21 Steve might know.

22                 You probably could do that with the  
23 City Council, with a charter amendment.

24                 That's interesting.   I don't know the  
25 answer to that.   I think the citizens can amend

1 the charter, so I think they could speak about  
2 that, whether that's --

3 MS. O'BRIEN: There are certainly pros and  
4 cons to that. They aren't running as often up  
5 for election, which -- depending on which side  
6 you're on, could be a pro or a con.

7 And then the other question I have is,  
8 going back to your position as the interim  
9 supervisor of elections, could you explain to  
10 our organization how you communicated -- what  
11 your term -- well, how long you were in that  
12 position, who you -- how you were appointed and  
13 who appointed and who had to approve, and how  
14 you communicated with the mayor's office and/or  
15 the City Council in your tenure as the interim  
16 supervisor of elections?

17 MR. SCHEU: Well, for me it was very  
18 unusual. I don't know if you remember that, but  
19 I was minding my own business. I had been to  
20 church one Sunday night and we came back and we  
21 were having a glass of wine in our kitchen  
22 Sunday night and the phone rang and it was the  
23 governor's chief of staff, and he said, if John  
24 Stafford resigned, would you be the interim  
25 supervisor of elections? That was two weeks

1 before the 2004 elections.

2 So after thinking about it, et cetera, I  
3 agreed to do that. And it was initially  
4 supposed to be for three weeks, but because some  
5 people wanted to run -- and I said I wasn't  
6 going to run. Some people wanted to run, two of  
7 whom were City Councilpeople, so that meant you  
8 were going to have to have an election. That  
9 was going to be in the spring, so I ended up  
10 staying six months.

11 Now, communication -- a lot of the  
12 communication was through the General Counsel's  
13 Office because those were very fractious times.  
14 And we would meet, Cindy and Scott and -- I'm  
15 having a senior moment. I can't remember.

16 So that was -- it was very legal.

17 But the best communication in those times  
18 was every afternoon having all the parties --  
19 you had the Bush people, the Kerry people, the  
20 Republican party, the Democratic party, no  
21 media, every day at 4 o'clock to discuss what  
22 people were angry about at that point so  
23 everybody could get together to talk about it,  
24 but that --

25 So that's -- you know, since relating to

1 the people, in terms of the council, the council  
2 was very supportive. We were going to need more  
3 money because the issue was early -- additional  
4 and early voting places, and both the mayor and  
5 the council were very supportive of that, but  
6 they realized it was a crisis. It was really  
7 unusual, those circumstances.

8 If this were an appointed position,  
9 generally, I think you would -- well, that's  
10 really interesting because if you're appointed,  
11 then, theoretically, you'd relate through the  
12 mayor. That may or may not be a good idea for  
13 the supervisor of elections. So maybe I'll say  
14 that maybe he does -- he or she does need to be  
15 elected because -- on a nonpartisan basis,  
16 because of the controls that would inevitably be  
17 in place.

18 I don't know if that answered your  
19 question.

20 MS. O'BRIEN: Thank you.

21 But your direct, I guess, appointee was the  
22 governor as opposed to a local --

23 MR. SCHEU: Yes, because of the vacancy.

24 MS. O'BRIEN: That's kind of --

25 MR. SCHEU: And that's a constitutional --

1 (Simultaneous speaking.)

2 MS. O'BRIEN: -- (inaudible) that was your  
3 boss?

4 MR. SCHEU: That's right, and that's a  
5 constitutional position, and the -- the  
6 Secretary of State and the Division of  
7 Elections. There's a lot of -- "control" would  
8 be too strong, but the election laws that would  
9 be enforced by -- and opinions given by the  
10 Division of Elections.

11 That's a helpful question to think about  
12 because I do think maybe the supervisor is  
13 better to be elected. I think that might be  
14 right.

15 MR. CATLETT: Mary, originally, when I put  
16 this on my list at least, I proposed two  
17 six-year terms, exactly as you're talking  
18 about. However, it was pointed out to me that  
19 that doesn't solve the problem of a whole raft  
20 of people coming in that don't know what they're  
21 doing. So that's why I modified it to three  
22 four-year terms is because you could stagger it  
23 to where you only had six or seven that were  
24 going off every time, and that -- you know,  
25 you -- the same number of years, but the

1 convenience of a council running for office was  
2 a secondary issue to having a council that was  
3 well-informed and well-prepared to immediately  
4 deal with a budget. And it appeared that having  
5 two-thirds of them at least knowing what they're  
6 doing day one would be more useful, but the --

7 But originally I did propose the two  
8 six-year terms, and that was brought to my  
9 attention that that didn't solve the problem of  
10 education and knowledge and the institutional  
11 background that three four-year terms would --

12 MR. SCHEU: Well, I suppose to err -- you'd  
13 want to err on the side of more elections  
14 because the people need to have some input into  
15 their elected government, so I guess I'd come  
16 down on three four-year terms rather than  
17 six-year terms because then the people can  
18 speak.

19 THE CHAIRMAN: Bill, I have a question that  
20 your last comment made me think of, and that is,  
21 with respect to the General Counsel's Office,  
22 we've heard some of the other stakeholders in  
23 government say that they would like perhaps more  
24 discretion and latitude in choosing their  
25 attorney, and I'm just wondering, having served,

1           although for a shorter period of time than is  
2           typical, do you have any thoughts on the issue  
3           of the General Counsel as a unified legal  
4           department for the whole City advising  
5           everybody, or do you see any issues, any  
6           problems, anything you think should change?

7           MR. SCHEU: Yeah. They really grew out of  
8           the Downtown Development Authority when Jim and  
9           I were serving on that. I mean, it's a -- the  
10          overall consolidated government works great, and  
11          the General Counsel is a very powerful position  
12          and so you want people there that have judgment  
13          and wisdom and a larger sense of the community,  
14          but that ultimately -- that person is ultimately  
15          the arbiter where there are disputes within  
16          government.

17          We didn't have any issues, as supervisor of  
18          elections, so I really -- that really didn't  
19          impact, but on the Downtown Development  
20          Authority, back in those days we were really  
21          trying to make some things happen. And Jake was  
22          the mayor, and Jake wanted to do certain things  
23          his way, most often, and the business community  
24          or the other people might want to do it  
25          differently, and the Downtown Development

1 Authority wanted to do some things differently,  
2 and so --

3 Our legal advice to the Downtown  
4 Development Authority was being given to us by  
5 the mayor's lawyer, and so we didn't like that,  
6 but we -- you know, that's just the way you had  
7 to do it. And it really wasn't the General  
8 Counsel making the decision, it was really the  
9 mayor because of the close relationship of those  
10 particular individuals, we felt.

11 So, I mean, aside -- those people that have  
12 been around -- again, Mayor Austin would be  
13 really -- having served as both the General  
14 Counsel and as the mayor, he'd probably have  
15 great insight.

16 So I would get people in that -- from the  
17 different authorities. Rick Mullaney is one of  
18 those that does have that larger view, in my  
19 opinion, and is very capable, but that's the  
20 kind of person that you need.

21 THE CHAIRMAN: Thank you.

22 Commissioners, any other questions?

23 COMMISSION MEMBERS: (No response.)

24 THE CHAIRMAN: Okay.

25 MR. SCHEU: And, again, thank y'all for

1           what y'all do.

2           THE CHAIRMAN: Thank you, Mr. Scheu.

3           Our next speaker will be Skip Cramer, the  
4           executive director of JCCI, to talk about the  
5           1988 elections study.

6           (Mr. Cramer approaches the podium.)

7           THE CHAIRMAN: Good morning.

8           MR. CRAMER: Good morning, ladies and  
9           gentlemen.

10          I appreciate the opportunity to return here  
11          and speak to you and actually bring a little bit  
12          more information, new information on some of the  
13          topics I touched upon.

14          We're focusing today on the issues of the  
15          election --

16          THE CHAIRMAN: Skip.

17          MR. CRAMER: -- process.

18          THE CHAIRMAN: Skip, before you start, our  
19          court reporter will swear you in.

20          MR. CRAMER: Yes.

21          THE REPORTER: Will you raise your right  
22          hand for me, please.

23          MR. CRAMER: (Complies.)

24          THE REPORTER: Do you affirm that the  
25          testimony you're about to give will be the

1 truth, the whole truth, and nothing but the  
2 truth so help you God?

3 MR. CRAMER: I do.

4 THE REPORTER: Thank you.

5 MR. CRAMER: Again, first I'd like to speak  
6 briefly about the relevance of the work that we  
7 do primarily because today is a different date  
8 than the last time I appeared, and we're now the  
9 35th anniversary year of JCCI and the work that  
10 we do is a think and do tank, because I want to  
11 point out that there is an implementation  
12 associated with each of our studies.

13 And since we last met, we now have posted  
14 on our web site all of the implementations from  
15 all the studies we've done, so I can share and  
16 add some interesting historical background from  
17 the actual final report on the election reform  
18 study of 1988 done by Jim Rinaman, and it goes  
19 to 1991 when several things were resolved and  
20 other things left undone.

21 In my years at JCCI, I've often heard the  
22 question raised about the impact of some of the  
23 things that we do, and I distill it down to what  
24 I call a "so what" question. It's an aphorism  
25 for results-based accountability, which I think

1 is the buzz word today, and I think that answer  
2 is what you're going to find our web site now  
3 with the implementation reports to tell you what  
4 did happen as a result of the study.

5 The implementation reports are not the  
6 final work, as I think you're hearing today, on  
7 any topic that JCCI studies. Often our studies  
8 generate momentum in grass-roots support for  
9 positive changes that follow sometimes years  
10 later, but they do so as a result of JCCI  
11 putting an issue on the radar screen or taking  
12 those initial critical steps that result later  
13 in positive change.

14 I would like to thank the generation of  
15 volunteers that have gone before us that have  
16 done the hard work, that have made the changes  
17 we've seen over the last few decades.

18 The solutions -- and I'm glad to see Bill  
19 Brinton here because I think he is one of those  
20 brave knights that lives what I'm going to  
21 describe, that our solutions are rarely  
22 timeless. They're even long lived and lasting  
23 in that --

24 There's a tough lesson that I've learned  
25 through experience, and that's nothing is

1 perfect or eternal in the field of public policy  
2 and governance, and that's why we've done our  
3 third study now on City finance, addressing the  
4 same issues that we did in 1997, and that's why  
5 the '85 study on visual pollution has been  
6 continuously cited over the past 25 years as  
7 we've fought visual blight in this city and is a  
8 very, very current issue.

9 That's why the Charter Revision Commission  
10 is reborn every decade and is looking again at  
11 the same election reform issues that its  
12 predecessor did in 1991 and whose membership  
13 included people that served on the '88 JCCI  
14 study.

15 Turning to that study, with that as  
16 preface, you'll recall that the study pursued  
17 answers to the questions of how our local  
18 election process could be improved to increase  
19 active participation of citizens as voters and  
20 as candidates.

21 It looked at two broad areas, improving  
22 voter turnout and then improving candidate  
23 recruitment. The study resulted in some  
24 specific results, unitary primary elections,  
25 term limits -- which, by the way, was one of

1           those that was not passed by City Council. In  
2           fact, I read here from the final report, local  
3           election process -- and this is Nancy Edwards  
4           reading about the recommendation that -- should  
5           we have, among other things, staggered terms and  
6           term limits.

7           JCCI communicated with City Council and the  
8           mayor on these item. Councilmember Tillie  
9           Fowler introduced a proposal to limit  
10          City Council terms. After much debate, it was  
11          defeated by a nine-ten vote.

12          JCCI lobbied strongly and visibly for this  
13          proposal. Subsequently, an independent group of  
14          citizens organized by -- organized a petition  
15          drive to place the two-term limit issue on the  
16          ballot for charter amendment by initiative.

17          Several JCCI task force members were  
18          involved and played leadership roles. The  
19          petition drive was successful. And during the  
20          May 1991 election, the proposal was resoundingly  
21          approved. In fact, the highest referendum vote  
22          we've ever had, 82 percent approval.

23          While debating the term limit issue, City  
24          Council briefly considered but ultimately  
25          rejected a staggered term proposal. Opinions

1           seemed not to be strongly pro or con. It was  
2           rejected primarily because of logistical  
3           problems related to redistricting. The  
4           staggered term proposal was also omitted from  
5           the proposed initiative charter amendment.

6           No new formal council mechanism has been  
7           developed jointly by the mayor and City Council  
8           concerning citizen complaints -- this is a  
9           different issue. Politically, it's not to the  
10          advantage of council members to relinquish their  
11          direct responsiveness to citizen complaints.

12          And that was dealing with the issue of,  
13          partly, term limits, the argument that we need  
14          very, very experienced people in office. It's a  
15          strong learning curve, difficult to grasp the  
16          issues, and part of the solutions that came from  
17          the '88 study were the additional staff to  
18          council members and a creation of the research  
19          branch for council so that they would not have  
20          to get down quite so far into the grass.

21          Let me return to my prepared remarks.

22          Elected versus appointed positions, the '88  
23          study, and looking at how to improve voter  
24          turnout and barriers to voting, cited the length  
25          of the ballot and the presence on the ballot of

1 certain local elected offices that tended to  
2 attract fewer voters because their functions are  
3 largely administrative or quasi-judicial. An  
4 example cited in the study, tax collector, clerk  
5 of court, property appraiser, and supervisor of  
6 elections.

7 The study concluded the large number of  
8 elective positions in Jacksonville's government  
9 reduces voting, especially for certain offices.  
10 Some of these offices, which are primarily  
11 administrative or quasi-judicial in their  
12 functions, would be more appropriately  
13 appointed. So that was the position of the  
14 '88 study.

15 The corresponding recommendation to the  
16 conclusion was that this body, at the time, the  
17 Charter Revision Commission, when it next met,  
18 which would be three years after this study,  
19 should study whether those offices, which are  
20 primarily administrative or quasi-judicial  
21 functions, should be made appointive.

22 The study of this issue by the Charter  
23 Revision Commission should consider all relevant  
24 factors, including lower voter turnout, which  
25 these offices attract.

1           When we look at the implementation report,  
2           three years later, in July of 1991, Chair Nancy  
3           Edwards notes that the Charter Revision  
4           Commission was meeting at that very time and  
5           that two of the CRC members were Nancy Edwards  
6           and Jim Rinaman.

7           The '91 report closes with a promise that  
8           they would ensure the issue of elective versus  
9           appointive offices would be raised.

10          This subject was discussed very recently  
11          and informally. It does not represent a JCCI  
12          position or a study result by any stretch of the  
13          imagination, but we invited Mr. Rinaman back for  
14          a -- what we now call an issue and answer, a  
15          lunch and learn session, informal brown bag  
16          lunch with JCCI members, and the study was the  
17          '88 election reform revisited. We had not only  
18          Chair Jim Rinaman there, but also the Supervisor  
19          of Elections Jerry Holland as an invited guest.

20          And I bring this to you, Mr. Holland  
21          pointed out some of the advantages -- because we  
22          did get into the discussion of appointed versus  
23          elected, and I think that Mr. Scheu outlined it  
24          very well.

25          Mr. Holland pointed out that some of the

1 advantages included something that was  
2 interesting, comparatively lower salary costs  
3 associated with an elected person.

4 Now, that is -- does not address the cost  
5 of running for election.

6 The direct accountability of the person to  
7 his or her specific constituents. In other  
8 words, a direct link between the voter and the  
9 supervisor of elections. And then, of course,  
10 the requirement that a successful political  
11 officeholder must stay connected to their voter  
12 constituency.

13 The counterpoints to his position were  
14 ballot clutter, the dichotomy over partisan  
15 politicians serving in a nonpartisan office, and  
16 then, of course, the associated cost of running  
17 for a political office.

18 To staggered term limits for City Council,  
19 when the '88 study recommended term limits for  
20 council, it also recommended staggering the  
21 terms to avoid massive turnovers.

22 Considerable time in the study and space in  
23 the study were devoted to the issues surrounding  
24 running for and serving in office, especially  
25 the debate over term limits, citizen legislators

1           versus professional politicians. That was the  
2           novelty issue. Are we -- do we require  
3           technical experts in elected office or is there  
4           a more fundamental issue of having citizen  
5           legislators rather than professional politicians  
6           serving in council?

7           The study report goes on to very clearly  
8           differentiate that from the mayor, for example,  
9           who is considered a full-time position. It also  
10          addressed the issue of keeping -- in the '88  
11          study -- that the salaries should not be  
12          commensurate with a full-time job, that it  
13          should, in fact, remain a part-time position and  
14          not try to constitute someone's livelihood.

15          The companion to the term limit issue that  
16          certainly did send -- it does send a lot of very  
17          experienced people home, was staggered terms for  
18          City Council members to ensure that the brain  
19          trust was not flushed all at one point.

20          The solution to the argument of  
21          ever-increasing demand on incumbents' time and  
22          increasing complexity of the decision-making  
23          process was first to make sure that council  
24          members had adequate professional staff and  
25          research capability, and then another solution

1 to time management was to place -- and this was  
2 a recommendation that was not implemented -- to  
3 place City service constituency response issues  
4 back in the City departments. And, as Jim  
5 Rinaman has suggested recently and did at this  
6 lunch and learn, was an ombudsman program. In  
7 other words, alleviate a little bit of the  
8 constant calls from constituents and having the  
9 council member be the person who now goes  
10 directly to the City departments with  
11 constituent complaints.

12 Twenty-one years after the study, we find  
13 that term limit issues are still a hot button  
14 issue for politicians and the public. And if  
15 you need an argument for limits, I can send you  
16 to any number of colorful web sites,  
17 kickthemallout.com, citizensfortermlimits,  
18 getoutofourhouse.com, or a YouTube video called  
19 throwdabumsout.org.

20 On the opposite side of the argument,  
21 you'll find a number of scholars and political  
22 scientists, politicians, and more than a few  
23 repentant term limit proponents who argue that  
24 there are some unintended consequences for term  
25 limits and that they have created some

1 significant issues.

2           However, term limits in Jacksonville were  
3 the result of the voters' decision that brought  
4 us to the two-term limit we have today. The '91  
5 study implementation report that I've cited also  
6 documents the expanded staff of the council to  
7 improve efficiency, and then, most important,  
8 the adding of professional research and policy  
9 analysis staff.

10           Missing from the implementation, the  
11 staggered council terms. There exists an open  
12 recommendation from the '88 study that says the  
13 City charter should be amended to elect council  
14 members on a staggered basis, half every two  
15 years, to help maintain continuity of  
16 representation.

17           During the issues and answers, we did talk  
18 about which of the options that have been  
19 discussed publicly was the best, and we offer no  
20 solution to the difficult decision you have to  
21 make other than there certainly was agreement  
22 that we need to stagger the term limits. And we  
23 had those that posited that saving \$2.9 million  
24 was not the issue, it was more important that we  
25 be able to focus attention on local elections,

1           and then we had the more financially-driven  
2           point that we combine it with the gubernatorial  
3           election process to save some dollars and not  
4           have an additional election.

5           So we appreciate the opportunity to bring  
6           you this update. I will give my copy of the  
7           implementation report for your pleasure. It's a  
8           very short read, but it's a wonderful piece of  
9           archival history in terms of what actually  
10          happened as a result of that study, and be happy  
11          to answer any questions you may have.

12           THE CHAIRMAN: Vice Chair O'Brien.

13           (Ms. Eichner exits the proceedings.)

14           MS. O'BRIEN: Thank you so much,  
15          Mr. Cramer.

16           I just wanted to clarify the point that the  
17          study, I guess, pointed out. Having the  
18          constitutional officers' positions on the  
19          ballot, was it true that that -- I want to make  
20          sure I heard it right -- that it cluttered the  
21          ballot and actually resulted in lower turnout?  
22          Was that a --

23           MR. CRAMER: Yes. That -- essentially yes,  
24          and there were some elected positions that were  
25          removed as a result of the study. The Civil

1           Service Commission, for example, was removed  
2           from the office. And then there was, as  
3           Mr. Rinaman will tell you, a good bit of history  
4           of how the constitutional officers came to be as  
5           constitutional officers rather than being  
6           absorbed elsewhere as appointive positions  
7           during the consolidation legislation.

8           THE CHAIRMAN: Commissioner Oliveras.

9           MR. OLIVERAS: Thank you, Mr. Chairman.  
10          Thank you for being here, Mr. Cramer.

11          MR. CRAMER: Sure.

12          MR. OLIVERAS: The staggered terms, this  
13          has been -- we've been looking at this for over  
14          20 years, and it just -- it seems to make sense  
15          on its face that this is how we should be doing  
16          government here. Is this -- the lack of  
17          implementation, is this due to people's personal  
18          interest or is there a policy issue at stake  
19          here?

20          MR. CRAMER: Well, I -- to go back to the  
21          results of the '91 study, I think that they --  
22          it skirts the issue a bit, but basically said  
23          that the political will was not there to do it,  
24          that there certainly was agreement with the  
25          implementation task force right up to the point

1           that they completed their last report to JCCI's  
2           board, that that needed to be done, but the  
3           problem was that it did not get through council  
4           and it was never placed on a referendum for the  
5           voters to decide.

6                    And I think you've seen the various  
7           arguments of whose ox gets gored depending on  
8           how you determine the transition from the  
9           current program to the new program. That  
10          therein lies the rub.

11                   MR. OLIVERAS: Okay.

12                   THE CHAIRMAN: Mr. Cramer, I want to  
13          clarify what I think you said. I want to make  
14          sure I understand that the -- the study, '88  
15          study recommended that the stagger be  
16          implemented with half of the offices being up  
17          every two years?

18                   MR. CRAMER: Yes.

19                   THE CHAIRMAN: And did I hear you say that  
20          JCCI has perhaps moved away from that  
21          suggestion?

22                   MR. CRAMER: Oh, not at all, no. No.

23                   I think -- there have been no discussions  
24          at JCCI that moved away from the -- from  
25          supporting staggered elections.

1           THE CHAIRMAN: I mean, but implementing the  
2 stagger through that method. I understand JCCI  
3 still supports staggering, but do they still  
4 think this is the best way to implement it or  
5 that -- is there now no official position on how  
6 to implement it?

7           MR. CRAMER: Well, there really is no  
8 official position, but I can say anecdotally  
9 from things such as the issues and answers  
10 session that we had is -- the issue is do it,  
11 whether it is to the odd-year election or  
12 whether it is to combine it with the  
13 gubernatorial, that's the only debate, but it  
14 does need to be staggered, clearly. That's  
15 undone business from the '88 study.

16          THE CHAIRMAN: And I noticed that in the  
17 '88 study there's the conclusion section and  
18 then the recommendation section. The number one  
19 conclusion was we need to find a way to increase  
20 voter participation and engagement. And they  
21 maybe didn't use the word "turnout," but I think  
22 it was implied.

23          Why didn't the '88 study take a position on  
24 moving the -- you know, when the City elections  
25 should be held? Because they didn't appear to

1 take a position on that issue.

2 MR. CRAMER: Well, what it did say was that  
3 there needed to be some additional studies, some  
4 careful analysis of what the projection for  
5 voter turnout would be if it were moved,  
6 depending on where it was moved because the  
7 objective, of course, was to have higher  
8 voter -- well, I won't say necessarily higher  
9 voter turnout because one of the things that --  
10 when you read the report carefully, there's a  
11 very clear statement in there that the issue is  
12 informed voters, that we want more informed  
13 voters.

14 So masses at the poll do not necessarily  
15 constitute success, and that gets to a whole  
16 different issue we have locally and nationally  
17 about voter apathy and bringing folks to the  
18 poll.

19 I think it's a tremendous challenge and one  
20 of the things that has been frustrating for me  
21 over my five years at JCCI, as we've tracked  
22 election numbers, we see -- and you will see in  
23 the latest JCCI quality of life report that our  
24 presidential participation rates continue to go  
25 up, our state rates are slowly declining, and

1 local election rates were at their lowest this  
2 last year, in part, because you have an  
3 uncontested election. It seems that there needs  
4 to be some juice flowing to bring out the  
5 voters.

6 THE CHAIRMAN: Commissioner Catlett.

7 MR. CATLETT: Good presentation, by the  
8 way, very thorough.

9 In talking with several past council  
10 people -- and I've been working with the council  
11 one way or another for -- right at 30 years.

12 The thing that seemed to bother them was  
13 they couldn't figure out a way where they  
14 were -- each one treated equally with the  
15 staggering.

16 Does it concern you about the  
17 recommendation for three-term limits and  
18 allowing six or seven to be turned over each  
19 time?

20 MR. CRAMER: The only thing I can say is  
21 that all permutations and accommodations were  
22 considered in the '88 study and it was presented  
23 to the voters as two terms, not three, and it  
24 was an 82 percent approval rate, which is  
25 overwhelming.

1           Anecdotally, in talking with Mr. Rinaman on  
2           that subject, I asked him his thoughts, and --  
3           and, again, he thought that that might be just a  
4           little too much. If we are talking about trying  
5           to ensure that there is adequate turnover at the  
6           same time, allow enough time for people to be  
7           able to ground themselves and be effective in  
8           their position.

9           So JCCI has no position one way or another  
10          other than we certainly had a popular result  
11          with the -- with two terms.

12          I will tell you, you can look at work  
13          that's being done elsewhere. The City of  
14          New York went through this whole effort last  
15          fall, a huge academic study, and came out guess  
16          how? Split right down the middle, how they  
17          ought to do it, so it's not easy. You don't  
18          have an easy task before you, but the great news  
19          is you have an electorate out there that will  
20          make the decision for you. You just need to  
21          give them the option.

22          THE CHAIRMAN: Commissioner Austin.

23          MR. AUSTIN: Thank you.

24          I agree. Very fine presentation. I  
25          appreciate you, what you're doing.

1 MR. CRAMER: Sure.

2 MR. AUSTIN: A question on council  
3 compensation. If my -- I stand to be corrected  
4 on this, but I think when we started it was \$100  
5 a month compensation in the consolidated  
6 government for the council, and I don't think  
7 anybody would quarrel that that first council  
8 was really a very distinguished group of people.

9 Is there something to be said for limiting  
10 the compensation of these part-time people in  
11 order to -- the original blueprint indicated  
12 that they thought if you kept the salaries  
13 almost nonexistent or very low, then you would  
14 attract a better quality candidate for these  
15 offices. How did you address -- did you address  
16 that?

17 MR. CRAMER: The '88 study did look at that  
18 and basically made a -- has a comment in the  
19 findings that the compensation should be held  
20 low enough that it's not commensurate with being  
21 a full-time position, that the salary not be  
22 made so attractive that folks make this their  
23 primary means of living.

24 That having been said, there were some  
25 folks that questioned whether or not the current

1 salaries for council members was excessive, and  
2 so we -- we went back to the '88 study, on  
3 behalf of the chairman, and moved the '88 salary  
4 compensation for council members to present  
5 dollars, in 2009 dollars, and it was within  
6 \$1,000 where the current compensation level is.

7 MR. AUSTIN: You didn't go back to the  
8 beginning?

9 MR. CRAMER: They're being paid, roughly,  
10 Commissioner, the same rate they were being paid  
11 in '88 in terms of their purchasing power of  
12 the -- the dollars.

13 MR. AUSTIN: I think the observation --  
14 it's the same principle that they -- people that  
15 formed up the consolidated government, the same  
16 principle of low -- very low salaries applied to  
17 the school board. They recommended that those  
18 salaries be very low to attract better people --  
19 better qualified people.

20 Thank you very much.

21 MR. CRAMER: You're welcome, sir.

22 THE CHAIRMAN: Commissioners, any other  
23 questions, comments?

24 COMMISSION MEMBERS: (No response.)

25 THE CHAIRMAN: All right. Thank you,

1 Mr. Cramer, very much. That was very  
2 informative.

3 Our next speaker will be Mr. Lad Daniels,  
4 former City Council member and council  
5 president. I would note that Mr. Daniels was an  
6 at-large council member, so he ran citywide for  
7 his position, so I think that gives him a  
8 perspective on the term limits and the stagger  
9 issue.

10 (Mr. Daniels approaches the podium.)

11 THE CHAIRMAN: Mr. Daniels, our court  
12 reporter will swear you in.

13 THE REPORTER: Your name and address first,  
14 please.

15 MR. DANIELS: Lad Daniels, 4215 Southpoint  
16 Boulevard, Suite 140, 32216.

17 THE REPORTER: Thank you.

18 Do you affirm that the testimony you're  
19 about to give will be the truth, the whole  
20 truth, and nothing but the truth so help you  
21 God?

22 MR. DANIELS: Yes.

23 THE REPORTER: Thank you.

24 MR. DANIELS: Thank you, Wyman, and thank  
25 you, committee, for allowing me to speak.

1           I just would like to preface my comments  
2 with a couple of observations.

3           And I look at Mayor Austin -- and I'm not  
4 sure whether these observations are worth a  
5 flip, Mayor, but I'll give them to you.

6           Bill Scheu had made a comment about what  
7 can -- let's look at the bigger issues that  
8 we're trying to address here. I would suggest  
9 that one of the biggest issues that you folks  
10 are having to address is not so much process,  
11 not so much that type of thing.

12           At the end of the day, what we're trying to  
13 do is get the very best leadership in this  
14 community to run for public office. And I guess  
15 if I were the king of the world and could do  
16 anything, I would turn the political structure  
17 upside down so that the very best leadership we  
18 had would run for local office.

19           And if we could do that, what I think would  
20 be a by-product would be you would get greater  
21 participation from the citizens, greater buy-in  
22 from the citizens because they would see the  
23 type of people that were leading them. So I  
24 would do everything I could to encourage those  
25 people that really have skills and talents and

1 things to offer to our community, make it easy  
2 for them to get engaged in this process.

3 I hate to see what we are going through  
4 right now. We're divisive, we're -- we clawed  
5 each other, we don't support each other, we  
6 don't create an environment in which people can  
7 work together. We do everything --

8 If you were to set up the perfect model to  
9 discourage people from running for office, we  
10 couldn't do better than what we have today, and  
11 so one of the -- one of the by-products, I  
12 think, that we have with this commission -- the  
13 council that I was on, interestingly enough,  
14 said that we needed to have a Charter Revision  
15 Commission meet on a much more infrequent basis,  
16 and I think you meet maybe once a decade at this  
17 point and in anticipation of a redistricting.

18 That was intended so that when you came  
19 together as a body, you had much more status and  
20 much more stature in the community than we were  
21 having under the old process where you had a  
22 Charter Revision Commission that met continually  
23 and wore out two subjects over a 20-year  
24 period.

25 I think what we've done is allowed you to

1           get much more involved, and I commend Council  
2           President Ronnie Fussell. When he appointed  
3           this group, I think he put together an  
4           extraordinary group of citizens, and thank you  
5           for your service on this.

6           But I would suggest to you, look at -- look  
7           at this bigger picture. In my mind, that's how  
8           do we get more people to come forward and offer  
9           themselves. And we can talk about term limits  
10          and staggered terms and all that kind of stuff,  
11          but that's sort of -- to me, that's not really  
12          the main issue that you're looking at right  
13          here.

14          I am a great believer in the law of  
15          unintended consequences, and I would suggest to  
16          you that in the issue of term limits one of the  
17          unintended consequences we had is we have  
18          created an environment where we didn't get what  
19          we thought we were going to bargain for and  
20          there is an imbalance between the experience  
21          level of somebody who is there for eight years  
22          and a staff that's there forever, and I don't  
23          think that's good for us.

24          You know, I'm not the brightest guy in the  
25          block, nor am I the dumbest. And I will tell

1           you, when I hit the ground running, having been  
2           exposed to local government for a long time, I  
3           thought I was really going to be able to really  
4           know what the heck I was doing. And I didn't  
5           really hit my stride probably until late in my  
6           first term, certainly early in my second term  
7           when I was lucky enough to be president.

8                     I wish I had been able to serve longer. I  
9           would have been far more effective had I been  
10          able to be there longer.

11                    We had a vote that Skip was talking about  
12          that was overwhelmingly in favor of term  
13          limits. I'm not sure the citizens really  
14          recognize what's happening out there, but I'm  
15          not so sure we'd get an 82 percent of support of  
16          term limits in today's environment. We might,  
17          but if we got that level of support, it would be  
18          because of the environment that we've created to  
19          surround elected officials.

20                    And one of my colleagues on the council had  
21          a great saying. He said, it was just -- it was  
22          awful on July 1st, 1999, when he was elected and  
23          he immediately became a crook. And on June  
24          30th, 2007, he became an honest man again.  
25          That's the environment that we operate in.

1           And we may have had that over time. And if  
2 we had, by God, we ought to be chastised for it  
3 and we ought to do something to change that.

4           But on the whole question of term limits, I  
5 say, Wyman, I'm a -- I came in against term  
6 limits. I haven't changed the political  
7 reality. You can't have unlimited term limits.  
8 If we could get from two to three or four,  
9 fine. We have to have more than eight. Eight  
10 ain't enough, rather than eight is enough or  
11 eight is too much.

12           You know, we had some brave folks on the  
13 council when I was there. One was Lynette Self,  
14 and Lynette proposed extending from two to three  
15 terms. And all of us, before the council  
16 meeting, were beating our chests and said, boy,  
17 Lynette, you're the greatest human being in the  
18 world, why didn't we think of this? And we  
19 immediately voted, eighteen to one, against  
20 Lynette's suggestion, which showed how really  
21 politically astute and brave we were.

22           Warren Alvarez was another one. Every year  
23 that Warren was on the council, Warren proposed  
24 moving the election cycle. And part of his  
25 argument was money, but part of it was just

1           doggone it, let's just stop having so doggone  
2           many elections. And every year we would always  
3           say, Warren, that's a wonderful idea. And the  
4           most votes that Warren ever got was six. And  
5           his last time out, it was two. And I voted with  
6           him just because I felt sorry for the guy.

7                     I think you have the forum here to bring  
8           forward those issues.

9                     On staggered terms, I don't know this  
10          doggone thing's broke. I wouldn't worry about  
11          it. If I were you guys, I would look at -- look  
12          at turnover in every election cycle, how many  
13          new councilmen do you have coming forward.  
14          People are going to leave for one reason or  
15          another, so I'm not so sure that this thing is  
16          worth spending a whole lot of time on.

17                    It will be very difficult for a council to  
18          do anything on staggered terms. They're just  
19          not going to -- they're just not going to  
20          support it. It's just too tough. They can't  
21          figure out how to sort it out. And I'm not sure  
22          at the end of the day, if you got them aside  
23          they'd say, I'm not so sure this thing is broke,  
24          so let's invest our time doing something else.

25                    And if I had my choice of staggered terms

1 or term limits, I sure would invest my time on  
2 doing something about term limits because I  
3 think that is much more significant.

4 In changing the election cycle to either go  
5 on a gubernatorial or a presidential cycle --  
6 Teresa was here. Teresa would tell you, don't  
7 worry about what turnout numbers look like,  
8 don't be fooled by that. Look at ballot  
9 fall-off, how many people really vote by the  
10 time they wade their way through the ballot and  
11 get down to the City Council. It may not be  
12 much different than what you get in the cycle  
13 that we've got today, so --

14 I would like to come back to my original  
15 point. If you, as a commission, can help create  
16 the environment to bring forward our best to  
17 represent us, I think that will help solve the  
18 problem of turnout and everything that's  
19 attendant with political leadership.

20 And I'll stop at that point and answer any  
21 questions.

22 THE CHAIRMAN: Thank you, Mr. Daniels.

23 How would you suggest we manifest that  
24 effort? I mean, if it's not looking at term  
25 limits or staggering, given our mandate from the

1 council to look at the structure of the charter  
2 and suggest, you know, perhaps some changes,  
3 what do you think --

4 (Simultaneous speaking.)

5 MR. DANIELS: -- (inaudible) should not be  
6 a Pollyanna in this thing.

7 I think if you concentrate on the term  
8 limit issue and frame it in the context of this  
9 is a way that we can help bring leadership  
10 forward because they have more time to be  
11 engaged in the process -- but I think you've got  
12 to talk about the real positive benefits of  
13 political leadership.

14 I will tell you -- and I think Dick will  
15 follow me and would say the same thing. And I  
16 think, Mayor, you would say the same thing.

17 I wouldn't exchange the opportunity to have  
18 served this community for eight years for  
19 any- -- it is the best thing I've ever done.  
20 Despite all the hardships and all the other  
21 stuff, it was a great experience for me.  
22 Hopefully, it was a good experience for the  
23 community.

24 The colleagues that you have on your  
25 council or in your mayor's office or in your

1 state are extraordinary people, and I really  
2 welcome the opportunity to serve. And I wish I  
3 could figure out some way to educate the  
4 community on the real privilege it is to serve  
5 and how much you really get out of it.

6 THE CHAIRMAN: Commissioners, questions?

7 Mr. Oliveras.

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

9 Mr. Daniels, thank you for being here today  
10 and thank you for your service to Jacksonville  
11 for those years.

12 A couple of questions about salary for  
13 council members and school board members has  
14 been brought up in our deliberations. What I'm  
15 curious about are your thoughts about the salary  
16 being commensurate to the workload, and actually  
17 I haven't heard any of the council members that  
18 we've heard from yet talk about -- how many  
19 hours a week or a month do you actually put in?  
20 Without telling any secrets.

21 MR. DANIELS: I never thought about the  
22 salary. When I ran, I didn't know what the  
23 salary was, so it never -- it never impacted my  
24 decision to run.

25 Now, having said that, you have to

1 understand I had a position, it allowed me to do  
2 two things. It allowed me to take time off to  
3 run for office and maintain the salary that I  
4 was getting. That's not always the case.

5 You have people that are on -- that are in  
6 various industries where they are driven by  
7 commissions. Time spent away from their job is  
8 an absolute impact on their income, and so you  
9 have to have some way of offsetting that, but  
10 I -- I really don't have any problem with the  
11 salary.

12 I thought one of the important things when  
13 I got in was that we had no control over the  
14 salary. Somebody -- there was a formula in  
15 place, and I think that's good. Let some other  
16 organization figure out how we should get paid.

17 You will have people -- you don't want to  
18 discourage people from running, and there's a  
19 fine line between not discouraging people from  
20 running and having people run for the salary.  
21 You don't want to have that happen either.

22 You want to make sure that -- I think -- as  
23 you encourage people to get involved in this  
24 process pay doesn't become a detriment to the  
25 process because we -- you know, you've got

1 people in this community that are great leaders  
2 that may not have a lot of income. They have to  
3 have some way of having some sort of  
4 satisfaction.

5 Now, I'm not sure that gets to your  
6 question.

7 Now, how much time do you spend? By  
8 George, you can spend as much as you want. I  
9 would say that my typical -- my typical week,  
10 excluding the year that I was in the Chair, my  
11 typical week was at least 40 hours spent doing  
12 City Council business.

13 MR. OLIVERAS: Thank you.

14 THE CHAIRMAN: Commissioner Youngblood.

15 MR. YOUNGBLOOD: Thank you, Mr. Daniels,  
16 for your time and your service in the past.  
17 Thank you so much.

18 Office of General Counsel, in your  
19 experience, in the service -- I think you were  
20 there for eight years. The two terms, did you  
21 experience any difficulties in wanting  
22 independent counsel outside of the General  
23 Counsel's Office? How did that affect you and  
24 do you have any incidents that took place while  
25 you were there that you're familiar with that

1           you could bring to our attention that would help  
2           us make a decision?

3           MR. DANIELS: Yeah. I can tell you that  
4           the concept that was set up by the founding  
5           fathers of consolidation won't bend, so I  
6           wouldn't spend a whole lot of time trying to fix  
7           something that ain't broke on the -- on the  
8           General Counsel's Office.

9           The interesting dynamic, I think, that has  
10          taken place over years -- if there is more of an  
11          inclination for us to look for outside counsel  
12          on very specific issues, one that comes to mind  
13          was -- we had a running debate with a cable TV  
14          operator here and we didn't know how to  
15          restructure or negotiate with the cable  
16          operator. We went outside, at the suggestion of  
17          the General Counsel's Office and the council, to  
18          say let's find somebody that really knows what  
19          we're talking about, bring them into the  
20          process, have them operate under the guidance of  
21          the General Counsel's Office, but use that  
22          expertise to bring to the table. We've also  
23          done it on condemnation cases.

24          So I think in cases where you really -- you  
25          shouldn't expect your General Counsel's Office

1 to be all-knowing, all-insightful on all the  
2 issues. And where you feel like they need  
3 shoring up -- and they would usually be  
4 forthright and come to you and say, I -- you  
5 know, I ain't got this expertise. Let's go find  
6 it somewhere else. I think -- leave yourself  
7 the flexibility to go look for that outside  
8 counsel.

9 MR. YOUNGBLOOD: Isn't that more of a  
10 policy question than it is a legal question,  
11 then?

12 MR. DANIELS: I think it's a case-by-case  
13 basis. I don't -- you know, the policy may be,  
14 if you ain't got it, go look for it, rather than  
15 don't get too specific.

16 Keep in mind where I started on this, the  
17 law of unintended consequences. You can come up  
18 with the most -- the grandest policy that you  
19 think of in the world. You have covered every  
20 aspect. You have given all the flexibility. It  
21 will turn around and bite you every time. Be  
22 very, very careful.

23 The best example I can give you in that is  
24 the U.S. Constitution versus the constitution of  
25 the state of California. We've gotten along

1 really, really well with our U.S. Constitution.

2 We've amended it how many times, Bill, 26,  
3 27? And we've gone as much as -- it's something  
4 like 26, 27 times in our history. We've gone as  
5 much as 62 years without amending our  
6 constitution.

7 California routinely amends theirs, what,  
8 eight or ten times every two or three years? I  
9 mean, they're in a quagmire. So be careful how  
10 you mess with the constitution.

11 MR. YOUNGBLOOD: Thank you.

12 THE CHAIRMAN: Commissioner Catlin.

13 MR. CATLIN: Mr. Daniels, say you were the  
14 mayor of Jacksonville. Would you want to  
15 appoint --

16 MR. DANIELS: I was going to announce this  
17 afternoon.

18 MR. CATLIN: All right. Would you want to  
19 appoint your tax collector, your supervisor of  
20 elections, your sheriff, et cetera, et cetera?

21 MR. DANIELS: Constitutional offices --  
22 again, I don't think it's broke, so I wouldn't  
23 worry about fixing it.

24 I think there's more controversy today  
25 surrounding the sheriff being appointed as

1           opposed to being elected, but I'm not too  
2           worried about that.

3           The sheriff's situation is an issue where  
4           you've got one constitutional officer that's  
5           demanding a huge portion of your budget. Should  
6           the mayor have more impact in what that budget  
7           is?

8           You know, the sheriff has the luxury today  
9           of saying, I want, I want, and I need, and yet  
10          it's tough to hold him accountable for the  
11          dollars. So that -- you know, if you want to  
12          look at it as a budgetary issue, you might do  
13          it, but I'm not sure we need to weigh in on the  
14          constitutional officers.

15          MR. CATLIN: So, in other words, you're  
16          saying if it ain't broke, don't fix it? Those  
17          are fine being elected offices?

18          MR. DANIELS: Yeah.

19          MR. CATLIN: Okay. Thank you.

20          THE CHAIRMAN: Commissioner Youngblood.

21          MR. YOUNGBLOOD: A follow-up on the  
22          election process. Staggering, if we do it every  
23          two years, will that create some political chaos  
24          where it's a constant politicking in the city  
25          for local elections?

1           MR. DANIELS: Well, I'm not so sure it  
2           creates that. I mean, if you look at the  
3           congressional cycle, that's every two years, so  
4           I'm not -- I'm not so sure that that's a  
5           problem. I'm just thinking -- I'm suggesting  
6           that staggered terms, you may already have a --  
7           you may be accomplishing what you're setting out  
8           to accomplish with staggering today in the  
9           normal election cycle just with the turnover of  
10          people.

11          MR. YOUNGBLOOD: I think they brought to  
12          our attention some cost savings, and I think the  
13          numbers are all over the board, but cost savings  
14          by moving the elections and not having so many  
15          local elections.

16          MR. DANIELS: Bill Scheu said it best.  
17          Don't get penny wise and pound foolish in  
18          dealing with the election cycle.

19          What your goal is, is you want  
20          participation from the constituency in your  
21          community to participate in the process. Don't  
22          get hung up on saving a few dollars to handicap  
23          that process.

24          MR. YOUNGBLOOD: Thank you.

25          THE CHAIRMAN: Vice Chair O'Brien.

1 MS. O'BRIEN: Thank you so much, Lad. We  
2 appreciate you being here.

3 Just wanted to ask -- in terms of whether  
4 or not you change the election cycle at all, one  
5 of the big issues is having new people come in  
6 and understanding the budget. Do you have any  
7 recommendations in terms of the charter in terms  
8 of long-term budget, three- or five-year  
9 planning that you could share with us that we  
10 could then take and see how we could possibly  
11 fold that into the charter to make sure that  
12 there's more of a long-term process as opposed  
13 to just an annual year-to-year-type budget  
14 process?

15 MR. DANIELS: I think you're going to have  
16 a tough time getting the council to adopt -- or  
17 a mayor to propose something in stone that's  
18 going to go beyond one year.

19 I think any organization, any good  
20 organization is going to do multiyear  
21 budgeting. They're going to look at three, five  
22 years to sort of get a sense for which way they  
23 need to go and do some planning.

24 I don't think it's a bad idea to get  
25 council involved in the process, but you have to

1 understand this is the mayor's budget. This is  
2 a strong mayoral form of government. I wouldn't  
3 change that. I think that's one of the  
4 blessings that came out of consolidation, but I  
5 think you certainly have to look beyond one year  
6 in the -- in your budgetary planning. For  
7 making it legally binding, I wouldn't go beyond  
8 the one year.

9 MR. AUSTIN: Lad, thank you very much for  
10 your testimony. I appreciate you sharing it  
11 with us.

12 When we got the (inaudible) and  
13 consolidated it with -- consolidation with a  
14 capital C, and the idea of bringing all of the  
15 agencies together with a strong mayor to move  
16 the city forward so you can move it  
17 effectively -- each generation moves it up and  
18 improves it. And as we've evolved over the last  
19 40 years, it -- clearly education is totally  
20 outside the loop of that. And really,  
21 effectively speaking, law enforcement is outside  
22 of that. And if you're looking to bring it  
23 together to take it to the next level and to the  
24 next level, it seems to me like consolidation  
25 means consolidation means effectively and

1           efficiently getting there.

2                   I'm making a speech when you should be --  
3 when I say --

4           MR. DANIELS: You're doing fine.

5           MR. AUSTIN: But what -- are you -- I use  
6 the term "strong mayor," and I don't mean strong  
7 mayor, like dictatorship or anything. I mean a  
8 form of government of a strong mayor. That's  
9 what the word means. And the only way you can  
10 have a consolidated government and speak in  
11 unison is to have one leader.

12                   All these officers that invariably start  
13 pulling apart, they -- little kingdoms,  
14 fiefdoms. And the school board is totally out  
15 there. Shouldn't we pull all of this together?

16                   I mean, I think that's our charge, to see  
17 if we can improve how we carry out the mission  
18 of the consolidated government, how the  
19 structure should -- do you have any additional  
20 thoughts on that?

21           MR. DANIELS: Yeah. I could spend about a  
22 day talking to you about that, and I suspect you  
23 and I will end up at the same place on this one,  
24 Mayor.

25                   I would say the -- and let me give you a

1           little speech too. I think the number one issue  
2           facing this nation, this community is our  
3           educational system. I think we've got a system  
4           that's absolutely broke. We are not -- we are  
5           not willing to fess up to the deficiencies that  
6           we've got. With every passing year, those of us  
7           that are involved internationally and see what's  
8           happening in other countries will tell you that  
9           every year the U.S. falls further and further  
10          behind. We've got a have/have not educational  
11          system.

12                 I don't know -- having said that, Mayor, I  
13          don't think in this community we feel like the  
14          system is broken enough for us to fix it,  
15          that -- we haven't reached the crisis proportion  
16          in education here that we did for consolidation  
17          in the late '60s.

18                 If you wanted to do some things to drive  
19          that -- and, again, this is -- I hate to say  
20          this because I -- it is going to come out  
21          wrong. You might do a couple of things. Number  
22          one, you have to empower teachers to a much  
23          greater degree than you have. The school board  
24          has got to recognize that its primary mission is  
25          education, reading, writing, arithmetic.

1           We have burdened school teachers, the  
2           school system with all the social agenda far  
3           beyond their charge. And until the school  
4           system comes back and is -- and is able to be  
5           forceful enough to get back to its core mission,  
6           we're not going to do anything.

7           If you want to do something very  
8           interesting, eliminate private schools.

9           MR. AUSTIN: Eliminate?

10          MR. DANIELS: Eliminate private schools  
11          because what's happened, we've created a pop-off  
12          system with private education. And so if I'm  
13          dissatisfied with public education, I'll go to a  
14          private school. Charter schools are an attempt  
15          to sort of get us back to pulling away and  
16          keeping people more involved with public  
17          education, but the reality is the ones that will  
18          really make a difference in education, the ones  
19          that will stand up on the school desk and force  
20          change don't have to get engaged because they  
21          can go to a private school.

22          So, you know, that -- and that's coming out  
23          wrong because private schools bring a value to  
24          our community. And, you know, I hate to see the  
25          way this daggum thing is going to be written. I

1           see Kevin -- is Kevin in the room? He needs to  
2           be out of the room.

3                     Kevin, you don't listen to this.

4                     You can't advance something like that, but  
5           you can -- you can try to get the elected  
6           officials on the school board back to  
7           recognizing the core mission of education, and  
8           that's a really, really difficult thing because  
9           we -- our social society -- our society has  
10          changed so much that -- I give a speech and the  
11          speech is entitled March 9th, 1968, and that's  
12          the fictitious day that I say all of America  
13          came together and decided collectively we were  
14          no longer responsible for our actions, somebody  
15          else was going to be responsible. So if I want  
16          to instill discipline in my child, that's not my  
17          responsibility. That's the school system.

18                    I cannot understand why we give breakfast  
19           to kids. I can't understand why we give lunches  
20           here. I can't understand why we take care of  
21           them after school. Now, I understand all the  
22           circumstances around it, but is that the mission  
23           of the school system?

24                    The mission of the school system in our  
25           society is to educate our folks to the best

1 extent possible so they could compete in a  
2 global, highly competitive environment, and we  
3 ain't anywhere close to it.

4 And if you want to see -- if you want to  
5 have a shock to your system, all you need to do  
6 is go to any other country -- and I don't care  
7 whether they're developing or developed -- and  
8 watch what's happening in education in those  
9 countries. You've got --

10 I went to Belize. You go to Belize, all  
11 private schools, all run by the Catholic  
12 church. The only way you tell the difference  
13 between kids and the schools they go to is the  
14 color of their uniform.

15 I go to Japan. Japan has got a 110-,  
16 120-day school year, long school day, and they  
17 go on Saturdays. You go to Germany, the same  
18 way. Anywhere you go. And if you really want  
19 to get scared, go to China and see what they're  
20 doing.

21 There is -- and I think overarching  
22 everything, Mayor, is in this country we have  
23 lost an appreciation for education. We don't  
24 value education. And when you see students that  
25 are graduating Duval County high schools, girls

1           that are two years behind in reading and they  
2           graduate, boys that are four years behind, you  
3           know, we -- we're not on the right course.

4           Now, to your question. Do we move forward  
5           better if we consolidate that all under a  
6           mayoral deal? You can do it, but until you get  
7           a sense that we've reached a crisis in  
8           education, I don't think where you put it is  
9           going to make a hill of beans.

10          MR. AUSTIN: You don't think the sense --  
11          you used a phrase that I've used for 30,  
12          40 years, that it's broken. The system is  
13          broken.

14          MR. DANIELS: It's absolutely broken.

15          It's absolutely broken, and I don't see --  
16          I'm not sure that we, as a community, have the  
17          political will to fix it.

18          MR. AUSTIN: Do you think perhaps that this  
19          group has a duty to define that for the  
20          community?

21          MR. DANIELS: Absolutely.

22          MR. AUSTIN: I asked the superintendent of  
23          schools if he had the discretion to -- the  
24          authority to -- if he had a teacher that was  
25          excelling in all aspects, if he had the

1 authority to promote -- give a raise, or him a  
2 raise, and promote him, and he said no, that has  
3 to come up through the seniority system with the  
4 union. What's your feel- -- what's your thought  
5 about that?

6 MR. DANIELS: I'm going to answer it a  
7 little different way. And I'll go back to when  
8 you and I were growing up, and maybe some of  
9 these others that were in between us and -- and  
10 Wyman, who's -- he's just starting.

11 If you looked in your community when we  
12 were growing up, who was given the highest  
13 status in our community? It would -- in my  
14 community it was Ms. Jones, who taught first  
15 grade. It was -- the educators were elevated.  
16 They were put on a pedestal. And pay had  
17 nothing do to do with it because Ms. Jones  
18 didn't make a whole lot of money and Mr. Jones  
19 had to work, but my mother wanted to make sure  
20 Ms. Jones was still teaching first grade when I  
21 entered school.

22 We have taken the pedestal away, and until  
23 we -- until we figure out some way to elevate  
24 the status of our educators, I don't think we're  
25 going to have much success.

1 THE CHAIRMAN: Thank you.

2 Commissioner Oliveras.

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

4 Mr. Daniels, what is -- if you could  
5 identify the one -- the number one issue that is  
6 an obstacle to the political will addressing  
7 what's wrong with education in Duval County,  
8 what's the one obstacle -- what is the -- if you  
9 could fix the thing, the one thing, what would  
10 that be?

11 MR. DANIELS: Parents have to take  
12 responsibility.

13 MR. AUSTIN: What was that again?

14 MR. DANIELS: Parents have to take  
15 responsibility of their children, and parents  
16 have to -- a by-product of that, parents have to  
17 value education.

18 It was really interesting -- I was talking  
19 to somebody the other day. It was a -- the  
20 director of reading in the Duval County school  
21 system and she was citing all these statistics,  
22 and she was saying it's tough when you have a  
23 family in which there are no books in the  
24 family. And my reaction is, why do we have all  
25 these libraries?

1           You have -- every child has access to  
2           school, to books, and they've got hundred dollar  
3           sneakers that ought to be -- they're not  
4           sneakers anymore. What are they called?  
5           Whatever they're called these days, but they  
6           cost \$100. They ought to be able to use those  
7           high class shoes to get down to the library or  
8           go to the school library and get a book.  
9           There's no sense of value of education.

10           MR. OLIVERAS: But how do we -- and I work  
11           in a school. I'm a school resource officer, and  
12           I see exactly what you're talking about, what  
13           you're speaking about. We have families who --  
14           education is not a priority and their children  
15           get sent to school as -- you know, that's where  
16           you go. You don't stay home, you go to school.

17           What happens is -- whatever happens, but if  
18           you have parents or specifically a parent who  
19           will not step up to their obligation, what can  
20           the school district do -- I mean, how -- because  
21           that situation does exist. I agree with you.

22           MR. DANIELS: It exists in a high  
23           percentage.

24           MR. OLIVERAS: How do we fix that?

25           MR. DANIELS: Well, let me turn the

1 question back on you. Is it the school system's  
2 responsibility because the parent doesn't accept  
3 their obligation? And if your answer is yes,  
4 you ain't going to get nowhere. If your answer  
5 is no, it's the parent's responsibility, to push  
6 it back on the parent, and the immediate  
7 reaction is the child is going to suffer.

8 Well, you know, you're going to have to  
9 take some really, really drastic reaction or  
10 actions to get this part (inaudible), and all of  
11 that -- all of that goes towards doing something  
12 to support that teacher, to empower that teacher  
13 to a greater extent than we're doing now.

14 Teachers are really bright people. They --  
15 and we've got an incredible high percentage of  
16 dedicated teachers. Why they do what they do,  
17 you know, in the environment they have to  
18 operate in, I -- I applaud them, but we've got  
19 to have -- you've got to have principals that  
20 will back the teacher, you've got to have  
21 administrations that will back the principal,  
22 and you've got to have a school board that backs  
23 everybody, and right now we're not -- we don't  
24 have that kind of environment.

25 We get into the game of the abdication of

1           our responsibility in elected positions. We --  
2           you know, I'm pretty -- I'm no different than  
3           most people. I sure wish someone had taken my  
4           kids and done with them what I was supposed to  
5           do. It would have been a lot easier on me, but  
6           I just think -- I'm wandering a little bit, but  
7           I think we've got to do something to get back to  
8           empowering those teachers, and I think that  
9           comes with us learning how to say no. You can't  
10          say yes to everything.

11                   Recessions are absolutely wonderful on  
12          occasion because you have to get to the point  
13          you can't do everything, so you have to start  
14          saying no. We ain't got all the money in the  
15          world for a city budget, you have to start  
16          setting priorities. Right now we've got so much  
17          money -- well, we had so much money, that  
18          everything has equal priority.

19                   (Ms. Korman enters the proceedings.)

20                   THE CHAIRMAN: Commissioner Flowers.

21                   MR. FLOWERS: I don't know how to frame my  
22          question, but in 1974 we had the Community  
23          Development Act which provided X number of  
24          dollars since that time to save neighborhoods.

25                   MR. DANIELS: I'm sorry?

1           THE CHAIRMAN: Commissioner Flowers, can  
2 you --

3           MR. FLOWERS: The Community Development Act  
4 of 1974 provided funds to save neighborhoods,  
5 and that process was done from citizen  
6 participation, stakeholders. And, consequently,  
7 all over the United States that process was  
8 negated, and now you have the same elected  
9 officials more or less determining how those  
10 community development [sic]. So now we have a  
11 system of poverty because the neighborhoods are  
12 going down everywhere. We closed the mental  
13 health facilities and put those people right in  
14 the neighborhood.

15           So what I'm trying to get to is, how do we  
16 really face the problem of children having  
17 children -- and you get two or three generations  
18 is what we've got now, but yet still our  
19 conversation is about not really addressing that  
20 serious problem, what caused that and how it  
21 affects our education today, because unless we  
22 change our population and development, we're  
23 going to have the same population, I don't care  
24 what we do.

25           So it seem to me that we -- as a city, we

1           need to begin to look at the initial cause of  
2           that, and that is going to be teen pregnancy as  
3           we look at how it affect our total investment  
4           dollars. So I -- it's a question to you. I  
5           hope you'll take it.

6           MR. DANIELS: You know, it's kind of  
7           interesting when you come up into the position  
8           that I'm in, the position the mayor is in, where  
9           we've been there, done that, got lots of  
10          T-shirts, you can say anything you want to, it  
11          doesn't make a doggone bit of difference, you  
12          know?

13          It's sort of interesting. If you were to  
14          look back -- and I guess I use my life as an  
15          example. I grew up just -- you know, we didn't  
16          have nothing when I was growing up. We didn't  
17          know it because everybody -- nobody had  
18          anything, so it was just kind of -- we were all  
19          kind of equal.

20          But if you look back in the '30s -- '20s,  
21          '30s, even '40s, and you look at the breakdown  
22          of virtually any community, white population,  
23          black population, Hispanic, whatever it is, and  
24          you look at the attitude toward unwanted  
25          pregnancies, you just -- it was -- illegitimate

1 birth rate, no matter where you were, what  
2 income level you were, the attitude of an  
3 unwanted pregnancy was about the same.

4 For goodness sake, you have Florence  
5 Crittenton homes. A girl got pregnant, she went  
6 to a Florence Crittenton home in another town.  
7 There was a stigma associated with having a  
8 child out of wedlock.

9 Over time, we've sort of abandoned the  
10 principle of throwing stones or socially  
11 isolating people that got in that circumstance.  
12 Some of that is not all bad, but one of the  
13 consequences has been the very thing that you  
14 point out. You've got children begetting  
15 children begetting children, and there's no  
16 price associated with it.

17 It was interesting that one of the court  
18 cases recently -- the fellow that was sentenced  
19 had -- he had four children, none by the same  
20 person, none married. So we've got -- what's  
21 our illegitimate birth rate today, over  
22 50 percent, 60 percent?

23 I think there has to be some stigma  
24 associated with actions, and there's no  
25 consequences, so -- that's one of the tragedies,

1 I think, in our society.

2 THE CHAIRMAN: Commissioners, any other --

3 MR. DANIELS: That's a long way from term  
4 limits.

5 MR. FLOWERS: Sir, may I follow-up to  
6 that?

7 THE CHAIRMAN: Yes.

8 MR. FLOWERS: Basically, term limits is  
9 increasing voter participation, and we've got to  
10 form an education that incorporate citizenship,  
11 and it's not taught nowhere around here.

12 When does a child become a citizen, at  
13 18 when he gets his driver license, or does he  
14 becoming [sic] in kindergarten?

15 See, education was designed, in my opinion,  
16 first to perpetuate the government. If we want  
17 a democracy, then we've got to provide thinking  
18 people, and the best time to do it is in the  
19 elementary grade.

20 So that's all I was trying to get to say.  
21 We negated that by using that money other than  
22 saving neighborhoods.

23 Thank you.

24 THE CHAIRMAN: Thank you very much,  
25 Mr. Daniels.

1 MR. DANIELS: Thank you.

2 THE CHAIRMAN: Commissioners, our next  
3 speaker will be Mr. Dick Kravitz. Again, a  
4 former City Council member and Council President  
5 and State Legislator.

6 (Mr. Kravitz approaches the podium.)

7 THE CHAIRMAN: Welcome, Mr. Kravitz.

8 MR. KRAVITZ: Thank you for having me.

9 Thank you very much, and good morning. And  
10 I appreciate you asking me to come here to help  
11 you with your very important job.

12 THE CHAIRMAN: Well, before you begin,  
13 we'll have our court reporter --

14 MR. KRAVITZ: Swearing in?

15 THE CHAIRMAN: Yes.

16 Name and address for the record.

17 MR. KRAVITZ: Right hand, right?

18 THE REPORTER: Yes.

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

23 MR. KRAVITZ: I do.

24 THE REPORTER: Thank you.

25 MR. KRAVITZ: I was asked to come talk --

1 well, first of all, thanks for asking me because  
2 I was thinking about it a few minutes ago. I  
3 served in a public office for one-third of my  
4 life. And, if anything, I think I bring to this  
5 commission, hopefully, a frame of reference that  
6 some people have and some don't, but at least  
7 hopefully I can add to this whole process.

8 What I thought I'd do, if it's okay with  
9 the chairman, is talk a little bit about the  
10 things you asked me, term limits and staggered  
11 terms. And then listening to prior speakers,  
12 you'll probably ask me some of the same  
13 questions, so, ahead of that, I've put a few  
14 things down just on three questions. I'll make  
15 it very brief.

16 First of all, I'm absolutely in favor of  
17 term limits. I think it's a wonderful thing  
18 that we have. I think if you're going to change  
19 that, that the first thing, obviously, you need  
20 to do is go back to the public because they're  
21 the ones that created it.

22 Term limits. Having seen them both at the  
23 City Council level and at the State level, the  
24 main benefit, as I see it, is it gives new  
25 people a chance to come in with new ideas.

1           You know, look at Congress, that's really  
2           where we need term limits, believe me. There  
3           are people there who have been there for four  
4           and five generations. They can't be  
5           understanding of what's going on in America  
6           today, they can't. They're just too far out of  
7           it, and the same thing happens with local and  
8           state. I think -- new people, new blood, new  
9           ideas. Give the people a chance to put some of  
10          the people in office who are part of their  
11          generation.

12                 Secondly, you know the old adage, power  
13                 corrupts, absolute power corrupts absolutely,  
14                 not with everybody, but with enough to make a  
15                 difference. And in a lot of cases, unless  
16                 you're doing something illegal or immoral, if  
17                 there are no term limits, you have a really good  
18                 chance of continuing in office again. Look at  
19                 the federal level. The amount of money that the  
20                 Congress is able to raise, even if you have the  
21                 best candidate out there, makes it a very, very  
22                 difficult challenge.

23                 Now, if the person in office isn't smart  
24                 enough to do the will of the public or gets in  
25                 trouble legally or morally, which is happening

1 more frequently, then all bets are off. But if  
2 everything is equal, without term limits, the  
3 incumbent generally stays there.

4 And I've basically been against two  
5 incumbents in my -- well, one and a half. I'll  
6 explain that another time, where the half came  
7 from, but -- and I won, and I think that  
8 reflects what I have just outlined, the reasons  
9 for that.

10 Staggered terms, I think, is a good idea.  
11 I don't think we have to spend a whole lot of  
12 time on it. It's a good idea, from my  
13 experience, because even in business, if you  
14 have a new person coming into the shop, you  
15 know, it's going to -- they're going to need a  
16 little help to get started. They're going to  
17 need a little help getting around. I don't mean  
18 where you park your car, but just how things  
19 work.

20 And also from a legislative standpoint, you  
21 need a little bit of time to understand.  
22 Especially if you're really involved in the  
23 process, you want to do something good and you  
24 don't want to just blow up, you know, you have  
25 to -- legislative bodies are not that different

1           than a big business. You've got to get along.  
2           I mean, you know, you can't perform to the best  
3           of your ability unless there are people helping  
4           you, and so I think staggered terms are a good  
5           thing.

6                     Now, do we have to spend a whole lot of  
7           time on it? I don't know. You know, it's not  
8           the beginning or the end of the world. There  
9           are more important things, term limits and so  
10          forth, but if you have a choice and it's not  
11          that difficult politically, then staggered terms  
12          would be my recommendation.

13                    Someone talked about compensation. Don't  
14          reduce the compensation. Let me tell you  
15          something -- I agree with Lad. He said he put  
16          in 40 hours a week. That is not a part-time  
17          job.

18                    Now, if you get a councilman or  
19          representative that you know is not working,  
20          then that's another story, but the hard-working  
21          people -- I know when I got on, we had the state  
22          comprehensive plan. Awful. That's my editorial  
23          comment. I'm sure you'll agree with that, but  
24          we put in almost a thousand hours to get that  
25          plan out. That was really tough.

1           When I got on the City Council, it was not  
2           unusual every other Wednesday night for 11  
3           years -- 11 years I wouldn't get home till  
4           midnight or 2:00 in the morning because of the  
5           zoning commission. We had a thousand rezonings  
6           at least a year. You put in the time.

7           Now, people say, well, you know, if you pay  
8           them, you know, \$200 -- you get what you pay  
9           for, folks. Who are you going to get for \$100?

10          Now, you could get somebody who works for a  
11          major corporation who's paying that salary while  
12          someone is off to Tallahassee or at City Hall at  
13          midnight, but then you're leaving out an  
14          important segment. You're leaving out a small  
15          business person. You're leaving out a sole  
16          proprietor, who, when he goes away, like myself,  
17          loses income. And that's fine to a certain  
18          point. If I didn't have that \$30,000 a year in  
19          the State Legislature, I couldn't do it. That  
20          paid for my losses, basically.

21          And I think it's the same on the City  
22          Council. If you're working for a big company  
23          and they give you the time, or a law firm and  
24          someone else takes up your time or your clients,  
25          that's fine, but what about the individual who

1 wants to serve who is good at it?

2 Mr. Youngblood is an example. And I'm not  
3 pushing you for office, but -- he couldn't leave  
4 his business. He couldn't do it. And so  
5 there's a person that could serve that can't  
6 serve if you're paying him \$5,000 a year.

7 So what should it be? I don't know, but  
8 don't reduce it, please. I don't think that's a  
9 good idea because you will get -- let me tell  
10 you, you will get what you pay for.

11 Educational system. I was a teacher way  
12 back when in the late '60s in an urban setting,  
13 Philadelphia, Pennsylvania. In fact, we are  
14 experiencing right now some of the problems that  
15 I experienced as a teacher, middle school  
16 teacher in Philadelphia in '66, '67, '68, '69.

17 I'm going to make a suggestion to you. I  
18 think a lot of what Lad said is important. The  
19 first thing -- I know you're going to laugh at  
20 this, but it's true. If you want to find out  
21 what's wrong with your school system, then you  
22 give your teachers diplomatic immunity, bring  
23 them in, and they'll tell you what's wrong.

24 You can't create a -- how many of those  
25 people on the commissions that you have ever

1           stood in front of a middle school with 35 kids,  
2           half of them asleep because they're up late last  
3           night or in a high school where you've got kids  
4           in there who aren't paying attention, 41 kids  
5           and 15 of them are trying to get an education,  
6           or 30 or 35. You don't know that, but the  
7           teacher does, but the teacher isn't going to  
8           tell you if they don't have diplomatic immunity.

9           If you want to find out what's wrong with  
10          the school system, do that.

11          Now, let me give you a positive story, true  
12          story, and I think it holds true today. What we  
13          should do, first of all, is identify your  
14          classic underachievers. Some kids aren't going  
15          to learn. I mean, I wish they would, I wish  
16          they were able to learn. For whatever reason,  
17          discipline problems, problems at home, lack of  
18          this, lack of that, but there are a lot of kids  
19          from poor communities who can learn, who are  
20          brilliant children, but they're turned off to  
21          school or not turned on to education for many,  
22          many reasons. Some of them begin at home, some  
23          are the teachers that they get along the way.

24          I'm going to tell you a story. 1967, I  
25          taught at a school called the Pennsylvania

1           Advancement School. It was a school set up  
2           within the school district of Philadelphia to  
3           identify classic underachievers in eighth and  
4           ninth grade. Kids with 120 to 140 IQs, who were  
5           failing and reading at the fifth grade level.  
6           Those are kids worth saving.

7                    We were an experimental school. In other  
8           words, we operated outside the school district  
9           but were part of it, but we could have a little  
10          flexibility. So you know the old adage, you've  
11          got to break a few eggs? They let us scramble a  
12          few eggs. That's the only way we could do it.  
13          You could do it here. You could do it anywhere  
14          if there's a will to do it.

15                   Well, what we did -- we were challenged  
16          with finding within a curriculum -- or building  
17          a curriculum that would educate our students,  
18          that would increase their grades, increase their  
19          reading ability, and make them better students  
20          and turn them on to school.

21                   Okay. So everybody did what they thought  
22          would do [sic].

23                   In my particular area and my kids, I used  
24          boxing. I had the resources. I had Joe  
25          Frazier. I had a young welterweight -- some of

1           you boxing fans -- named Gypsy Joe Harris, who  
2           was one fight away from becoming the  
3           welterweight champion of the world with one  
4           eye. We used films. We used interesting people  
5           in the community. We taught reading and writing  
6           and arithmetic. How we taught arithmetic is we  
7           put on a boxing match. We used sparring  
8           gloves. We didn't use the real thing. They  
9           allowed us to do that.

10                   Some people were reporters because they  
11           wanted to write. Some people were boxers  
12           because they wanted the physical activity. Some  
13           people sold concessions, so they knew how to buy  
14           the material, how to make it, how to market it,  
15           how to sell it, how to count it up, how to do  
16           all -- so everybody learned something and  
17           everyone was excited. We saw movies about  
18           boxers, had a social impact. Somebody up there  
19           likes me. Life story of Rocky Graziano, how he  
20           was abused and all of that, just like kids we're  
21           [sic] going on today.

22                   We used -- at that time, it was Muhammad --  
23           it was Cassius Clay and his problems that he was  
24           having with the -- with society, and we brought  
25           in boxers and we -- it was just wonderful.

1           At the end of the semester -- and this was  
2           all monitored by a national group that monitored  
3           these kids for years. It was all published, the  
4           results. Just to give you a little snippet,  
5           within one year the average child raised their  
6           reading grade three grades. They all -- they're  
7           still tracking them. I don't know, but I'll  
8           guarantee you, knowing these kids, they all went  
9           on to become more productive students. I  
10          wouldn't be surprised if they went to Harvard.  
11          They had a 140 IQ, some of them.

12           So you want to gets kids interested in  
13          education, then that segment -- and I use the  
14          classic underachiever is the group to go after  
15          because all you now have to do -- you have the  
16          innate ability, and all you have to do is now  
17          turn them on to education. They're lost with 41  
18          kids and five kids making noise and being  
19          intimidated and doing all the things that  
20          happens to kids who don't perform, who have the  
21          ability.

22           If you get to that, it's a good start. Is  
23          it the end of it? I don't know, but it's a  
24          beginning. I don't think we've done that. I  
25          don't think they do that anywhere because we

1 don't see that, we don't understand that. But  
2 when you're saving kids' lives and making  
3 them -- you're helping them rise to the level of  
4 your expectations for them, then you're doing a  
5 good job.

6 And there are kids -- my wife was a public  
7 school teacher here for 20-some years, taught  
8 with Lad's wife. Taught at Stanton Prep, taught  
9 at Terry Parker. She will tell you that at  
10 Stanton and at Terry Parker there were kids from  
11 lower-achieving neighborhoods, who were  
12 brilliant, absolutely brilliant, that if they  
13 believed in themselves they could go to Harvard,  
14 they could go to Yale.

15 Half the problem was getting kids to  
16 believe they could do it, and she -- her job  
17 mainly -- and she did a -- I think successful  
18 job. She's retired now -- is helping kids  
19 believe in themselves, that they did have the  
20 brain power to do it. And she was there, as the  
21 other teachers were, as resources to help them.

22 Wonderful school, Stanton. I've got to  
23 tell you that, wonderful school.

24 Counselor, I rest my case.

25 THE CHAIRMAN: Thank you, Mr. Kravitz.

1 I have some follow-ups.

2 I understand that you think term limits are  
3 a good idea, but I didn't hear you say whether  
4 you think moving City Council to three terms  
5 instead of two is a good idea.

6 MR. KRAVITZ: I wouldn't -- you can't, in  
7 my opinion, do anything other than what the  
8 voters told you to do. That was eight is  
9 enough. If you want to go beyond that, you need  
10 to go back to the voters. That's basic, in my  
11 thinking.

12 THE CHAIRMAN: I understand you're saying  
13 if we're going to change it, let the voters  
14 decide, and I agree with that. But just as a --  
15 from an operational efficiency standpoint,  
16 having been in the system both before and after  
17 term limits, do you have an opinion as to  
18 whether three would be better -- I mean, excuse  
19 me -- twelve would be better than eight years?

20 MR. KRAVITZ: I think at the State level,  
21 yes. I don't know so much at the City level.

22 But I don't see the harm in another four  
23 years. I don't see the harm in that. It would  
24 probably be better, but unless -- again, unless  
25 the voters, you know, would advocate that,

1           that's fine, but I -- I'd be flexible in eight  
2           or twelve, absolutely.

3           THE CHAIRMAN: I understand that you're  
4           saying don't waste a lot of time on staggering,  
5           but do you have any thoughts as to how -- if we  
6           were to go to a staggered system, how to  
7           implement it?

8           MR. KRAVITZ: No. I'd just let the experts  
9           weigh in on that.

10          THE CHAIRMAN: Okay. And your thoughts on  
11          education, it sounds to me like you're  
12          describing a charter school where they are free  
13          from the -- what I will refer to as the  
14          corporate curriculum, to pursue alternative  
15          modes of thinking and instruction.

16          MR. KRAVITZ: Well, I'm all for charters,  
17          but this -- I'm talking about public -- well, a  
18          charter is both -- but a school in the Duval  
19          County public -- let's just take a school right  
20          now, not a charter school, a regular school and  
21          incorporate this. You can do it if people think  
22          that the -- if they research the story -- this  
23          is a long time ago, so I don't have all the  
24          documentation, but if you like the idea, you can  
25          do this yourself. You could -- you're the

1 school district. That's who created the  
2 Pennsylvania Advancement School, and you could  
3 get it up on the Internet and they'll tell you  
4 about it.

5 Actually, that school came from  
6 North Carolina when Terry Sanford was the  
7 governor. They tried to have an interracial  
8 overnight school in North Carolina in the '60s.  
9 And, obviously, it failed, so they moved it to  
10 Pennsylvania, to Philadelphia. That's how we  
11 got it.

12 But you need -- you could do anything you  
13 want. The school district -- the school board  
14 can do anything -- they can create a  
15 Jacksonville Advancement School and do the same  
16 thing as we did. The idea works. All I'm  
17 saying is you -- first step, not for everything,  
18 is identify those underachievers. I guarantee  
19 you, you have them here, like everywhere. Kids  
20 who are, very, very smart for some reason aren't  
21 achieving, get inside them, find out what turns  
22 them on.

23 Now, you're going to get some naysayers.  
24 They're going to say, well, you know, if we have  
25 to do that, and if we have to coax kids, and if

1 we have to do that, then -- you know, they  
2 should want to do that on their own.

3 Well, they can. A lot of these kids, they  
4 have some really hard times, but it doesn't mean  
5 we ought to get -- you know, just say you can do  
6 it on your own. A lot of them can't do it on  
7 their own. They need help. But you give them  
8 that help and you'll get the satisfaction of  
9 having a productive citizen and saving a child's  
10 life for sure.

11 THE CHAIRMAN: Commissioners, questions,  
12 comments?

13 MR. AUSTIN: Thank you, Mr. Kravitz.  
14 Appreciate you sharing with us.

15 On the question of salaries, the original  
16 people that prepared the recommendations I think  
17 reasoned that if you paid -- kept the salary  
18 very low that you would attract a better  
19 candidate, a better public servant,  
20 qualitywise. And you said that you -- you get  
21 what you pay for.

22 Wouldn't we be better off if that -- our  
23 budget -- the budget is well over \$2 billion if  
24 you take the schools and the legislature. If  
25 you get what you pay for, wouldn't you be better

1 off to just go ahead and pay these people like  
2 150, \$200,000 and get the very best to make  
3 those kind of decisions?

4 MR. KRAVITZ: Maybe you're right. I  
5 just --

6 MR. AUSTIN: I mean, I'm not advocating  
7 doing that. I'm asking a question.

8 MR. KRAVITZ: Well, I --

9 MR. AUSTIN: How do you get the quality?

10 MR. KRAVITZ: You have to get the right  
11 amount.

12 MR. AUSTIN: I mean, how do you get the  
13 quality? Because you obviously don't get the  
14 quality -- I mean, I don't think you get the  
15 quality for 30-, \$40,000, I don't think you do.  
16 I'm not putting people down that make 30- or  
17 \$40,000. I made a lot less than that some  
18 years, but the theory is hold the salary, get a  
19 better quality candidate.

20 If you're going to pay a salary, it seems  
21 to me like it would be logical that you would  
22 pay a salary to attract the very best to run a  
23 \$2-plus-billion operation.

24 MR. KRAVITZ: Well, if you want to pay that  
25 kind of -- I think it all depends on what you're

1       paying.  If you're going to pay that kind of  
2       salary -- it's like Congress.  You pay them that  
3       salary, but that's the only thing they can do.

4                So if you want to do that, that's fine.  
5       But if they have another job -- because this is  
6       supposed to be a part-time job.  You're supposed  
7       to be a citizen legislator.  You're supposed to  
8       go back into the community, understand the needs  
9       and so forth, then pay them enough that the  
10      person filling that job helps to compensate them  
11      for the money they lose in their regular job.  
12      So if you gave them that kind of money, that  
13      wouldn't -- that wouldn't do it.

14               I'd say you have to come up with a figure  
15      that says we want to give you a dollar amount  
16      that helps you compensate for your loss when  
17      you're at City Hall or you're in Tallahassee or  
18      wherever but doesn't make it a full-time job,  
19      and you -- we want to keep you as a part-time  
20      legislator.  So you give them a part-time  
21      salary.  And I think if you're talking \$5,000 a  
22      year for the work you have to do on the City  
23      Council, that's -- that's not enough money to  
24      get a good part-time representative who's going  
25      to work the hours that you want them -- him or

1 her to work.

2 THE CHAIRMAN: Commissioner Oliveras.

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

4 Thank you for being here, Mr. Kravitz.

5 First of all, give your wife my regards. I

6 had the privilege of working with her at

7 Stanton. Wonderful lady.

8 MR. KRAVITZ: Thank you.

9 MR. OLIVERAS: I have two different  
10 questions for you. The first one is about the  
11 magnet program in Duval County schools.

12 In different quarters there's discussion  
13 whether the magnet program is successful,  
14 whether it's something that should be modified  
15 or eliminated. What are your thoughts on where  
16 we are with the magnet system?

17 MR. KRAVITZ: Well, we -- you correct me if  
18 I'm wrong, but if you look back, we didn't have  
19 a choice, you know, in that agreement. We had  
20 to do a magnet school. Now you have a magnet  
21 school.

22 I think initially it ruined the  
23 neighborhood schools, no question about it. Not  
24 only taking the best kids out, but you also  
25 disconnected the parents. You know, when you

1 lived next to a school, you were involved in the  
2 PTA. Well, you're living 10, 15 miles away in  
3 another neighborhood, you're not connected to  
4 that school anymore. You know, you're bringing  
5 your kids in from across town. You're not going  
6 to go over there to the meetings and so forth,  
7 but that's history.

8 So now you've got the magnet schools. I  
9 think it's a great idea. And, you know, I read  
10 in the paper someone said they're -- magnet  
11 schools weren't diversified. You know they  
12 are. You know Stanton, the most diverse school  
13 that we have. You've got kids of every race,  
14 nationality, culture, and what's wrong with  
15 having an academic magnet? You know, we --

16 You know, you hear me talk. I'm talking  
17 about kids that are disadvantaged and they're  
18 learning to bring them up. Well, that's the way  
19 I feel -- the same way about kids who are  
20 academically advantaged. Let's not forget about  
21 those kids that are smart, the God-given innate  
22 ability, let's use them and take advantage and  
23 praise them too.

24 So I think magnets are important to hold on  
25 to. I think it's very important because it

1 gives the brightest kids an opportunity to go  
2 further, plus it reflects on our school system,  
3 which we need some help, positive reflection.

4 So don't forget about the kids who are good  
5 achievers too, and help the other ones as well.

6 So I'm all in favor of the magnet schools.  
7 I think they should stay. They're there now and  
8 we need to support them and keep them as magnet  
9 schools.

10 MR. OLIVERAS: Thank you.

11 A question about discipline. I just  
12 recently was involved in an investigation with a  
13 student, and the only real viable option was to  
14 send that student to the alternative center, to  
15 Grand Park, which was really not a good fit for  
16 this young person, but there was no intermediate  
17 step to be taken. And the concept you were  
18 describing about the boxing program really kind  
19 of sparked something in my head, but --

20 What are your thoughts on -- on where we  
21 are as far as discipline in our schools?  
22 Because it seems that we have minor discipline  
23 and minor correction and then we shift to major  
24 discipline with very harsh correction or  
25 remedies. And I don't feel that, working in the

1 system myself, we have an intermediate step  
2 available.

3 MR. KRAVITZ: Well, I'm not an expert.

4 Let me just say this -- I don't want to get  
5 into it too deeply -- I think the discipline  
6 problem in school starts with the principal. If  
7 the teachers have somebody they could go to, who  
8 backs them -- the teachers are there to teach.  
9 Every discipline problem takes away from  
10 teaching, and the kids suffer, the other kids  
11 suffer. We don't need a kid who's disruptive in  
12 that classroom.

13 Now, what are the reasons he's disruptive?  
14 There are probably very legitimate reasons, but  
15 take him out and find out what the reasons are.  
16 Pull him out of the classroom and let the  
17 teacher teach.

18 Now, as long as you have principals who are  
19 more concerned with the political ramifications  
20 of that, you're never going to solve the  
21 problem. That's all I'm going to say about  
22 that, but that's what you have to do. You've  
23 got to support the teachers in the classroom and  
24 the principal has to be strong, above the  
25 politics.

1 MR. OLIVERAS: Thank you.

2 THE CHAIRMAN: Commissioner Youngblood.

3 MR. YOUNGBLOOD: Through the Chair, thank  
4 you, Dick, for coming. I appreciate it. Good  
5 to see you again.

6 This has been bandied about today and in  
7 previous meetings on the educational aspect.  
8 Unless I missed something in the charter, I  
9 don't know that we can dive too deep into the --  
10 the weeds of the issues and alter the charter  
11 because we have a school board to do that.  
12 That's another issue on its own, it's huge, with  
13 their budget and what they have before them, but  
14 good ideas nonetheless.

15 But with that being said, an elected or an  
16 appointed school board member, constitutional  
17 officers, what is your opinion there?

18 MR. KRAVITZ: Elected.

19 MR. YOUNGBLOOD: Elected.

20 MR. KRAVITZ: Yeah. I'm an old  
21 fuddy-duddy. I just think that the electorate  
22 should be more involved. We're losing people in  
23 the process. People need to elect their  
24 officials and we need to perform. We don't want  
25 to take away the power of the electorate. That

1 is very, very important.

2 Of course, you can go too far, having said  
3 that, with all the referendums. I think you  
4 elect people to represent a democracy to do your  
5 bidding. I'm not in favor of all these  
6 amendments, constitutional amendments that  
7 people don't have the time to dwell upon and see  
8 the ramifications, like it's happened in  
9 California, in some cases here in Florida.  
10 That's what their elected officials do.

11 But, as far as the initial election, you  
12 pick out the best candidate, you vote for them.  
13 I'm not in favor of appointed -- less appointed  
14 the better. More elected is the way to go.

15 MR. YOUNGBLOOD: And a follow-up question  
16 that others have been asked. The Office of  
17 General Counsel, when you served on City  
18 Council, did you see any rub there by not having  
19 independent counsel, outside of the General  
20 Counsel's Office?

21 MR. KRAVITZ: I didn't see it, but that  
22 doesn't mean there -- you shouldn't look at  
23 that. I think you should look at that, and the  
24 people who are the experts in that area -- I was  
25 just a street-level councilman. I just worried

1           about taking care of business. I didn't really  
2           understand the benefits of having, you know,  
3           General Counsel. That came late in my term.  
4           And, quite honestly, I just sort of let  
5           administrative and other people deal with that.  
6           I just wasn't that interested.

7                     But I think it should be looked into. I  
8           know Mike Hogan was interested in looking into  
9           that at one time because it may be better a  
10          different way, but I just don't know.

11                    MR. YOUNGBLOOD: Thank you.

12                    THE CHAIRMAN: Commissioner Catlett.

13                    MR. CATLETT: Well, Dick, I just wanted,  
14          again, to thank you very much and Lad because  
15          you were two of the more outstanding council  
16          presidents over the last 30 years, very  
17          levelheaded, very direct thinking, and we were  
18          certainly privileged as a community to have the  
19          two of you --

20                    MR. KRAVITZ: Thank you.

21                    MR. CATLETT: -- at the helm.

22                    I'm not sure how you got selected today,  
23          but I'm glad that you were, and we appreciate  
24          you.

25                    MR. KRAVITZ: I'm not sure either.

1 MR. CATLETT: We appreciate you.

2 MR. KRAVITZ: Thank you.

3 THE CHAIRMAN: Anything else?

4 COMMISSION MEMBERS: (No response.)

5 THE CHAIRMAN: Thank you, Mr. Kravitz,  
6 very much.

7 MR. KRAVITZ: Thank you.

8 THE CHAIRMAN: Commissioners, before we  
9 move to public comment, I'm going to exercise a  
10 little privilege of the chair and put  
11 Mr. Brinton on the spot since he's here in the  
12 audience. I'd like to call him up.

13 Just as a way of background, Mr. Brinton  
14 was a member of the 1988 JCCI Electoral Study  
15 Commission. He's also a member of the previous  
16 Charter Revision Commission, so I do think he  
17 has some relevant perspective for us.

18 (Mr. Brinton approaches the podium.)

19 THE CHAIRMAN: So, Mr. Brinton, we'll swear  
20 you in.

21 MR. BRINTON: Okay.

22 THE REPORTER: Your name and address first,  
23 please.

24 MR. BRINTON: Bill Brinton, 1835 Challen  
25 Avenue, Jacksonville, Florida 32205.

1 THE REPORTER: Thank you.

2 Would you raise your right hand for me,  
3 please.

4 MR. BRINTON: (Complies.)

5 THE REPORTER: Do you affirm that the  
6 testimony you're about to give will be the  
7 truth, the whole truth, and nothing but the  
8 truth so help you God?

9 MR. BRINTON: I do.

10 THE REPORTER: Thank you.

11 MR. BRINTON: Well, first --

12 THE CHAIRMAN: I apologize for putting you  
13 on the spot, but --

14 MR. BRINTON: That's okay.

15 I read about your last meeting, then I read  
16 in the paper, the Florida Times-Union, the other  
17 day that you would be meeting and dealing with  
18 staggered terms today and some other, perhaps,  
19 issues that are near and dear to my heart that  
20 I've spent part of my lifetime studying and  
21 having developed opinions.

22 The work of this body is very important,  
23 and I've also saw recently in the paper a  
24 suggestion that you should curtail your work to  
25 one or two items, and I know that from a

1 practical standpoint sometimes that may be a  
2 good thing.

3 I would tell you that all of your time that  
4 you're investing in this, do not be swayed to  
5 limit your recommendations to one or two items.  
6 Whatever you feel comfortable with recommending  
7 to the City Council, whether it's two, four,  
8 ten, whatever the number is, make those  
9 recommendations.

10 If you think some things need further  
11 study -- you heard from Skip Cramer today. JCCI  
12 stands ready, willing and able to do a thorough  
13 study, develop facts, draw conclusions, and make  
14 a recommendation. So there may be some things  
15 on your plate that you think deserve further  
16 study, in-depth, and I would recommend that you  
17 consider pursuing that course as well because  
18 this body may not meet again for another  
19 decade. It really depends upon the City  
20 Council.

21 I want to get to the heart of matters and  
22 not take too much time.

23 First, about election changes, whether they  
24 be term limits, whether they be staggered terms,  
25 whether they be when -- when elections are held,

1 I urge you that any recommendations you make be  
2 placed on the ballot and not done through a  
3 J bill because I will guarantee you, if it's  
4 done through a J bill, it will be put on the  
5 ballot later by the citizens who will react in a  
6 way that will be unfavorable to those that would  
7 want to make those changes through a small group  
8 of people in the legislature rather than putting  
9 it on the ballot.

10 Staggered terms, I was very involved in  
11 that issue last time the Charter Revision  
12 Commission tackled that, and it came very close  
13 to actually appearing on the ballot.

14 What happened was -- and I would also  
15 say -- I would say keep it to two four-year  
16 terms, but what we did in the past was suggest a  
17 two-year additional term -- making an exception  
18 to have a two-year term to start the staggering,  
19 and this was coming up at the same time that  
20 redistricting was an issue, and the council --

21 I was watching a videotape on Sunday just  
22 by accident. I was recording something on  
23 Channel 4, and by accident -- I wanted to be  
24 sure I wasn't going to erase something, and it  
25 was the council debate from ten years ago about

1 staggered terms. I'll have to share that with  
2 Wyman and maybe he can share it with you.

3 The issue that they had a problem was [sic]  
4 was who goes first, which of the nine or the ten  
5 are going to stand for the two-year stagger?  
6 How do you do it? And they, at the end of the  
7 day, couldn't really come to terms with how you  
8 were going to, you know, down in the weeds, work  
9 the stagger.

10 There really wasn't opposition to the  
11 stagger, but the problem was how did you do it,  
12 and they didn't do it.

13 Is it a burning issue? No, but it's been  
14 an issue that's been a recommendation out there  
15 for 20 years. It's worth doing. And whether  
16 you specifically give them the way to do it or  
17 suggest that maybe they put something on the  
18 ballot to get the sense of the public, not a  
19 specific, you know, recommendation, but maybe  
20 whether the voters think you should do staggered  
21 terms and whether it should be in a fall cycle  
22 or a spring cycle, that might be a good idea to  
23 try to break the logjam. Otherwise, ten years  
24 from now some of us will be standing at this  
25 podium today talking about staggered terms.

1           I would also recommend that you take a  
2           close look at the Charter Revision Commission's  
3           work on this issue from ten -- from about ten  
4           years ago and maybe even get transcripts of what  
5           happened in the City Council and the committee  
6           and the full council to see how it was debated  
7           then because that's how it will be debated again  
8           this time around.

9           I know you took a vote last time about  
10          moving the elections to the spring. I'm a  
11          strong believer in the spring elections for City  
12          elections. I think the problem with voter  
13          turnout -- and we studied this at JCCI. And  
14          with all due respect to the members of the media  
15          that are here today, Kevin and Joe, the problem  
16          has been, for City elections and City offices,  
17          is the media.

18          If you go back and look at the local  
19          election process study, there's a role for the  
20          media to play that in this community, decade by  
21          decade, has gotten worse and worse, where the  
22          media -- and I'm not picking on the print media  
23          or radio or television, but the whole media  
24          altogether has done a miserable job in educating  
25          the voters about what the issues are and what

1 the candidates stand for and giving the  
2 opportunity for those candidates to appear on  
3 television frequently in debates so that the  
4 citizens are educated and turn out in much  
5 larger numbers because they care about the  
6 quality of the persons who offer themselves for  
7 service in this community.

8 I missed part of what Bill Scheu had to  
9 say, but I -- it sounds like he said something  
10 that I'm going to say right now. Do not let the  
11 cost of elections, you know, control your  
12 recommendations. That's the tail wagging the  
13 dog. This is a democracy, we should spend money  
14 on having a very active and engaged electorate.  
15 And having cost, you know, make the decisions on  
16 what we do with elections and when we hold them  
17 is -- is absolutely -- in my opinion, as a  
18 citizen, is ridiculous.

19 Turnover. Turnover can be good, it can be  
20 bad. It really depends upon who's -- who you're  
21 electing to office. We have a number of council  
22 members who, after taking a four-year break,  
23 have come back on the City Council. Matt  
24 Carlucci is an example, Warren Jones, John  
25 Crescimbeni. We have people that, you know, do

1           have knowledge that come back on this council  
2           and I think are -- you may disagree with some of  
3           them from time to time, but, you know, they're  
4           good stewards of the community. And I believe a  
5           lot of people have the ability to hit the ground  
6           running from day one.

7                     The City Council also is very well served  
8           by council research. You have Jeff Clements  
9           here today. The Council Auditor's Office, I  
10          think, has kept this city out of trouble time  
11          and again. And so it's not just the persons  
12          that hold those 19 seats in the City Council.  
13          It's also the people that play the backup roles,  
14          that they -- the council members rely upon, and  
15          we, as members of the public, rely upon.

16                    And I think that's just about it.

17                    I would just make one comment about  
18          education. I don't think, you know, that's  
19          really kind of getting outside the scope of  
20          revising or making changes to the charter except  
21          maybe in some narrow instances.

22                    I would say that reading -- early reading,  
23          you know, is key to our -- you know, part of  
24          the -- it is a very important key to how our  
25          students are going to do in school. I know the

1 Times-Union is going to be spending a couple of  
2 years focusing on education. I think it's a  
3 good thing for all of us to talk about and also  
4 deal with the problem of discipline in the  
5 schools, and I'm happy to answer any questions.

6 Thank you very much.

7 THE CHAIRMAN: Just a minute. I have a --  
8 I want to make sure I understood what  
9 you -- I think you said. Keep it at two terms?

10 MR. BRINTON: Yes.

11 THE CHAIRMAN: And for those who don't know  
12 on this commission, you were intimately involved  
13 in getting the issue of term limits on the  
14 ballot after the council decided not to act on  
15 that; is that correct?

16 MR. BRINTON: That's correct.

17 THE CHAIRMAN: Tell me, given your -- and  
18 feel free to expand on that, but let me tell you  
19 what I want to hear from you about is -- there  
20 has been a suggestion made that the Charter  
21 Revision Commission ought to have the ability to  
22 put an issue directly on the ballot as part of  
23 its powers and duties when it's constituted.

24 Having been on a previous Charter Revision  
25 Commission and having put more than one item,

1           really, successfully on the ballot for  
2           referendum, what are your thoughts on that?

3           MR. BRINTON:  If the Charter Revision  
4           Commission is going to be taken as a serious  
5           body, which I think it should be, I think you  
6           should have the ability to do that.

7           I'm not sure whether the City Council is  
8           going to like the idea of having -- of sharing  
9           that power -- they can put issues on the ballot  
10          themselves -- but this body becomes much more  
11          important and its mission becomes much more  
12          important and the work becomes much more  
13          important if you have that ability.

14          It may be something you decide not to do,  
15          but why not?  If it's worth the -- your time and  
16          effort to study and it's your time and effort to  
17          think it's worthy of consideration by the  
18          voters, I think you should have that ability.

19          I was not prepared to answer that question  
20          today, but that's -- you know, shooting from the  
21          hip, that's my best answer.  I think it's the  
22          one I would stick with.

23          THE CHAIRMAN:  Okay.

24          MR. BRINTON:  Just to expand a little bit  
25          about the term limits, yes, I was involved in

1           implementing that, the JCCI recommendation, when  
2           the council declined to do so.

3           Another recommendation of JCCI was open  
4           unitary elections. I know Mayor Austin can  
5           remember those days and -- and how it excluded  
6           so many people from voting in this community.

7           That was not a petition drive. We had the  
8           organization formed. We had the day, time, and  
9           place to announce the petition drive, and that  
10          was just enough to get that additional one or  
11          two council members to vote to put it on the  
12          ballot. They put it off, like, a year or so,  
13          but eventually it passed overwhelmingly, and we  
14          ended a closed partisan primary system that  
15          kept, in some cases, more than half of the  
16          electorate from voting for a particular office.

17          So I look at the local election process  
18          study in three parts: term limits for the City  
19          Council members, open unitary elections, and the  
20          third was staggered terms. We've done the first  
21          two. We've not done the third.

22          THE CHAIRMAN: And to follow up on that,  
23          when you said you encouraged us to look more  
24          into the proceedings on that issue of the  
25          previous Charter Revision Commission and the

1 transcripts from the council, given the fact  
2 that you were present at the time, can you just  
3 tell us what you think we ought to take away  
4 from that, on the stagger issue.

5 MR. BRINTON: It's a close question of  
6 whether you should specifically offer the  
7 stagger of -- you know, which groups and which  
8 districts, you know, would be staggered, or  
9 leave that up to the council to debate among  
10 themselves.

11 It might be better to put it into play and  
12 just do groups 1, 2, 3, and Council Districts 2,  
13 4, 6, 8. Somebody is going to have to make that  
14 decision.

15 Another possibility is you could say, well,  
16 the group races would be -- stay in the spring  
17 and the district races go in the fall or vice  
18 versa. There's different ways to do the  
19 stagger. At least you would put it into play so  
20 that they would actually have something to  
21 wrestle with.

22 The other possibility is -- if it's a  
23 strong enough recommendation, you know, there's  
24 always a possibility of a -- the date, time, and  
25 place for a press conference to announce the

1           staggered term initiative. It can still be done  
2           the hard way. It would be good for the City  
3           Council to embrace the idea because everybody  
4           agrees it's a good one and then follow-through  
5           with it.

6           THE CHAIRMAN: Would you say that the issue  
7           of moving to a stagger is important enough that  
8           if moving to a three-term limit instead of two  
9           would allow you to implement a stagger because  
10          now people aren't having to give up -- that it  
11          would be worth doing that to get the stagger in  
12          place?

13          MR. BRINTON: I will tell you -- I will be  
14          very candid. I don't believe the public would  
15          support three terms. I think it would kill a  
16          stagger, but I think opening up -- having an  
17          additional two-year term so some council members  
18          have the possibility of serving for ten years  
19          rather than eight is something that would pass  
20          and it would receive voter approval.

21          And I do think that having local issues  
22          debated on a two-year cycle because you have  
23          that stagger, or more often than once every four  
24          years, is a good thing because I think sometimes  
25          the public feels shut out from local politics

1 and only have a voice every four years or on the  
2 occasion when somebody leaves public office and  
3 you have a special election.

4 THE CHAIRMAN: Thank you.

5 Commissioner Korman.

6 MS. KORMAN: Thank you for being here.

7 And it's actually two questions, and I'm  
8 going to go off topic because I think some --  
9 some of the other commissioners did, so I don't  
10 feel like I'm breaking the rules too badly.

11 The first question is -- we've seen a lot,  
12 or I have, in the media about the ethics  
13 office. Can you give us your opinion about the  
14 ethics office and the commission and, you know,  
15 how -- what you feel that -- needs to happen  
16 with that?

17 And the second question is, can you make  
18 some recommendations to us since you served on a  
19 previous charter, things that we should,  
20 shouldn't do as far as the big picture?

21 MR. BRINTON: The first issue on the ethics  
22 office, I think you need to have a strong,  
23 independent ethics office. I think the city  
24 government would be better off for it. And  
25 while I think that there are some resistance to

1           that or maybe a lot of resistance, I think at  
2           the end of the day it's healthy for city  
3           government to have a strong, independent ethics  
4           office. And I -- when I say "independent,"  
5           that's with a capital I-n-d-e- -- et cetera.

6           So I think -- and, you know, ethics has  
7           always been important for local governments.  
8           Local governments across the country right now  
9           are dealing with ethical problems because of  
10          people not being -- you know, some people learn  
11          ethics on their mother's knee and some have to  
12          be taught it, but we need to have a strong  
13          ethics --

14          MS. KORMAN: And to follow up, Mr. Chair,  
15          on that question, when you say "independent," is  
16          independent third party, outside of government  
17          or part of the government?

18          MR. BRINTON: Part of the government, but  
19          not answerable directly to, say, one -- you  
20          know, the executive or the legislative branch,  
21          per se. They have independence so that when --  
22          if the day comes -- and no doubt it will --  
23          ethics issues are raised in connection with  
24          somebody that either controls the purse strings  
25          or controls other aspects of an ethics

1           commission, there's a reluctance to do what  
2           needs to be done.

3                     I'll leave that for others.

4                     I think you could probably go look around  
5           the country to the strongest independent ethics  
6           office that's out there and look at what goes --  
7           what they've done well, what they've done bad,  
8           and try to model that or adopt that for  
9           Jacksonville. It would be money well worth  
10          spent because the money that is otherwise spent  
11          when ethics go bad and how that detracts from  
12          government and the mission of government.

13                    MS. KORMAN: And just my follow-up was just  
14          words of wisdom, advice to us. I know we're  
15          halfway through, but I'm sure you could still  
16          offer some since you served ten years ago.

17                    MR. BRINTON: I would look at the work of  
18          prior -- the prior Charter Revision Commission  
19          and even dialing back before that because I  
20          testified once before in the -- even going  
21          further back in time.

22                    The charter is a live, breathing document.  
23          I remember debating in 1987 with another  
24          Jacksonville attorney about how the charter is,  
25          in his words, a pristine document, like the

1 U.S. Constitution. We should never -- we should  
2 only change it once, you know, every blue moon.

3 I brought to his attention the fact that  
4 the charter had been changed, at that point in  
5 20 years, more than 200 times because the  
6 legislature can change the charter and the City  
7 Council was given the power to change the  
8 charter as well, and so the charter is often  
9 changed. It's probably been changed maybe a  
10 couple of times in the last year in ways that we  
11 may not even be aware of.

12 So it is a living, breathing document, and  
13 I would not -- as a Charter Revision Commission  
14 that now is meeting, I would not be shy about  
15 your recommendations because, believe me, the  
16 legislature is not and either is the City  
17 Council, and this is your job. You're  
18 specifically chosen to look at the charter and  
19 make recommendations.

20 THE CHAIRMAN: Commissioner Youngblood.

21 MR. YOUNGBLOOD: Why were the  
22 recommendations that were made ten years ago  
23 that you were privy to and part of -- were any  
24 of the recommendations adhered to or heard?  
25 Because, from what I understand, they really

1           didn't acknowledge that the commission had given  
2           all these suggestions. It just was looked over.

3           MR. BRINTON: I'd have to go back to  
4           see -- you know, there was a period of time that  
5           the Charter Revision Commission was -- it wasn't  
6           like this particular iteration where it was  
7           created for a specific purpose and the previous  
8           ordinances dealing with the Charter Revision  
9           Commission had been repealed. You have to go  
10          back and see which revision commissions existed  
11          for how long and what they were charged with.

12          My memory is a little fuzzy, but I do  
13          remember the staggered term because it was the  
14          one issue that we definitely agreed upon as a  
15          Charter Revision Commission. It was just a  
16          problem for the City Council to implement it,  
17          but there may have been others that have escaped  
18          my memory over time.

19          I think this is a good way to go about it,  
20          the way this council and the council -- the  
21          previous council president giving a charge to  
22          the Charter Revision Commission. I think this  
23          is a very good way to go about it. It's  
24          probably the best Charter Revision Commission  
25          process we've ever had because of the way

1           it's -- this has been set up and you've been  
2           given a charge, and I would be true to that  
3           charge because that's -- that's the law. That's  
4           what you've been told to do.

5           MR. YOUNGBLOOD: Thank you.

6           MR. BRINTON: Thank you very much.

7           THE CHAIRMAN: Thank you, Mr. Brinton. We  
8           appreciate it.

9           Okay. Public comment.

10          Stanley Scott.

11          (Audience member approaches the podium.)

12          AUDIENCE MEMBER: Stanley Scott.

13          Thank you for this opportunity.

14          I first would like to say, I would wish  
15          that the charter revision committee would take  
16          the opportunity to talk to some of the  
17          grass-root people here because -- what I'm  
18          seeing here, you continue to talk to the top,  
19          but I have never seen a home built from the  
20          top. They always build from the foundation, and  
21          I'm a little concerned about -- about that  
22          because in all the meetings that you have around  
23          this time here, no one seemed to talk to the  
24          people as far as having the grass-root.

25          And I don't know if y'all have done

1 anything of that nature, but I would hope that  
2 y'all do before this is over, talk to the  
3 community. Most people here know some of the  
4 activists in this city who is concerned and --  
5 about this city.

6 When we talk about education -- well, when  
7 we talk about anything in this city, it's always  
8 based on your value system. Education is the  
9 way it is today because of the value system.  
10 The "I care," what I talked about the last time,  
11 it's not always about money.

12 We talk about Duval County public schools.  
13 Well, you would not see success over at the  
14 Duval County public schools until you deal with  
15 the politics, the nepotism, and the corruption  
16 and contracts, where money is going in all the  
17 wrong places.

18 When we talk about discipline, that is the  
19 parents in the community issue, period. That is  
20 not the job of the school board. Now, I want to  
21 say that again, parents and community.

22 City Council. Before we talking about  
23 getting the City Council on the right track, we  
24 got to eliminate the at-large members because  
25 what it is, it's counterbalance. You have the

1           representative from the African-American  
2           community and then you have the at-large  
3           member. There's no balance there. Those  
4           at-large members need to go, then you have  
5           proper representation.

6                   Term limits. Two terms, period.

7                   Now, we talk about the -- the term limits,  
8           I want to cover that a little longer because if  
9           you go any further than that, you're just going  
10          to have a bunch of folks sitting there for  
11          special interest.

12                  I think you should pay them and they should  
13          not have other jobs. Eighty to 100k a year is  
14          enough, no more than that, and some health  
15          care.

16                  Ethics. I agree 100 percent. If you're  
17          talking about helping this city, improving this  
18          city, it must be independent, period. If you  
19          address it any other kind of way, you're on the  
20          wrong track.

21                  I want to speak about Stanton school over  
22          there, and this is very important to me here.  
23          What happened over at Stanton when they first  
24          took it over and made it a magnet school, the  
25          principal went in there and threw all the

1 history of African-Americans in the trash, and  
2 the school board didn't say a word. They should  
3 have fired that principal.

4 The problem that we have in this city here  
5 is the African-American community and the  
6 Caucasian community does not know each other.  
7 People, in order to be able to live among each  
8 other, you have to know a little bit about each  
9 other. And when you destroy people history,  
10 especially the role that we had traveled in  
11 America to get where we are today -- it's very  
12 important that the European community know our  
13 history, just like we need to know their  
14 history. That should be part of the curriculum  
15 in school.

16 I'm not going to take up much time because  
17 I know you're running a little short.

18 The constitution of the United States,  
19 quote: It only keep us, the people. George  
20 Washington. That mean that the people must be  
21 involved in every stage of government.

22 THE CHAIRMAN: Mr. Scott, that's four  
23 minutes. Can you wrap up?

24 MR. SCOTT: Okay. I'd like to end with  
25 this last thing about the media and I'll be

1           gone.

2                   The media has done an injustice to the  
3           people. They neither investigated or educated  
4           the community.

5                   Thank you.

6                   THE CHAIRMAN: Thank you, Mr. Scott.

7                   Mr. Nooney.

8                   (Audience member approaches the podium.)

9                   AUDIENCE MEMBER: John Nooney, 8356 Bascom  
10           Road, Jacksonville, Florida 32216.

11                   You know, the public trust in this  
12           community continues to be completely destroyed  
13           and decimated.

14                   Judge Durden, when he was here before this  
15           commission last time, the General Counsel, the  
16           first General Counsel overseeing our city  
17           charter, he volunteered, took a salary less than  
18           the mayor, served two years. And in four years,  
19           the code of ethics was removed from our charter,  
20           and it's been downhill since.

21                   I participated in the JCCI study. I want  
22           to share something with you. And, again, you  
23           know, the public trust -- I mean, it's right  
24           here in this study. And listen to this, "Invite  
25           greater transparency and public involvement.

1           The Jacksonville City Council should hold its  
2           committee meetings at times that are more  
3           accessible to the public and ensure  
4           opportunities for participation and adequate  
5           time for public comment."

6           There's an ordinance before this council,  
7           2009-611, and this is it right here  
8           (indicating). Let me read it to you:

9           "An ordinance regarding public comment at  
10          council meetings. Amending Rule 4.301, Regular  
11          Order of Business, Council Rules, to provide an  
12          additional period of public comment at the end  
13          of the City Council meeting."

14          Here is -- this is November 2nd, just ten  
15          days ago, the agenda for Rules. There's no  
16          opportunity for public comment.

17          So even the JCCI study, are we really  
18          taking that seriously?

19          And then you turn over the page, right  
20          here, the ordinance -- it's in Rules right now.  
21          It's being amended. And you know what they're  
22          doing? "Amend, remove 'additional' from the  
23          title."

24          You're circumventing the intentional --  
25          good intentional spirit of public comment.

1 Providing two opportunities, and you're removing  
2 it. Now, hopefully this will be changed.

3 But to get back, there are dozens -- and,  
4 like I said, dozens -- look at this, two days  
5 ago. The courthouse workers file fake papers.  
6 This is the Florida Times-Union, November 10th.  
7 More than a quarter of the workers at the new  
8 Duval County courthouse construction site  
9 provided false identification documents to the  
10 City.

11 Do we need to reinstate the code of ethics  
12 back into our city charter? Yes, you do. And  
13 you have the power to do that.

14 And it's right here, here again, Florida  
15 Times-Union. This is November 11, the Charter  
16 Revision, and you look at the items that they  
17 list, and on the bottom -- and whether the  
18 City's ethics infrastructure should be  
19 revamped. That should be up on the top.

20 So, anyway, these are just some since day  
21 one, and there are dozens of newspaper  
22 articles. My concern is that after February, if  
23 you don't take action to put in the code of  
24 ethics back into the original charter, for the  
25 next ten years I could go to any meeting and I

1           would just have to say that the problem would  
2           have to come back here because you didn't take  
3           action to restore the public trust into this  
4           city, and you do have that ability.

5           Mr. Brinton, when he just said, you know,  
6           the ethics office, it should be independent --  
7           and I think that would just bring everybody  
8           back. And you know what? Everyone then would  
9           just -- it would just be better.

10          So I just really appreciate taking the time  
11          to listen and -- and I just also say too, you're  
12          all volunteers. My hat is off to you. You are  
13          sacrificing your time, your family, and really  
14          trying to make this community better without any  
15          type of monetary compensation. And I'll tell  
16          you, that's -- that's up there in my book.

17          So thanks again for listening.

18          THE CHAIRMAN: Thank you, Mr. Nooney.

19          Do we have any other public speakers,  
20          Mr. Clements?

21          MR. CLEMENTS: No.

22          THE CHAIRMAN: Okay. Anybody else in the  
23          audience who would like to speak?

24          AUDIENCE MEMBERS: (No response.)

25          THE CHAIRMAN: Commissioners, just as a

1 programming note, if you will, our next meeting  
2 the mayor will be our only scheduled speaker,  
3 and he's scheduled to speak to us for an hour.

4 And after that, the rest of the meeting  
5 will be what I will term a workshop where we can  
6 talk about -- you know, we're halfway done.  
7 We've touched on, I think, all of the top issues  
8 that bubbled up from your issues list except  
9 pensions. Half of our tenure is left, what do  
10 we want to talk about and get into much more  
11 detail on going forward. So come prepared,  
12 please, to that meeting to give us the benefit  
13 of your thoughts and insight on the road map  
14 going forward, and I'll now throw it up into any  
15 comments about anything.

16 Mr. Catlett.

17 MR. CATLETT: What is the mayor going to  
18 talk about for an hour?

19 THE CHAIRMAN: Well --

20 MR. CATLETT: I know him, and he's very  
21 capable of talking about any topic for an hour,  
22 just so we can be better mentally prepared.

23 THE CHAIRMAN: Well, my understanding is  
24 that he wants to talk to us about what we've  
25 talked about so far, where we are in the

1 process, some comments that he thinks we might  
2 benefit from as to things we might focus on with  
3 the time we have left.

4 As you know, at the beginning of this  
5 process I invited all the stakeholders to come  
6 talk to us and give us their perspective on how  
7 consolidation is working. At the time, the  
8 mayor -- when we began our work, the mayor  
9 respectfully declined that request because he  
10 was deep involved in the millage rate issue and  
11 also, I think, wanted to see how we would  
12 progress, and so really I think this is closing  
13 that loop.

14 He's going to come give us his perspective,  
15 just as all the other stakeholders did, just at  
16 a different point in the process, but -- but,  
17 frankly, I think in a somewhat timely manner.  
18 He will have -- he has had the benefit of seeing  
19 what we talked about until now, so -- whether we  
20 will take an hour, I don't know. I just got a  
21 confirmation from his executive assistant that  
22 he's blocked that hour off, so it will probably  
23 be questions and answers as well.

24 MR. CATLETT: So, Mr. Chairman, I would  
25 like to ask our staff here, Jeff, if he would be

1 kind enough to get us the -- how Mr. Brinton's  
2 group hoped to stagger the election even though  
3 it was not supported.

4 I was here at the time of the last one, and  
5 what I recognized was that council was confused,  
6 frankly, by their recommendation. They didn't  
7 understand it. And so, you know, although I  
8 personally support three terms or four years  
9 each, I would like to at least look at what they  
10 did. And if it was a matter of being hurried or  
11 rushed through, where they didn't understand  
12 it. And it's a good proposal, I'd like to  
13 revisit that.

14 I do think that what we have now doesn't  
15 work well. That's the one thing that we've  
16 studied that, to me, is broken, having a bunch  
17 of people that are just elected come in and  
18 having a bunny's notion as to what they're doing  
19 setting a billion dollar budget. That, to me,  
20 is a serious, serious problem. And if it -- if  
21 Mr. Brinton's idea and that commission's idea  
22 just wasn't well presented or perhaps not well  
23 lobbied, there may be some things that can be  
24 done to accommodate that.

25 I don't want to throw the baby out with the

1 bath water, but we've got to do something  
2 because it is definitely not a good system when  
3 they all come in and have no idea what they're  
4 doing and yet they're charged with making big  
5 decisions for the community.

6 I'm very concerned about that. I remain  
7 concerned about that. And if Mr. Brinton's  
8 group had a good idea, I'd like to examine that  
9 along with what we were talking about.

10 MS. KORMAN: Mr. Chair, just to follow-up  
11 with Commissioner Catlett, can we get a list of  
12 all the recommendations that they did? Just --  
13 I mean, just so we can get them all at once, and  
14 anything else that's pertinent maybe that they  
15 did so we can review it?

16 THE CHAIRMAN: Absolutely.

17 Mr. Clements, would there be any difficulty  
18 in providing that data?

19 MR. CLEMENTS: No.

20 THE CHAIRMAN: Okay. Then we'll have  
21 that. By the next meeting? Actually, in  
22 advance so that we'll have digested it.

23 MR. CLEMENTS: Yes, I think so.

24 THE CHAIRMAN: Thank you.

25 Also, along those lines, Mr. Rohan, I know

1           that you were working on a legal memo regarding  
2           the issues of what we can change in the legal  
3           processes, I believe, how we change --

4           MR. ROHAN: With the constitutional  
5           officers.

6           THE CHAIRMAN: Right.

7           MR. ROHAN: And we'll have that by next  
8           week too.

9           THE CHAIRMAN: Thank you.  
10          Commissioner Oliveras.

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

12          Mr. Kravitz was talking about perhaps  
13          giving some sort of diplomatic immunity to  
14          teachers to have them come in. I don't know  
15          that that's doable. Maybe not a good idea. I  
16          don't know that we'd get many volunteers, but if  
17          we choose to continue to look at school board  
18          matters -- and I agree with Commissioner  
19          Youngblood. You know, they're constitutional  
20          officers, and these may be swift waters we're  
21          going into, but it might be helpful to hear from  
22          perhaps Terry Brady, the teacher union  
23          president, to get that counterview because we've  
24          heard a couple of times from school board  
25          members and we've heard the same thing, and it

1           might be helpful to hear somebody from the rank  
2           and file because Mr. Kravitz' point was right on  
3           target, that the teachers are the ones with  
4           these students all day and the teachers have a  
5           lot that they could share with us but may not be  
6           completely comfortable doing that and being  
7           exposed, so it might just be helpful to hear  
8           from Ms. Brady.

9           THE CHAIRMAN: Certainly I anticipate at  
10          the next meeting we'll decide, are we going to  
11          keep looking at education. And so, if we do,  
12          then I will make note of that, your suggestion.

13          Commissioner Korman.

14          MS. KORMAN: And I wanted to -- I only know  
15          the State rules for workshopping, but what does  
16          workshop mean for us, I mean, as far as roles,  
17          comments, how does that all lay out?

18          THE CHAIRMAN: Mr. Rohan.

19          MR. ROHAN: Thank you.

20          Through the Chair, a workshop is like any  
21          other meeting. You discuss various issues. The  
22          Chair can guide you through that process or you  
23          can make recommendations as to how it would go,  
24          but you would pick items that you want to talk  
25          about and you'd work through them.

1           It's -- usually a workshop is not a meeting  
2           that you will have a vote on. It's a meeting  
3           that everybody is prepared to discuss and have a  
4           free flow of ideas without the pressure of a  
5           vote at that time.

6           MS. KORMAN: Mr. Chair, can -- but public  
7           comment -- I mean, anything else -- it's just  
8           us?

9           MR. ROHAN: Yes. It's just you, except  
10          that the Chair and the Commission can have as  
11          much public comment as it desires, and --  
12          actually, what you have been doing for the last  
13          couple of months, if you will, has been  
14          workshopping with the speakers but not amongst  
15          yourselves.

16          Usually a workshop connotes more of a --  
17          amongst yourselves, actually delving into the  
18          issues and perhaps drafting or conceptualizing  
19          the ideas and then -- with the anticipation of  
20          voting at a later date.

21          THE CHAIRMAN: Vice Chair O'Brien.

22          Thank you, Mr. Rohan.

23          MS. O'BRIEN: Just one observation for me  
24          as we go into this workshop and what our mission  
25          is and looking at the charter, I would suggest

1           that there are certain things in particular that  
2           you as a commission -- I know I'll be going back  
3           and actually rereading the charter portion of --  
4           maybe not the whole thing by next week again,  
5           but those ones that I think, in my mind, are of  
6           the utmost importance because it's important to  
7           me, and I think our board, that we look at this  
8           in terms of amending the charter as opposed to,  
9           you know, certain details, things along that  
10          line in that our discussions really go around  
11          what do we need to do as a group on issue A,  
12          issue B, issue C in regards to amending the  
13          charter because it does surprise me, just  
14          looking at the school board, it's three pages of  
15          our charter. The pension is multiple pages.  
16          The school board is less than our tree and our  
17          billboard ordinances that are in our charter.  
18          So, to me, you know, if -- if that's a subject  
19          that does come up, you know, where does it fit  
20          in and in what terms do we talk about it in  
21          terms of amending the charter as opposed to  
22          getting down into the classroom.

23                   THE CHAIRMAN: Other comments?

24                   Commissioner Thompson.

25                   MR. THOMPSON: Mr. Chairman, I just wanted

1 to get back to what Commissioner Oliveras was  
2 saying. If we have an opportunity to be  
3 fortunate to get somebody to come in from the  
4 school board, especially a union representative,  
5 we might focus on getting a nonunion person also  
6 from the school -- from the staff of the school  
7 to speak on their perception of what the school  
8 is all about.

9 THE CHAIRMAN: That's a very good idea,  
10 Commissioner Thompson. Thank you.

11 Anything else?

12 COMMISSION MEMBERS: (No response.)

13 THE CHAIRMAN: All right. Thank you all.

14 We're adjourned.

15 I'm sorry. One more thing.

16 Ms. O'Brien, you passed these out  
17 (indicating). Did you want to say anything  
18 about this?

19 MS. O'BRIEN: No.

20 THE CHAIRMAN: Okay. Thank you.

21 (The above proceedings were adjourned at  
22 11:45 a.m.)

23 - - -

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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 17th day of November, 2009.

Diane M. Tropa