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CITY OF JACKSONVILLE  
CHARTER REVISION COMMISSION  
MEETING

Proceedings held on Thursday, January 7,  
2010, commencing at 9:00 a.m., City Hall, Council  
Chambers, 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..
- 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.
- JEANNE MILLER, Commission Member.
- GARY OLIVERAS, Commission Member.
- CURTIS THOMPSON, Commission Member.
- GEOFF YOUNGBLOOD, Commission Member.

ALSO PRESENT:

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

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P R O C E E D I N G S

January 7, 2010 9:00 a.m.

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THE CHAIRMAN: Good morning.

Happy New Year. I hope everybody had a great holiday season, is rested and refreshed, ready to push through to the finish line, which is in sight.

Let's begin as we normally do with the Pledge and a moment silence.

(Recitation of the Pledge of Allegiance.)

THE CHAIRMAN: Thank you.

Let's have a roll call beginning with Commissioner Thompson.

MR. THOMPSON: Curtis Thompson.

MR. OLIVERAS: Gary Oliveras.

MS. KORMAN: Ali Korman.

MS. EICHNER: Teresa Eichner.

MS. O'BRIEN: Mary O'Brien.

THE CHAIRMAN: Wyman Duggan.

MR. CATLIN: Billy Catlin.

MS. MILLER: Jeanne Miller.

MR. YOUNGBLOOD: Geoffrey Youngblood.

THE CHAIRMAN: Thank you.

I know that Commissioner Austin is not

1 going to be attending today. He is still under  
2 the weather. And Commissioner Deal e-mailed me  
3 this morning to say she's had a work issue come  
4 up very suddenly this morning, so she will be  
5 unable to attend as well. Commissioner  
6 Herrington is out of town.

7 I don't know about our other commissioners,  
8 so I assume that they will be coming in as we  
9 proceed.

10 As a reminder, I would ask everybody to put  
11 their cell phones on silent or vibrate, making  
12 sure I've done the same.

13 And, Mr. Clements, if you would take us  
14 through our materials in front of us.

15 (Ms. Garvin enters the proceedings.)

16 MR. CLEMENTS: Yes, sir.

17 Behind your agenda, in addition to the  
18 transcript of the last meeting, you will find  
19 several follow-up items, one of which is the  
20 response from the JEA to various questions that  
21 you-all posed last time about the JEA reserves  
22 and how much private utilities pay in terms of  
23 property taxes and franchise fees compared to  
24 what the JEA pays in annual contribution and how  
25 the JEA's annual contribution compares to the

1 public utilities in Orlando and Gainesville. So  
2 there's five pages of information stapled  
3 together with that response for you.

4 You will also find the written remarks from  
5 Professor Hallett and Professor Corrigan from  
6 their appearances at your last meeting.

7 And you will also find a letter that I  
8 e-mailed around to those of you who have e-mail  
9 yesterday from School Board Member W.C. Gentry  
10 in response to Mr. Rinaman's comments at an  
11 earlier meeting about the constitutionality of  
12 appointing a school board or perhaps creating  
13 multiple school districts within a county.  
14 Mr. Gentry has provided a lengthy letter  
15 explaining his understanding of the constitution  
16 in that regard.

17 And that's your packet for today.

18 THE CHAIRMAN: Thank you, Mr. Clements.

19 And, Commissioners, I know you have also  
20 received copies of the two letters that  
21 Mr. Rinaman sent to us. So you have the two  
22 letters from Mr. Rinaman, the letter from  
23 Mr. Gentry, a letter from Mr. Hallett, and a  
24 letter from Mr. Corrigan.

25 It's starting to feel like we have more

1 epistles than the New Testament going on here,  
2 but at least people are paying attention.

3 You also have some material regarding the  
4 Justice Coalition that Commissioner Youngblood  
5 would like to address.

6 MR. YOUNGBLOOD: Thank you, Mr. Chairman.

7 As many of you know, I serve with the  
8 Justice Coalition on the "Together We Can"  
9 breakfast, and I chair that committee.

10 On February the 18th of this year, we're  
11 going to be having a "Together We Can" breakfast  
12 for the Justice Coalition, and we have a  
13 self-explanatory package there that I've given  
14 each of you.

15 Jeff, I also have one for you.

16 And I look forward to anyone that could be  
17 in attendance and any financial support that you  
18 can give to the Justice Coalition.

19 Thank you, Mr. Chairman.

20 THE CHAIRMAN: Thank you, Mr. Youngblood.

21 Vice Chair O'Brien would also like to make  
22 a comment before we begin today's agenda.

23 MS. O'BRIEN: Good morning.

24 It has come to our attention that there  
25 have been some comments made. As commission

1 members of this committee, we all serve in a  
2 volunteer capacity. The vast majority of us do  
3 work for private or public employers. We  
4 work -- or we serve on this commission with the  
5 permission of those employers and with the  
6 blessing of those employers, but we serve as  
7 independent individuals on this commission  
8 representing our own opinions and our own views  
9 and not those of our company or our employer.

10 It has come to our attention that certain  
11 presenters have called the superiors of certain  
12 members on this board. We do not believe that  
13 that practice is appropriate or is it warranted  
14 in this case. We ask that if you have comments  
15 in regards to our personal opinions that you  
16 address them, not in a personal manner, but as a  
17 subject matter, and we do not wish you to call  
18 our employers.

19 Again, we are serving as independent  
20 individuals on this board with the blessing and  
21 the permission of our employers, but we are not  
22 representing our employers' opinions as a board  
23 member of this commission.

24 THE CHAIRMAN: Thank you,  
25 Vice Chair O'Brien. I think that was very well

1           said, and I unreservedly endorse your comments.

2           Our first speaker today will be Peter  
3           Rummell, who is a -- has been a prominent figure  
4           in the business and civic life of Jacksonville  
5           for many years, as many of you know. And one of  
6           his areas of civic engagement has been public  
7           education reform, and so I have asked him to  
8           come down here and speak -- give us his thoughts  
9           on that issue today.

10           So without further ado, Mr. Rummell.

11           (Mr. Rummell approaches the podium.)

12           MR. RUMMELL: Thank you very much and good  
13           morning.

14           THE CHAIRMAN: Good morning.

15           Name and address for the record, please.

16           MR. RUMMELL: My name is Peter Rummell. I  
17           live here in Jacksonville at 2538 River Road.

18           THE CHAIRMAN: And our court reporter will  
19           swear you in.

20           THE REPORTER: Would you raise your right  
21           hand for me, please.

22           MR. RUMMELL: (Complies.)

23           THE REPORTER: Do you affirm that the  
24           testimony you're about to give will be the  
25           truth, the whole truth, and nothing but the

1 truth so help you God?

2 MR. RUMMELL: I do.

3 THE REPORTER: Thank you.

4 MR. RUMMELL: Wyman asked me to start with  
5 my credentials that bring me here this morning,  
6 and that's a very short speech. I am not a  
7 trained educator by any means. I'm a  
8 businessman. My civic involvement that has  
9 involved education has been twofold.

10 One, I was chair for a few years of the  
11 Alliance for World-Class Education, which was  
12 the business effort to work with the school  
13 board that has been ongoing here for the better  
14 part of ten years, and we have spent a good deal  
15 of time working on K-12 education as part of the  
16 Alliance.

17 On a statewide basis, I have been chairman  
18 of the Council of 100, which is a statewide  
19 organization of CEOs that has been involved with  
20 statewide issues that are important to the  
21 business community. And if there's any subject  
22 that has survived every chairman's reign of the  
23 Council of 100 has been education, both K-12 and  
24 higher ed.

25 So in both of those roles, I have spent a

1 good deal of time thinking about education, and  
2 those are the credentials I would bring to the  
3 podium this morning.

4 Wyman asked me to deal specifically with  
5 the issue of the appointed versus elected school  
6 board, which I know is a popular issue these  
7 days, and I'm going to do that in a minute, but  
8 I want to put it in the context of a slightly  
9 bigger issue to start with. And this reflects  
10 something that a group of us have been thinking  
11 about for some time. So I'm not here to speak  
12 for any official group, but it's a consensus  
13 that a lot of us have talked about.

14 I think in the history of Duval County and  
15 Jacksonville, the consolidation movement has got  
16 to be seen as a seminal event. It changed  
17 structures, geography, personnel, laws,  
18 everything you can think of in 1968 when it  
19 happened. It was the right thing to do at the  
20 time. The city was in a crisis that fortunately  
21 lots of cities don't see, and there are lots of  
22 people who were here who will tell you it  
23 literally saved the city.

24 But it's also important to remember that  
25 that was 41 years ago. Jacksonville was 400,000

1 people then versus an SMSA today of a  
2 million-two. The State of Florida was a third  
3 the size it was -- a third of the size that it  
4 is today. So lots of things are different. We  
5 live in a very different world than we lived in  
6 41 years ago.

7 I'll give you four benchmarks: a cell  
8 phone in every pocket versus a pay phone on  
9 every corner; Vietnam versus Afghanistan; Nixon  
10 versus Obama; and Barnett Banks, Florida Banks,  
11 First Union, American Heritage, Gulf Life,  
12 Prudential, and Charter, all were either major  
13 employers or corporate headquarters that were  
14 here in Jacksonville that are no longer here.

15 So the world is different than it was  
16 41 years ago when consolidation was done, and I  
17 think the question is whether something that was  
18 structured 41 years ago in this changed world  
19 still makes sense. I think that's why you-all  
20 are here as a commission, and I celebrate that.  
21 You're here to ask those questions and make --  
22 and take those challenges. But in doing that, I  
23 encourage you not to act and not to think  
24 incrementally.

25 If there were ever a time to step back and

1 take a longer view and take a major strategic  
2 look at where this city is, I think -- how it is  
3 governed, what its priorities are, I think now  
4 is the time. The economy is stalled. Every  
5 even small decision we try to make seems to  
6 start a food fight of some kind. And what  
7 should be even relatively simple things, like  
8 approving a budget, become Earth-changing  
9 events.

10 Maybe the structure that was put in place  
11 41 years ago for good reason doesn't work  
12 41 years later. Maybe it's time to not think  
13 about incremental baby steps but to think about  
14 where the world is and what needs to change in  
15 order to adjust to that.

16 If I think about Jacksonville as a  
17 developer, which is my 39-year background, I  
18 think I can make a pretty cogent argument that  
19 this city has wasted a good deal over the last  
20 15 years compared to other cities of similar  
21 size and growth patterns.

22 When you look at the natural assets that  
23 Jacksonville has -- ocean, river, weather,  
24 Florida ZIP codes -- and compare that to our  
25 competition -- let me give you four that come to

1 mind: Nashville, Kansas City, Indianapolis, and  
2 Charlotte, all NFL cities of comparable size.  
3 All four of those have done dramatically more  
4 with their civic infrastructure and their  
5 economies in the last 15 years than Jacksonville  
6 has. So it's time to ask the tough questions  
7 about why that happened and is there something  
8 structurally in the governing system we have  
9 that has contributed to that.

10 So with that premise and that background, I  
11 want to make one other -- excuse me, I want to  
12 make one other point.

13 It's time to think -- it's time to think in  
14 these larger steps, and let me just give you one  
15 example. How come the CEO of the City of  
16 Jacksonville, the mayor, isn't required to  
17 produce a five-year strategic plan and update it  
18 every year like the CEO of every company is?

19 We have an existing system at JCCI that  
20 every year puts together quality of life  
21 benchmarks that talks about where we are as a  
22 city, but there's no process in place that ever  
23 deals with the problems that those benchmarks  
24 uncover.

25 Why shouldn't the CEO, the mayor, be

1           required, as part of his job, to take those  
2           indicators and talk about their impact on  
3           finance, infrastructure, crime, education,  
4           growth management, among others?

5           This would force the mayor to describe  
6           where he's going over a relatively long time.  
7           Five years is forever in politics. And it  
8           would also give the voters a benchmark to  
9           measure his or her progress by. Why isn't  
10          something like that mandated as part of the job  
11          description of our CEO?

12          So, with that, let me shift gears and talk  
13          about the school board, which I think is on  
14          everybody's list of big, hairy problems that  
15          need to be dealt with, but I want to take a  
16          slightly different approach because I think  
17          we're asking the wrong question.

18          I have no clue who has the right to change  
19          the structure from appointed to elected or vice  
20          versa, and I'm not going to spend a minute on it  
21          because I don't think that's the fundamental  
22          issue.

23          One reason I'm not going to spend any time  
24          on it is that I have over the last ten years  
25          spent a good deal of amateur time looking at the

1 subject, and I can tell you that there is no  
2 clear evidence that either one works better than  
3 the other. The subject has been studied by  
4 academics across the country, and at least, to  
5 my knowledge, every study comes out with the  
6 same answer. Based on very specific local facts  
7 and personalities and dynamics, in some cases,  
8 "X" seems to work better; in other cases, "Y."

9 This study has been more anecdotal than it  
10 has been academic, but we have spent a lot of  
11 time in the various organizations I've been part  
12 of looking at it, and there is no bright line.  
13 So I think because of this lack of evidence, we  
14 need to be very careful not to change just for  
15 the sake of change.

16 It does mean that we need to look at what  
17 we're doing in the total sense, but let's make  
18 sure we're challenging ourselves with the right  
19 questions and we're willing to make tough  
20 decisions if they are warranted.

21 My concern is twofold. One, we are making  
22 incremental progress in the right direction  
23 right now, and that incremental progress -- that  
24 incremental progress can give us a false sense  
25 of progress.

1           Right now we have the most productive  
2           school board that I've seen in the 12 years that  
3           I've been involved in this, but we have an  
4           election coming up, and the world can change in  
5           front of your eyes.

6           And number two -- and I've learned this the  
7           hard way in business and here, in one case --  
8           lots of people talk about how public service and  
9           business are different, and I agree with that,  
10          but this is one case where I think they line  
11          up. Without effective governance structure,  
12          management is a prisoner to incrementalism. A  
13          manager is a prisoner to incrementalism.

14          Unless you have a governing structure that  
15          is willing to look at big ideas and big  
16          problems, then we're going to spend the next  
17          15 years like the last 15, one step forward, a  
18          wave of optimism, and then something that sets  
19          us back.

20          I want to use the printed agenda from this  
21          week's routine school board meeting as an  
22          illustration of my point. This is the agenda  
23          that was printed in the Times-Union on Tuesday  
24          by law. I did not go to the regular scheduled  
25          meeting, so I don't know what else was

1       discussed, but I'm assuming that these core  
2       issues were discussed: the boundaries for the  
3       Atlantic -- for the new Atlantic Coast High  
4       School, the termination of a guidance counselor,  
5       a structure for salary increases for this year,  
6       and the ten-day suspension of a principal.

7             I would argue that under any governance  
8       structure, at least two of those should never  
9       have gotten to the board. The boundaries for a  
10      new high school doesn't happen very often,  
11      complicated problem, probably deserves board  
12      attention. Salary increases that affect the  
13      entire system, absolutely. That is a strategic  
14      question that a board should deal with.

15            But the termination of a guidance counselor  
16      and the suspension -- the ten-day suspension of  
17      a principal are perfect examples of the kind of  
18      thing that should never get to a board that is  
19      properly structured that's worried about the  
20      right things. So those, in my mind, are two --  
21      are examples of two things that we need for real  
22      reform.

23            We need the smartest, most committed people  
24      we can find worrying about both management and  
25      policy; and two -- it may be even tougher -- we

1           need to figure out a way let each of them do  
2           what they do well and not messing with what the  
3           other one does.

4           Management needs to be structured in such a  
5           way that it runs the business of the school  
6           district, and the board needs to be structured  
7           in such a way that it deals with policy and  
8           strategy. And they shouldn't confuse the two,  
9           and they shouldn't get in each other's way.

10          The argument has been made that the voters  
11          should elect our school board members because  
12          it's their children and, therefore, they should  
13          have input into what happens. Whether the board  
14          is elected or appointed, I've always found this  
15          argument suspect. By the same logic, that means  
16          that since the dollars that government spends  
17          are the voters' dollars, then we should let the  
18          voters run finance, make bond investment  
19          decisions, pick fund managers, and maybe even do  
20          the district accounting. We don't do that. We  
21          let professionals do that. But somehow when it  
22          comes -- when this same logic gets transferred  
23          to our children, we lose our perspective.

24          There has to be a way to keep the public  
25          hand in the strategy and the policy but not let

1           them micromanage the process. So whether the  
2           board is elected or appointed, the problem is  
3           not the people. The problem is the governance  
4           of the system and the input that people think  
5           they deserve to have into that system.

6           The board will spend months analyzing which  
7           schools to close, which by anybody's definition  
8           is a very painful process, but then will end up  
9           getting themselves rolled at a public meeting  
10          because of the emotional parents who only care  
11          about one neighborhood. We can't put our  
12          decision-makers in that kind of a structural  
13          position.

14          So the issue isn't the makeup of the board,  
15          per se. The issue is how do you structure a  
16          system so that tough systemwide decisions that  
17          are for the benefit of the system can be  
18          analyzed, rationalized, have the proper amount  
19          of civic input, and then have decisions put in  
20          place and carried out.

21          We have somehow cultivated this feeling  
22          that since it's our kids, we know better than  
23          anybody else what to do, and even if we don't,  
24          they're our kids, so get the hell out of the  
25          way.

1           So I have personally given up on even the  
2           idea of an appointed school board, but even if  
3           it's the right answer -- and I'm not sure based  
4           on what I've said that it is since there's no  
5           evidence that points to it -- I think it would  
6           be a very long fight, it would be ugly, it would  
7           be disruptive, it would burn bridges, it would  
8           hurt feelings, and all for an uncertain  
9           outcome.

10           I would rather spend our time making people  
11           understand what the role of a board member is  
12           versus the operational roles of management, and  
13           that starts with making the board understand  
14           what their role is versus management's role.  
15           Make the public understand how incredibly  
16           important these seven board seats are.

17           This is perhaps not the right forum to make  
18           this argument, but I would argue that these  
19           seven board seats are many times more important  
20           per seat than the 19 seats in City Council, but  
21           the public doesn't perceive them that way. So  
22           given that, we need to get the best and the  
23           brightest who want to be there for the right  
24           reasons and give them the right training.

25           One of the things I learned early on in

1           business is that your best salesman doesn't  
2           always make -- your best salesman doesn't always  
3           make the best sales manager, and I think the  
4           same is true here. Just because you have a  
5           teacher who is a great teacher doesn't mean he  
6           or she knows how to govern, or just because you  
7           love kids and really, really care about the kids  
8           doesn't mean you know how to govern.

9                     We need people with experience in systems,  
10           governance, human resources, sophisticated  
11           finance, and all the other things it takes to  
12           run a billion-dollar corporation, which is what  
13           the school board is.

14                    If the only way to find these people is by  
15           appointing them, then maybe in the end we need  
16           to resort to that. But I think we have  
17           definition issues and job description issues  
18           that we have to get right that are going to be  
19           complicated, and we need to get those right  
20           before we decide how to pick the people to worry  
21           about it.

22                    I know you've heard this before, but I  
23           can't resist ending with a famous quote from  
24           Einstein, his definition of insanity. His  
25           definition of insanity is doing the same thing

1 over and over expecting a different outcome.

2 We are not insane. We are rational, smart  
3 people. Let's act like it.

4 Thank you.

5 THE CHAIRMAN: Thank you, Mr. Rummell.

6 I know we appreciate your comments and your  
7 insight.

8 Before we move to questions, I just want to  
9 give you an opportunity, since you're here, is  
10 there any other issue that is within the purview  
11 of this commission that you want to share your  
12 thoughts or comments on?

13 I know -- I did direct you to this  
14 education topic, so -- but I don't want to tie  
15 your hands.

16 MR. RUMMELL: The only other one would be  
17 my open- -- I took some leeway with your  
18 assignment in my opening comment, which is this  
19 whole issue of incrementalism versus strategy,  
20 which is something that I've faced. In business  
21 all my life and in my involvement in government,  
22 I see the same problem. It is so easy to deal  
23 with today's simple problem and push the big,  
24 complicated ones out. We -- and I don't know  
25 how do this structurally, which is really your

1 purview, but the --

2 My whole point of requiring a mayor to put  
3 together a strategic plan is an effort to  
4 somehow structurally force us to think beyond  
5 the daily problems and to think about the macro  
6 environment that we deal in, and there's nothing  
7 in politics that wants you to do that. So maybe  
8 there's a way that -- I'm not a big structure  
9 guy, and I'm a Republican, small government  
10 person.

11 But it just seems to me that maybe there's  
12 a way to think about -- think about obligations  
13 in a way that forces us to take a long view: A,  
14 because it makes you look at problems in a  
15 different way; and B, because it then becomes a  
16 score card to be judged by, which is something  
17 everybody hates.

18 But it's important to -- how you judge  
19 somebody if you're thinking about voting for  
20 them again or just in terms of, as the manager,  
21 your own ability to benchmark yourself against  
22 what you're trying to do.

23 So that's a generic answer. I think it  
24 applies to the school board. I also think it  
25 applies to government in general.

1 THE CHAIRMAN: Well, thank you.

2 I agree with you that our political system  
3 as it is set up is not conducive to long-term  
4 strategic thinking. The whole system, in fact,  
5 is set up to mitigate against it.

6 MR. RUMMELL: Uh-huh.

7 THE CHAIRMAN: It's set up for short-term  
8 expediency, in my opinion. That's my personal  
9 opinion.

10 And I noted in your comments that you said  
11 we need to get the best and the brightest who  
12 want to be there for the right reasons, and then  
13 you gave the example of the school board that  
14 gets rolled by the public at the meeting on the  
15 closure of the schools.

16 I understand your reluctance and your  
17 skepticism and your doubt about the cost and  
18 then the ultimate efficacy if it's done, of an  
19 appointed school board, but it seems to me given  
20 what you just articulated about the difficulty  
21 of structuralizing long-term strategic thinking  
22 and the difficulty of finding the best and the  
23 brightest who want to be there for the right  
24 reasons as opposed to -- for example, people who  
25 just don't want to go through a campaign but who

1           might be the best and brightest, but they don't  
2           want to run for office, it seems to me that --  
3           I'm not sure there's a question here.

4           But I guess what I'm proposing is -- I hear  
5           what you're saying. But yet the examples that  
6           you cite, to me, seem to point toward moving  
7           away from incrementalism and toward a big  
8           strategic change to an appointed board that  
9           would allow these things that you have  
10          highlighted as problematic features of the  
11          system to be addressed.

12          MR. RUMMELL: I won't argue with you, but  
13          there are a couple of issues with that.

14          Number one is there's nothing -- there's no  
15          assurance at all that whoever is given the power  
16          to appoint seven people is going to pick seven  
17          of the best and brightest people. I mean,  
18          there's the -- you know, there are all kinds of  
19          criteria that get involved in politicians  
20          picking boards, so -- and best and brightest is  
21          often not the criteria. So I think it's -- I  
22          think it's illusory to think that just because  
23          we go from elected to appointed, we're going to  
24          dramatically upgrade because there's still a  
25          political process involved there.

1           And so my point is that, before we do  
2           that -- if you get -- if you could somehow find  
3           the seven best and brightest people in  
4           Jacksonville and put them into the existing  
5           system, they still would dramatically  
6           underproduce because of the structural issue  
7           that I'm talking about.

8           We've got -- we've got a board that by  
9           habit, if not mandate, is involved in the  
10          day-to-day running of the schools as opposed to  
11          worrying about the other issues. That, by  
12          definition, confuses management's mandates.

13          So, you know, if the school board doesn't  
14          think that management is capable of running it,  
15          then they ought to get new management. If  
16          they -- but if they are structured in a way that  
17          says management is competent -- which I think  
18          they are, by the way -- then the board ought to  
19          do what they're involved in, and we ought to go  
20          through a process of figuring out what that is  
21          and get it structured in the right way, then we  
22          can have an argument about the kinds of people  
23          that want do it.

24          And my prediction would be, if you got that  
25          done right, then I think you attract a different

1 kind of person to run for office.

2 THE CHAIRMAN: Do you have any thoughts on  
3 charter school district -- charter school  
4 district concepts? In other words, instead of  
5 moving to an appointed school board, perhaps we  
6 take some of the schools that are chronically  
7 failing and put them under a different  
8 structure -- perhaps a hybrid structure, perhaps  
9 an alternative structure -- not run by a private  
10 charter school company, run by the government  
11 but outside of perhaps the normal operating  
12 parameters.

13 Do you have any thoughts on that?

14 MR. RUMMELL: It's a -- I think the risk of  
15 that is this isn't working, so let's do  
16 something.

17 There's, again, no mandate that says that  
18 just because you pull it out and do something  
19 else -- there's evidence around the country that  
20 shows that in some places that it works and some  
21 places it doesn't, so I --

22 I think the troubled schools need very  
23 specific, special attention. The current board,  
24 to their credit, is doing a lot of that.

25 They're doing it with funding, they're doing it

1 with principal allocations, and just --  
2 intellectually, they spend a lot of time  
3 thinking about -- you know, we said for a long  
4 time that this is not a 160-school problem.  
5 It's a 30-school problem. And I think the  
6 school board well knows that.

7 If there's an issue that would allow that  
8 to be more properly focused, then that's a  
9 perfect example of what I'm talking about. A  
10 school board who is strategically thinking about  
11 structure and process could spend its time on  
12 that and figure out a solution without having to  
13 take the district apart.

14 There's -- my point is that there's a way  
15 to fix the problem within the existing legal  
16 fabric, and anything that takes that legal  
17 fabric apart is going to be unbelievably  
18 complicated and time consuming, and that's time  
19 we could spend on working on the problem.

20 So I would rather go through a disciplined  
21 process of restructuring our management so that  
22 everybody understands their job and then getting  
23 focused on what each should do and can do well  
24 as opposed to taking the system apart because  
25 the current one doesn't work. I think one of

1 the major reasons it currently doesn't work is  
2 because of that structural issue.

3 THE CHAIRMAN: Commissioner Oliveras.

4 MR. OLIVERAS: Thank you, Mr. Chairman.  
5 Thank you for being here this morning.

6 I appreciate your comments on the strategic  
7 plan idea.

8 As a matter of fact, Mr. Chairman, I hope  
9 to bring that up under discussion a little bit  
10 later this morning.

11 THE CHAIRMAN: Yes.

12 MR. OLIVERAS: Going back to your comments  
13 on the school board perhaps not showing enough  
14 leadership on closing a school, as an example,  
15 and getting rolled by the public, isn't it true  
16 that the same thing occurs with City Councils  
17 and mayors? And I would give you the example of  
18 a mayor suggesting the closing of a fire  
19 station.

20 MR. RUMMELL: Absolutely.

21 MR. OLIVERAS: How much of the human  
22 element do we exclude from this process?  
23 Because a neighborhood school that may be, you  
24 know, underenrolled tends to be a very  
25 passionate issue for the residents and the

1 students of that community. How do you balance  
2 that and how much of it is about the dollars and  
3 cents and how much of this decision-making is  
4 about the human element?

5 MR. RUMMELL: I think that's a very fair  
6 question, and I will be the first to admit that  
7 I'm being simplistic with a complicated  
8 problem. And your analogy to a firehouse is a  
9 perfect analogy.

10 I use this perhaps as not a great example  
11 of the sort of tactical pressures that always  
12 appear in any public process, and I think when  
13 you combine -- when you combine governance with  
14 operations, which is -- my argument is if that's  
15 what we're doing in the current system, then you  
16 make it even harder to ever take the long view.  
17 So all I'm trying to do is provide a structure  
18 that says, "Look, here's a -- here is a  
19 thoughtful rationale for why this doesn't work,"  
20 and the ability to present that in a cogent  
21 way.

22 There always is going to be political  
23 pressure, but I just -- I think we're not  
24 maximizing the ability to draw those lines and  
25 make those cases in a way that lets the board

1 spend their time on those kinds of things and  
2 not get as mired in some of the other stuff as  
3 they have structurally put on themselves.

4 They have made their jobs harder than it  
5 needs to be because they see themselves as --  
6 they're ambassadors -- as the ambassadors to  
7 their neighborhoods, and I -- and that's  
8 probably the way you get reelected, but that's  
9 not the way -- that's not the way you run a  
10 billion-dollar company.

11 And there's got to be -- you can't leave  
12 the neighborhood. You can't leave your voters.  
13 You can't turn your back on the woman in the  
14 grocery store that wants to talk to you. But  
15 you can -- you can structurally get yourself in  
16 a position where you only worry about the things  
17 you should be worried about.

18 MR. OLIVERAS: Thank you.

19 THE CHAIRMAN: Commissioner Miller.

20 MS. MILLER: Thank you, Mr. Rummell.

21 Through the Chair, I have a few questions.

22 And I noted something you mentioned  
23 earlier. You said it -- that -- and it's no  
24 secret, that there's -- you know, that there's a  
25 legal question or there are legal questions to

1           some as to how this might be done if it were  
2           appointed versus elected.

3                     But getting back to the governance issue,  
4           because I completely agree with you, it's a  
5           governance issue and it's a definitional role  
6           issue in -- which boils down to a leadership  
7           issue and understanding appropriate roles and  
8           delegations.

9                     I was wondering if you had given any  
10          thought to a hybrid model of governance where --  
11          and I also agree with your statement that of the  
12          seven -- there's seven districts for the school  
13          board versus 19, and so if -- if you've given  
14          any thought to maybe adding, you know, five  
15          appointed commissioners maybe from the -- maybe  
16          from the at-large districts or defined  
17          territories as well within the county and then  
18          make -- so that you have a -- the majority  
19          elected, but maybe a -- a prevalent but minority  
20          as appointed by the mayor through City Council,  
21          if you've given any thought to that, and I'd  
22          like your opinions and -- and along the same  
23          lines, removing pay from the school board  
24          positions? And if not removing pay, then --  
25          then making pay at an entry-level teacher's

1 salary.

2 I'm just wondering if you've -- if you have  
3 any familiarity with that or if you have any  
4 thoughts on those -- on those issues?

5 MR. RUMMELL: Well, we have -- those have  
6 been discussed informally with the business  
7 community.

8 The idea of a hybrid is interesting. It  
9 may be -- I mean, it could, for instance, be a  
10 way to introduce financial expertise or systems  
11 expertise or something else that you could argue  
12 maybe isn't on the board just because we didn't  
13 happen to elect somebody who is a CFO or who  
14 really understands finances.

15 So it is a way to introduce specific  
16 expertise, I think. But the problem is, whether  
17 you've got seven elected or seven elected and  
18 four appointed, if their job descriptions aren't  
19 right, then you've just got ten confused people  
20 as opposed to seven. So I -- I think it's a --  
21 I've kind of dismissed it as not really dealing  
22 with the fundamentals of the problem.

23 The pay issue is an interesting one, and  
24 I -- and I -- I think you can -- this is, I'm  
25 sure, going to raise eyebrows, but I think you

1 can argue that we're sort of in a no-man's-land,  
2 and I could make the case -- I'm not sure I can,  
3 but I have smart friends who make the case that  
4 we should either pay zero or it should be  
5 \$100,000 a year. So it should either be zero  
6 and you get people who want to be there for the  
7 right reasons -- they're not doing it because  
8 they need the money -- or you make it a real job  
9 and you attract people who are worth that.

10 And that doesn't mean that the people on  
11 the board today aren't worth that. I'm not  
12 making that judgment. But you either make it a  
13 full-time -- it is -- I mean, I can tell you,  
14 I've been around these school board members  
15 enough, that if they ever figure out what they  
16 get per hour, they're all going to run like  
17 scalded dogs because they work very, very hard  
18 for what they get.

19 And so it probably either needs to be  
20 people who don't need it and who are willing to  
21 do it as part of a volunteer -- on a volunteer  
22 basis, and there are plenty of people like that  
23 around, or it needs to be paid at a level that  
24 it really reflects the amount of effort and the  
25 expertise that we need in order to do what we're

1           doing.

2           MS. MILLER: Through the Chair, one more.

3           You mentioned earlier from a developer's  
4           perspective, and I'm comparing --

5           MR. RUMMELL: You can't resist, can you?

6           MS. MILLER: No. I got it. I've worked  
7           for a developer in the past.

8           But it's a good comparison because when we  
9           talk about economic development and attracting  
10          companies and comparing ourselves to different  
11          markets, I -- I know that you have been very  
12          active with the Chamber and with the Florida  
13          Chamber and the Council of 100, obviously.

14          Maybe you could give a little bit of  
15          perspective on what, based on your experience,  
16          employers are going to look for or what -- where  
17          we -- maybe our strengths and maybe our areas  
18          that we need -- of weakness vis-a-vis our major  
19          competitors, the competitors that you  
20          identified?

21          MR. RUMMELL: You know, that's a good  
22          question, and we could -- I won't bore you with  
23          everything, but I think it ties back directly to  
24          the subject we're dealing with this morning.

25          There's an article in the paper this

1 morning about a current company who's thinking  
2 about expanding here in town and talking about  
3 incentives. I'm not going to pass judgment on  
4 whether there should be incentives or not,  
5 but -- but I will tell you that I think the best  
6 long-term way to attract major corporations to  
7 Jacksonville to, A, come; and B, stay; and C,  
8 grow is to have a world-class school system.

9 And if you knew you could bring your  
10 employees to a school system that had  
11 unbelievable graduation rates and had  
12 unbelievable relationships with the junior  
13 colleges and was exemplary in every way you  
14 measure, that would do more for economic  
15 development than anything I could think of. And  
16 I've made that argument on the statewide basis,  
17 both at the K-12 and at the university level,  
18 and I firmly believe it.

19 MS. MILLER: Thank you.

20 THE CHAIRMAN: Commissioner Korman.

21 MS. KORMAN: I'm just trying to get a  
22 little clarification.

23 I've got two questions. The first question  
24 is: Is the comment you made about what -- if  
25 the board went ahead with an appointed school

1 board, what -- the fights and the hurt feelings  
2 and everything that would probably get caused as  
3 a result, wouldn't --

4 I mean, if we wouldn't have done that in  
5 the 19- -- whatever it was for consolidation, we  
6 would have never gotten consolidation. And I  
7 guess my concern is and my question is to you --  
8 sometimes things are worth the fight --

9 MR. RUMMELL: I agree.

10 MS. KORMAN: -- for the change.

11 MR. RUMMELL: I agree.

12 MS. KORMAN: And so I guess we're trying to  
13 explore the idea of -- you know, I take all your  
14 points and I think all your points are great  
15 ideas, but I'm concerned that -- and this is no  
16 offense to the current school board, but are  
17 they currently willing to make the changes that  
18 you're suggesting, or do we have to try to do  
19 something more dramatic and -- to roll the dice  
20 either way? And I agree with that, but I don't  
21 know. I'm trying to get more out of you from  
22 your perspective.

23 MR. RUMMELL: Well, I think that's a fair  
24 question. And my point was that change is hard,  
25 and structural change like this is just going to

1           be very hard. So before you do what's hard, you  
2           have to do what shouldn't be so hard.

3                   And I think this -- if you buy my strategic  
4           versus operational argument, then let's fix it.  
5           It's not -- it doesn't take -- it doesn't take  
6           a -- turning the world upside down to do that.  
7           It takes some education and some process and  
8           some sort of restructuring of current thinking,  
9           but you don't have to throw the current rascals  
10          out. You don't have to amend something. You  
11          don't have to go through all that. What we've  
12          got to do is a recalibration process of what  
13          we've got.

14                   And my argument is that that's easier than  
15          the food fight we're going to get into if we try  
16          and go through elected versus appointed because  
17          everybody -- everybody's got an opinion and  
18          everybody is ready to fight, and I just -- I  
19          just think that may be -- we may have to go  
20          there, but I think we don't have to go there  
21          yet.

22                   There is a potential -- for two reasons:  
23          One, there's no evidence that it's going to be  
24          any better; and two, we're testing a car that  
25          doesn't run right anyway, so let's get the

1 engine running right, and then let's see if it  
2 can race.

3 MS. KORMAN: Mr. Chairman -- I guess a  
4 follow-up to that is -- and you kind of  
5 mentioned a little bit, but how would you  
6 propose -- I'm not sure what our purview  
7 involved --

8 MR. RUMMELL: I'm not either.

9 MS. KORMAN: -- with the strategic plan or  
10 however -- so I don't -- I want to get your  
11 thoughts on that.

12 And the second question is -- as far as  
13 appointed versus elected, I think we've all  
14 experienced, not on the school board currently,  
15 but other offices where people have run and won  
16 because they're great politicians. They may not  
17 be experts. And I think some of the ideas that  
18 we've come across, that sometimes we need  
19 experts wherever it may be, I mean, you know, as  
20 far as a CFO-type person --

21 MR. RUMMELL: Uh-huh.

22 MS. KORMAN: -- to help out, so that's part  
23 of the appointed versus elected thought because  
24 great people run, but they may not be the right  
25 ones to keep in the seat, so --

1           And then a follow-up about your strategic  
2           plan, how can we do that or -- us as a committee  
3           or us as a city?

4           MR. RUMMELL: Well, the question of how you  
5           get expertise is back to -- and I'm very  
6           hesitant to draw public company analogies  
7           because I understand that public companies and  
8           government aren't the same, but I think at some  
9           levels they are. And I think this whole  
10          structural issue of governance versus  
11          operations, public companies are a very fair  
12          comparison.

13          A well-run public company has a CFO. It  
14          has a competent head of human resources. It has  
15          a competent head of IT. And I'm assuming the  
16          school district has all those now. So if the  
17          school district is structured right -- and if it  
18          isn't, let's fix it, but let's just assume it's  
19          structured right -- then the board should be  
20          allowed to assume that when it gets financial  
21          statements that they're correct, when they get  
22          advice from counsel about a bond issue that it's  
23          correct.

24          So you don't need bond counsel on the  
25          board. What you need are people who have a --

1 broad-thinking skills, who think about the world  
2 in a strategic sense, who have enough cumulative  
3 experience in their background that they can  
4 take that information and process it and deal  
5 with it at that level.

6 The problem is -- the problem is that we  
7 spend too much time second-guessing what we get  
8 and rethinking it as opposed to trusting what's  
9 there. If we don't trust what's there, let's  
10 deal with that issue.

11 MS. KORMAN: So your analogy, if I  
12 understand correctly, is like for a public  
13 company, your board of directors?

14 MR. RUMMELL: Yeah --

15 MS. KORMAN: Your board of directors --

16 MR. RUMMELL: -- that's exactly the  
17 analogy.

18 MS. KORMAN: Okay. So you're thinking the  
19 school board is the board of directors --

20 MR. RUMMELL: The school board should be a  
21 board of directors, and Ed Pratt-Dannals and his  
22 team should be the CEO and the management of  
23 that business, and they should conduct  
24 themselves accordingly as opposed to continually  
25 getting in each other's business.

1           MS. KORMAN: Because I know we have, you  
2 know, JPAC and all these organizations now that  
3 have been formed as a result of trying to  
4 improve education. So maybe that's something  
5 that they can come up with, a way to help figure  
6 out how to create the system you're talking  
7 about.

8           MR. RUMMELL: I mean, I understand your  
9 structure here about how you-all play in the  
10 game, and I don't really know the answer to  
11 this, but -- but this is not rocket science.  
12 This is not nuclear physics. There are  
13 thousands of public companies, and I would argue  
14 also lots of productive public entities that  
15 have figured it out and know how to do it.

16           You said you had a second question which  
17 was strategic planning.

18           MS. KORMAN: You kind of answered -- well,  
19 I wanted to see how you would -- you could get  
20 us to that point, and I know you don't have the  
21 answer --

22           MR. RUMMELL: Well, that's a -- you know,  
23 the school district, to their credit -- to their  
24 credit, the school district has done a strategic  
25 plan, and that's the first time they had ever

1 done that. And they should get -- they should  
2 be celebrated and congratulated for that because  
3 that's an example of functioning at the right  
4 level.

5 The City hasn't done that, to my  
6 knowledge. The City doesn't have something that  
7 we would consider a strategic document.

8 MS. KORMAN: But to get that -- I guess to  
9 get the school board to function the way that  
10 you expressed to us, would that be part of the  
11 education plan? Would that be something from  
12 the mayor? I mean, how -- how are you --

13 MR. RUMMELL: Well, I think the school  
14 board is its own entity, and I think the school  
15 board -- look, I think the current school board,  
16 as I said in my remarks, is the best I've seen  
17 in the 12 years that I've been working with  
18 them, and they're open to ideas. And I think  
19 this is a conversation that we've had with them  
20 anecdotally and on a one-on-one basis, that is  
21 something that they're perfectly capable of  
22 chewing on and dealing with.

23 I don't know that other than -- other than  
24 the mayor highlighting it as a major city issue  
25 that needs to be dealt with, I don't know

1           that -- you know more about the governance  
2           structure than I do, but I don't think the mayor  
3           can reach in and do that other than from a bully  
4           pulpit.

5           But if you buy my premise that education is  
6           the cornerstone of economic development, then it  
7           sure should be on the mayor's list -- on the  
8           mayor's five-year list of things that he thinks  
9           are important to the City, and he should feel --  
10          he should feel free to and welcome to comment on  
11          what he thinks are the issues they have to deal  
12          with.

13          THE CHAIRMAN: Vice Chair O'Brien.

14          MS. O'BRIEN: Thank you.

15          THE CHAIRMAN: Uh-huh.

16          MS. O'BRIEN: One of the comments I have  
17          that I believe is in our area of change that we  
18          can do, in reading the charter, when you read  
19          the qualifications that are required to run for  
20          office -- and it's not just the school board  
21          office but also other offices throughout the  
22          City. But in this case, in regards to the  
23          school board, I believe -- I don't have it right  
24          in front of me, but I believe you have to be 18,  
25          you have to live within a specific geographic

1 area to run for that school district, and that's  
2 basically the qualifications that you need.

3 One thing that I believe that we as a  
4 commission could possibly consider for this, as  
5 well as other positions, would be a broader  
6 qualification base to try to get some of that  
7 strategic thinking, that broad view, systematic  
8 approach to things so that they are looking at  
9 it from a board of directors type position as  
10 opposed to being involved in the daily  
11 operations.

12 You know, I like the idea initially just in  
13 speaking of a hybrid because you can  
14 automatically -- well, not automatically, but  
15 you can introduce the idea of that expertise  
16 into it. But I think that we could look, again,  
17 at our charter -- and that's an issue of whether  
18 it's appointed or elected, it really doesn't  
19 matter -- that we can look at adjusting the  
20 qualifications and strengthening qualifications  
21 because right now all you have to do is be  
22 alive, be 18, and live in a certain area and be  
23 willing to run.

24 MR. RUMMELL: I think that would be  
25 terrific. I don't -- I'll leave it to you to

1 figure out how to do it, but that's a . . .

2 THE CHAIRMAN: Commissioner Catlett.

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

4 First, I want to say that was a very well  
5 thought out and, I think, great presentation.

6 MR. RUMMELL: Thank you.

7 MR. CATLETT: I mean, I really do.

8 It appears that we're -- if I've got it  
9 right, that what you're saying is they need a  
10 clarification of roles between the  
11 administration and the school board, and that  
12 great cities with great school systems have  
13 managed to accomplish that as a fundamental  
14 building block.

15 And we have a great school board here, and  
16 we have a great administration. So who -- two  
17 questions, who and how should they go about  
18 clarifying those roles? And then the second  
19 thing is, who sets the agenda?

20 MR. RUMMELL: Well, the -- I think those  
21 are good, practical questions, and I -- and I  
22 think the challenge should go to the school  
23 board to deal with this conversation. They can  
24 say, "Rummell, you're an idiot. I disagree with  
25 you, and here are the five reasons why." That

1 would be -- that's one approach. And maybe --  
2 and maybe they're right, but the --

3 What I'm trying to do here is slightly  
4 raise the level of discourse and get everybody  
5 out of this thinking that there's a silver  
6 bullet because there's no evidence anywhere that  
7 there's a silver bullet, and I'm concerned that  
8 we're just rearranging the deck chairs.

9 So my first goal is to try and dismiss this  
10 as a solution because I don't think it is. I  
11 would much rather deal with the existing system  
12 and work with some help -- there are -- you  
13 know, there are people who do this for a  
14 living. There are good consultants and bad  
15 consultants, and there are people who understand  
16 how to do this. And I would encourage them to  
17 reach out, to think about that, and -- you know,  
18 physician heal thyself is the first watch word  
19 for anything like this. So I think they're --  
20 they should be perfectly capable of taking on  
21 this task, and I sure wouldn't go anyplace else  
22 until they have a shot at it.

23 There was a second piece to your question,  
24 and I lost it.

25 MR. CATLETT: Who sets the agenda?

1 MR. RUMMELL: Oh, I'm --

2 MR. CATLETT: Sorry.

3 MR. RUMMELL: Well, the -- that's like who  
4 sets the agenda for a public company? You know,  
5 the board of directors sets the agenda for a  
6 public company.

7 What you-all have is a bully pulpit. What  
8 the mayor has is a bully pulpit. And there's --  
9 so what I'm encouraging here is a way to think  
10 about these challenges in a way that puts the  
11 board of directors -- the shareholders want  
12 results, they want more earnings per share, they  
13 want revenue growth, they want earnings growth,  
14 they want diversification, whatever it is. And  
15 I think the shareholders have a right to demand  
16 that, so we've got to figure out a way -- and  
17 maybe there's a way you can do that here.

18 We've got to figure out a way to get the  
19 board to respond to that. Now, there's a risk  
20 that the board will come back and say, "Look,  
21 we're already doing that. You don't  
22 understand." Well, if that's their answer, then  
23 they need to explain why they're already doing  
24 it and why there's not a need for some of this  
25 more structural change.

1           So I -- I mean, I think it's a fair  
2           question to challenge them with. And they're a  
3           public agency, and so the voters -- the  
4           shareholders can do that.

5           THE CHAIRMAN: Commissioner Youngblood.

6           MR. YOUNGBLOOD: Mr. Rummell, thank you so  
7           much for being here.

8           You're a breath of fresh air to hear from  
9           the business community and with the service  
10          you've provided at St. Joe and all that you have  
11          done in your past.

12          You made mention of small government. I'm  
13          like-minded, a kindred spirit here. What do you  
14          recommend that we look at in particular, and  
15          have you studied the charter in-depth well  
16          enough to make the -- a decision on, would  
17          reduce the size of government that we can look  
18          at? Because this is an ongoing monster that we  
19          continue to feed. And I don't say throw them  
20          all out, as you've said, but what do you see  
21          within the charter --

22          For instance, I look at Article II, which  
23          is the general and urban services district.  
24          That has been used as the ability to pull money  
25          out of the City budget and be wasted in areas

1           that -- that's not our responsibility to spend  
2           the tax dollars on, and it's something that's  
3           within our purview.

4           Someone that's managed a company that  
5           rivals the size of our city and handled budgets  
6           the size of our city, I think you could speak to  
7           those issues. How do you we reduce government  
8           and reduce some of the spending that we see and  
9           how does it affect us and how can we make  
10          changes within our charter to do so? Have you  
11          studied it well enough to make a determination  
12          there?

13          MR. RUMMELL: No, I have -- and I want to  
14          be careful not to wing it here. I don't -- you  
15          have -- you're asking me to go beyond my studied  
16          area of expertise. I may have opinions about  
17          small government versus large government, like  
18          anybody does, but I don't feel confident to  
19          really comment on that at the level of detail  
20          you're asking for.

21          MR. YOUNGBLOOD: Okay. It's an issue that  
22          is overwhelming to all of us, and we really --

23          MR. RUMMELL: Sure. It's huge.

24          MR. YOUNGBLOOD: We picked a few issues  
25          that we really think we can effectuate change,

1 but it's been very difficult to really weigh in  
2 on it. And you're one of the few that we have  
3 heard from in the business community versus  
4 those that have been elected or appointed or  
5 political officials that have political agendas  
6 behind the scene.

7 So, again, you're a breath of fresh air.  
8 Thank you for your comments. And any ideas that  
9 you may have, if you would e-mail us and let us  
10 know if there's issues that you do understand  
11 that you could bring to our attention that we  
12 could effectuate change within our charter, I  
13 would appreciate it.

14 MR. RUMMELL: The one thing I would  
15 encourage is that you have a -- you have a  
16 once-in-a-decade mandate to -- to think about  
17 things, and I would -- I would encourage you not  
18 to think small, that -- that there are --  
19 because there's a risk of falling into the same  
20 trap I was talking about, about worrying about  
21 the sort of feel-good opportunity to fix this or  
22 fix that or turn the dial ten degrees on this.  
23 I think the mandate of an entity like this is to  
24 take a very broad view and a systemic view about  
25 what works and what doesn't work.

1           And my point in my opening remarks is that  
2           we're dealing in a very different world than a  
3           lot of this stuff we're structured to deal  
4           with. You know, I -- you know, I don't know if  
5           19 is the right number of people to represent at  
6           City Council, but I don't know when the last  
7           time somebody really thought about that in a  
8           thoughtful strategic way.

9           And I'm -- it may be perfect. I don't  
10          know. But that's a good example of something  
11          that is fundamental to how this City works that  
12          probably should be questioned every once in a  
13          while. And it's hard to do and it's complicated  
14          and nobody wants to go there and you're going to  
15          make probably all 19 mad, but somebody has an  
16          obligation to do it.

17          MR. YOUNGBLOOD: If I could, Mr. Chairman,  
18          to simplify some of what you have explained  
19          and -- leave the current structure alone, but  
20          hold greater accountability to those who are  
21          currently serving within the structure --

22          MR. RUMMELL: Get their roles -- get their  
23          roles aligned so the people are doing what  
24          they're supposed to be doing as opposed to  
25          what's easy.

1           MR. YOUNGBLOOD: Okay. You said you like  
2           the current management structure that's in  
3           place.

4           MR. RUMMELL: Uh-huh.

5           MR. YOUNGBLOOD: And then those elected  
6           officials who then in turn control those  
7           management structures, where do you see some  
8           change, for instance, on the school board? What  
9           should those school board members be looking at  
10          with management?

11          You seem to like the current management and  
12          like the current school board. What in  
13          particular within the charter could we  
14          effectuate change on that management skill set  
15          to better help them? Let's give them some  
16          resources to better manage.

17          MR. RUMMELL: I'm not sure -- I'm not sure  
18          that it is -- and I thought about that when I  
19          was preparing these remarks. I'm not sure that  
20          the questions are -- at least based on my  
21          theory, I'm not sure that they are structural  
22          problems.

23          What I'm trying to do is get you to not do  
24          something structural that may just be  
25          rearranging the deck chairs. So my whole point

1           here is that the problem may not be structural,  
2           and let's not throw the baby out with the bath  
3           water here.

4                   And before you go through what I think  
5           would be the very complicated process of trying  
6           to make that structural change, let's get --  
7           let's challenge ourselves to do what we're  
8           currently organized to do properly and see what  
9           kind of difference that makes over some  
10          reasonable length of time, not six months, but  
11          not six years.

12                   And if it doesn't work, if we -- if we get  
13          ourselves to the point with the existing  
14          structure where we think we're dealing with it  
15          properly and we're -- and we've still got the  
16          same problems we've got, then maybe it's time to  
17          look at it. But I think it's not -- I think  
18          we're rushing to judgment on structure because  
19          it's -- because in some senses it's easier than  
20          the hard work of trying to figure out how to  
21          manage a company.

22                   MR. YOUNGBLOOD: And are you interested in  
23          running for mayor?

24                   Thank you for your comments.

25                   THE CHAIRMAN: Commissioner Miller.

1 MS. MILLER: Thank you.

2 Through the Chair, one follow-up. You  
3 have -- I appreciate your comments.

4 In your opinion, and if you know, who --  
5 what county, city, country has the very best in  
6 public education governance structure --

7 MR. RUMMELL: You know that's a great  
8 question, and I have --

9 MS. MILLER: -- along with the definitions?

10 MR. RUMMELL: I have -- any success I've  
11 had in my business career has been based on a  
12 very simple motto and that is, "Never invent  
13 when you can steal." And I firmly believe that  
14 in any context.

15 So if you look at the State of Florida, the  
16 one that gets the highest marks from anybody and  
17 just got \$100 million from Bill Gates because of  
18 that is Hillsborough County.

19 Now, whether they are the model of  
20 governance efficiency, I don't know, but they  
21 have numbers that are better than anybody in the  
22 state and would be worth looking at.

23 There is -- there are reams and reams of  
24 data from all of the acronym-laden associations  
25 that the school board and management know about

1           that study that question, and I think it would  
2           not be hard to go find examples of people who  
3           have fixed the problem, who have dealt with it  
4           and are -- whether it be the Gates Foundation or  
5           the Broad Institute or somebody else, these  
6           organizations get graded and looked at all the  
7           time, and there are clear examples of people who  
8           do it better than others. And that would be the  
9           first place I would go.

10           And so let's at least avoid the old  
11           mistakes. If we're going to make mistakes,  
12           let's make new ones. And if we can eliminate  
13           the six that somebody else made in getting here,  
14           let's at least benefit from that.

15           That's why I think it's a smart question.

16           THE CHAIRMAN: Commissioners, I have nobody  
17           else in the queue.

18           Any other comments or questions for  
19           Mr. Rummell?

20           COMMISSION MEMBERS: (No response.)

21           THE CHAIRMAN: Okay. Wait.  
22           Commissioner Korman.

23           MS. KORMAN: Can we get a copy of your  
24           speech?

25           MR. RUMMELL: Sure. Let me -- I'll clean

1           it up and send it to Wyman.

2           THE CHAIRMAN: I'll send it to Mr. Clements  
3           for dissemination.

4           MS. KORMAN: He said there's a transcript,  
5           so no worries.

6           THE CHAIRMAN: Right.

7           MR. RUMMELL: Okay.

8           THE CHAIRMAN: Okay. Mr. Rummell, thank  
9           you very much for your time and your  
10          thoughtfulness. We really appreciate it.

11          MR. RUMMELL: Thank you all for what you're  
12          doing. This is a complicated task, and you're  
13          to be congratulated for spending the time.

14          On behalf of everybody, thank you.

15          THE CHAIRMAN: Thank you.

16          Our next speaker will be former  
17          Mayor Jake Godbold, the man who needs no  
18          introduction.

19          (Mr. Godbold approaches the podium.)

20          THE CHAIRMAN: Good morning, Mr. Mayor.

21          MR. GODBOLD: Jake Godbold, former mayor,  
22          city of Jacksonville.

23          Anything else that I need to give you?

24          THE CHAIRMAN: Our court reporter will  
25          swear you in.

1 MR. GODBOLD: Okay.

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

4 MR. GODBOLD: (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. GODBOLD: I didn't hear a damn thing  
10 you said, but yes.

11 THE CHAIRMAN: Take it away.

12 MR. GODBOLD: Thank you.

13 THE CHAIRMAN: Fasten your seat belts.

14 MR. GODBOLD: Let me say just a few things,  
15 then I'll read my statement, and then I'd like  
16 to answer questions or whatever I may do.

17 Many years ago, I worked for Independent  
18 Life. Mr. Bryant, who was president of  
19 Independent Life, felt that his employees needed  
20 to be involved, involved in the community, and  
21 he believed that his management could do a good  
22 job in the free enterprise system and also serve  
23 the community. So he encouraged me to be in the  
24 Jaycees as a young man and supported me in that  
25 and also supported me in my management at

1 Independent. He gave me an opportunity to  
2 serve, and also he gave me an opportunity to  
3 work. And for that, I was always grateful.

4 He then encouraged me to run for the  
5 City Council, and I did. In the old  
6 City Council, which had -- prior to when I ran,  
7 we had a lot of problems. We went and ran. It  
8 had a nine-man City Council, City Commission,  
9 County Commissioners, a mayor, a school board  
10 double taxes. We had a county tax, city taxes,  
11 two different fire departments, two different  
12 police departments. So I had an opportunity to  
13 spend two years there when Hans ran for mayor  
14 and I ran for council. We spent two years on  
15 that government, and then consolidated  
16 government was voted in. So Hans and I had a  
17 chance to spend two years there on the old  
18 council, and then I was elected --

19 Mr. Bryant encouraged me to run for  
20 councilman at-large. I ran countywide and was  
21 elected, and I served on two councils at one  
22 time, a very difficult job that could not have  
23 been done without the support of that  
24 corporation I was working for.

25 We had a chance to form a new government

1           and at the same time run an old government. So  
2           we would meet in one room doing the government  
3           business of the present government and then  
4           leave that room and go into another room and do  
5           the business of forming a new consolidated  
6           government.

7                     And we went through some -- two years of a  
8           hard time doing that, trying to do -- trying to  
9           make a living, trying to be a father, trying to  
10          run a business, and trying to also run two  
11          governments. Hard enough to run one.

12                    Then I spent eight years in consolidated  
13          government, and then my constituents elected me  
14          as president twice for the last time. They knew  
15          that I would be the mayor in six months. So  
16          they knew they were electing me as president of  
17          the council, but they were also electing me as  
18          mayor because I was going to take Hans Tanzler's  
19          place because he had already stated he was going  
20          to run for governor, so I had to fill his term.

21                    I had no ambition to be mayor, but after  
22          getting there, starting some programs and doing  
23          some things, we ran. So then I spent eight and  
24          a half years as mayor. So I had about 22 years  
25          as mayor and about 40 years of running my own

1 business in the chemical and janitorial  
2 business. So I've had an opportunity to serve  
3 both.

4 I know most of you on this board, and I  
5 know most of you have never been in government  
6 as mayors, councilmen, school board members, and  
7 other people, and you will never know until  
8 you're there.

9 After spending 14 years on the City  
10 Council, I thought that I knew how to run a  
11 government when I went up to be mayor, but oh,  
12 how wrong I was. It did not -- it helped me,  
13 and it helped me to know how to compromise, to  
14 give and take. No matter how great or how  
15 ambitious or how right the legislation is,  
16 without ten votes, you've got nothing.

17 You talk about micromanaging. Let me tell  
18 you who micromanages, the state legislature, who  
19 has no business involved in city everyday  
20 business, but they do. And that's the reason  
21 we're in the financial -- part of the reason  
22 we're in the financial problem we're in today  
23 and the problems that Mayor Peyton had to go  
24 through because the Speaker of the House wanted  
25 to micromanage how we should raise our funds to

1 run government.

2 The federal government micromanages. How  
3 many grants do you make a living off of because  
4 the federal government sets it up, but then they  
5 tell you how to run it? They pass air bills,  
6 water bills, transportation bills, children  
7 bills, housing bills, and then they tell local  
8 governments how to run it. So don't sit here  
9 and tell me that, "Well, the school board  
10 shouldn't micromanage."

11 Most of what the school board does as  
12 far as following the law is what the State tells  
13 them to do. And the very bill that this  
14 gentleman sat here and talked about that y'all  
15 were criticizing, they were only following the  
16 federal -- the state law. It wasn't something  
17 they micromanaged. It was something that they  
18 had to go do because the State said, "This is  
19 the law." Nothing to do with micromanaging, it  
20 had a hell of a lot to do with what the State  
21 passed at legislation.

22 So you were wrong on that. They didn't  
23 micromanage; they followed the law. Now, you  
24 may not like the law. If you don't, go to the  
25 State and change it. But they didn't

1 micromanage. And people come up here and lead  
2 you to believe that they do this and they do  
3 that, that's because they haven't been here.  
4 They haven't been down that road before.

5 I would like to ask you as an executive --  
6 most of you run businesses, in businesses -- how  
7 would you like to go to your office every  
8 morning and find Ronald Littlepage sitting  
9 there? That would be bad enough, but then Ron  
10 would be in your mail before you opened it up,  
11 going through, reading your mail.

12 How would you like for him to go with you  
13 every day, sleep in the bedroom next to you,  
14 follow you to lunch, follow you to dinner,  
15 follow you to every meeting you go? He has  
16 that -- that's Government in the Sunshine. You  
17 don't have to work with it, but the school board  
18 does and the mayor does and the council does and  
19 maybe some of you that have government jobs do.

20 How would you like to work with unions and  
21 civil service?

22 Micromanage? Micromanage.

23 That's what a mayor has to tend with every  
24 day. He has to deal with 19 councilmen. He has  
25 to deal with unions. He has to deal with the

1 Civil Service Board on top of that. He has to  
2 deal with the legislature and their rules and  
3 laws and their micromanaging. He has to deal  
4 with the Congress and the Senate and their  
5 micromanage [sic] and still please the public  
6 who put him or her there to start with.

7 It's a tough job, ladies and gentlemen,  
8 whether it's a school board job or the sheriff's  
9 job or the other -- any of the other elected  
10 officials.

11 "For many weeks now" -- and this is a  
12 letter to the editor that I sent yesterday --  
13 today:

14 "For many weeks now, a group of  
15 well-intended citizens" -- you -- "have been  
16 meeting regularly to review the city  
17 consolidated charter with a mission of making  
18 recommendations for changes. It is  
19 understandable, and I certainly understand it,  
20 that the members of this Charter Revision  
21 Commission appear eager and ambitious to  
22 recommend changes, both large and small  
23 changes."

24 I think there are interest -- interested  
25 investment of time that you've committed to this

1           thing, a great deal of time and effort, and you  
2           should be commended, each one of you, and I mean  
3           it, not from these words, but from my heart. I  
4           know what you're going through and the hours you  
5           have spent here, listening to your questions  
6           this morning, reading about you every day in the  
7           paper and what you're doing and keeping up with  
8           that. However, I would like to caution you to  
9           temper some of your energies with caution,  
10          understanding.

11                 Some of you have the background that I know  
12           of, and maybe all of you, but some of you I know  
13           personally who have been there. I say, go with  
14           caution. This is particularly true when it  
15           comes to proposed sweeping changes that would  
16           remove voters' opportunity to elect the sheriff  
17           and members of the school board. Go very, very  
18           careful because you're messing with dynamite.  
19           You're fixing to open a can of worms that's  
20           going to bite you because the people aren't  
21           ready for this.

22                 I was a member of the City -- well, I said  
23           that before.

24                 During the period of my service and other  
25           ways since then, I've worked closely with every

1           sheriff we've had from Dale Carson to John  
2           Rutherford. Every sheriff has been an  
3           experienced and a high-quality professional, and  
4           each has served this city very well and with  
5           integrity and honesty. And they were elected by  
6           the constituents here in Duval County, each one  
7           of them.

8                     One of these, Sheriff Nat Glover, is an  
9           Afro-American whose countywide election in 1995  
10          was the high watermark in the history of this  
11          city, which I have lived in all my life. I  
12          can -- I could easily state here that if we had  
13          a system of a mayor appointment, Nat Glover  
14          would have never served as sheriff. You think  
15          about that.

16                    While it's important to the sheriff and the  
17          mayor to work closely as partners for the public  
18          safety, I believe it will be a big mistake to  
19          exchange the opportunity for voters to elect our  
20          sheriff for a political appointment of the  
21          mayor. I think that would be a mistake, to  
22          change the mayor to appoint the sheriff and take  
23          it away from the public and do not give them an  
24          opportunity to elect their sheriff.

25                    I've seen some appointed chiefs of police

1 running the public through this park right  
2 across the street with billy clubs. It was a  
3 black day for Jacksonville, but these were  
4 appointed by the mayor.

5 The same is true of removing our ability to  
6 elect school board members. A school board  
7 whose members are appointed by the mayor would  
8 become just another independent -- isolated,  
9 independent authority. That's all it would be.

10 A school board appointed by the mayor would  
11 become an independent authority, like the Port  
12 Authority, the Aviation Authority, the  
13 Jacksonville Electrical Authority whose members  
14 are absolutely unknown to most citizens with no  
15 accountability to the citizens of Jacksonville,  
16 but that's what your school board would be  
17 like.

18 If there are -- if there is anyplace where  
19 we need citizens involvement, it's in our public  
20 school system. Let me say that again. If  
21 there's anyplace that we need more -- that's one  
22 of the problems we have now. There's not  
23 any "F" schools. There's a lot of "F" parents  
24 that don't prepare their children to go out and  
25 sit in those classrooms, and that's the problem

1 the school board has.

2 Look at the schools that are  
3 disaccredited. Look at the problems within that  
4 school, the juvenile delinquency. One of the  
5 schools I went to and graduated from, Andrew  
6 Jackson, disaccredited or right there at it,  
7 about to be closed down. That's a parent  
8 problem.

9 They're teaching -- they're better prepared  
10 out there. They have more rules and more  
11 regulations. I don't know if I would have ever  
12 got out of there if you had to go through what  
13 you go through now.

14 Not a school board problem, it's a parent  
15 problem. It's the delinquency problem. The  
16 school board now is facing problems that no  
17 school board has ever had to deal with in the  
18 past and I think doing a darn good job.

19 I'm very much in favor of a strong,  
20 consolidated government. As the mayor goes  
21 so goes its government. If you elect a weak  
22 government -- a weak mayor in this strong  
23 structure of a mayor government -- because the  
24 greatest thing about consolidation is the strong  
25 mayor, but you're in a hell of a mess if you

1           elect a weak mayor, and you don't know who's  
2           going to be that mayor from time to time.

3                       Sometimes -- Preston Haskell told me one  
4           day, "We need two things to get a good mayor.  
5           First of all, we must find somebody that can be  
6           elected. "And then after we" -- what I'm  
7           saying, you may have the best candidate in the  
8           world. He may be silk stockings. He may be  
9           from Ortega. He may be so bright, just come out  
10          of Harvard Business School, but you can't get  
11          him elected. For one, he don't want to be  
12          elected because he don't want to go through that  
13          crap. He's not -- you ask this guy, "Hey, you  
14          want to be mayor?" He don't want to be mayor,  
15          but he would like to know the guy that wants to  
16          be mayor.

17                      That's the problem with the school board.  
18          The idea was, when we set up the school board  
19          system, that all of these people were going to  
20          come out and offer theirselves. They don't -- the  
21          problem that you have right now -- there are  
22          some sincere, honest people that have come to  
23          you with proposals on appointing the school  
24          board. They feel like it would be -- and some  
25          of them are very sincere, no motive behind it.

1 But that's what I mean when I say, "Be careful  
2 of some of these people."

3 Not all of them, but some of these people  
4 have a special interest there. It's not a  
5 special interest for the public or for the  
6 school system. It's that they would love to run  
7 that big budget. It's that they would love to  
8 take the influence.

9 I've had them, ladies and gentlemen. I've  
10 had people that's come to me that wanted to  
11 serve on the JEA, the JTA. And, you know, most  
12 people want to serve -- you know what is the  
13 most two popular boards? The Port Authority.  
14 You know why? You get to travel all over the  
15 world on the taxpayers' money. People line up  
16 to serve on that board. You used to have to beg  
17 people to serve on the Transportation  
18 Authority.

19 I'm telling you, there's people that would  
20 love to serve on the school board if the mayor  
21 will appoint them, but they don't want to answer  
22 to the public. They don't want to be an elected  
23 official, and that is wrong. I think that the  
24 public will never stand still for that. They  
25 want to elect their school board, and you know

1           it, don't you? I know you do.

2           You're fixing to open up a can of worms.  
3           It's going to be a war if you put that on the  
4           ballot. I'm not against putting it on the  
5           ballot.

6           Peyton called me right after he spoke to  
7           y'all and said, Oh, my God, I don't know what I  
8           did. And I said, Well what did you do? He  
9           said, I went down there and talked about having  
10          the school board appointed, but I really didn't  
11          mean it. I just think it should be up for  
12          discussion.

13          Do you know why John believes it's up for  
14          discussion? Because a lot of silk stocking  
15          people went in and told him that, "We need to  
16          have an appointed school board." I don't  
17          believe -- I'm not speaking for John, but in my  
18          mind -- I'm speaking for me. But in my mind, I  
19          don't think he's really sincerely -- like he  
20          told me, I'll be gone. I won't be involved in  
21          this.

22          I don't think he's compassionate about an  
23          appointed school board or appointed sheriff, but  
24          I think some people that are convinced him to do  
25          it.

1           Another thing I'm concerned about is a few  
2           letters you've got lately, most of them sincere,  
3           most of them interested in a good sheriff and a  
4           good school board. But there's a few of them in  
5           there that disturbs me that sound very, very  
6           close to being elitist, especially when you  
7           start questioning the education and the  
8           background of your school board members, which  
9           some of these letters did.

10           What are these people saying? Are they  
11           saying to you, I think that only people that  
12           ought to be allowed to serve on these boards  
13           should be somebody that graduated from Harvard  
14           or some guy that runs a billion-dollar  
15           corporation? Those are the same people that  
16           come in my office and tried to convince me to  
17           build a floating, floating nuclear power plant.  
18           There wasn't any such thing.

19           So I'm a little skeptical about some of  
20           these. Look at both sides of the issue before  
21           you jump on these things, that's all I'm  
22           saying. There's some people that's very honest,  
23           very sincere.

24           You know, one of the greatest things I did  
25           when I was mayor -- and people say help bringing

1 the Jaguars in here, downtown development, the  
2 coliseum -- I mean, the convention center, the  
3 riverwalk, Metropolitan Park, bringing in 179  
4 new corporations. "The billion dollar decade"  
5 they called it. No. The best thing I did was  
6 the partnership that I developed between the  
7 private and public enterprise, bringing them  
8 together.

9 And that's what you need in the school  
10 board. You need the mayor to work with the  
11 school board and the school superintendent. He  
12 needs to be more involved, which he has not been  
13 in the past. He doesn't need to say, "Well,  
14 you've got an elected school board over there."  
15 The mayor needs to be involved and is involved.

16 When I was mayor, I worked with eight  
17 different sheriffs, and I kicked their ass when  
18 I didn't think that budget was right. I didn't  
19 whine and cry about it. I set the budget. If  
20 the sheriff didn't like the budget, then I  
21 called him in with his financial people and my  
22 financial people and we negotiated for weeks,  
23 months, and we came up with a budget, but it  
24 would be my budget.

25 He didn't leave there with everything he

1           wanted.  Maybe I didn't leave there with  
2           everything I wanted to cut out, but it was  
3           something the public could live with.  And  
4           that's the way it should be done now.

5           The mayor has the right now to control the  
6           sheriff's budget.  If the sheriff doesn't like  
7           it -- the sheriff brings the budget over to me.  
8           I go over it with my financial people and legal  
9           people.  We come up with what we think we can  
10          live with and what the taxpayers can live with.  
11          And if I don't think I could live with his  
12          budget, then I rewrite it, and then I send it  
13          down to the council.  Then I go down there and  
14          get ten votes or the sheriff goes down there and  
15          gets ten votes, and then that becomes the  
16          budget.  That's a very good system.  And we have  
17          hearings all the way down, and we have a lot of  
18          input.

19          You don't have to throw the baby out with  
20          the bath water.  You don't have to throw the  
21          sheriff out because the mayor doesn't think he  
22          can control the budget.  That's just absolutely  
23          wrong, ladies and gentlemen.

24          I controlled that budget for the eight  
25          years I was up there, and I would be ashamed to

1 tell the public I didn't. I wouldn't be a very  
2 strong mayor if I went to the press and told  
3 them that, "I can't control that damn sheriff."  
4 What kind of mayor am I? This is a strong mayor  
5 government, supposed to be. But if you elect a  
6 wimp, you're going to have a mess on your  
7 hands.

8 I get carried away.

9 Let me just read you this last part and  
10 close it out:

11 If there is anyplace where we need citizens  
12 involvement, it is in our public school system.  
13 We need more interest, not less. We need more  
14 citizens input, not less. We need more  
15 accessibility to policymakers and more  
16 accountability to the parents and the citizens  
17 of Jacksonville, Florida.

18 What we need is a strong working  
19 partnership between the school superintendent  
20 and the board and with the mayor that  
21 strengthens education for our children to create  
22 economic opportunities for theirselves and for  
23 Jacksonville.

24 As the Charter Revision Commission moves  
25 forward in -- this year, I hope its members will

1 show the same wisdom and strength that was  
2 applied by this organization who first wrote  
3 this city charter. They knew what they were  
4 doing.

5 And as far as the changes that's happened  
6 in the last 30 years, we either go forward, we  
7 either go backwards, but we never stand still.

8 Everything that's old doesn't mean it's not  
9 good. Everything that's 10 or 20 years doesn't  
10 mean necessarily that it should be a change.  
11 The charter has served us pretty well. It's not  
12 perfect and there needs to be change, but if you  
13 look at the consolidated charter, it's a strong  
14 form of government and it's worked very, very  
15 good, in my opinion. And I've been there as a  
16 legislator and as an administrator.

17 By the way, the constitution has been  
18 around a while too. I think it may have been  
19 amended 20 times or 25 times. It's been here  
20 over 200 years, pretty good document.

21 I guess that's -- pretty well wraps up how  
22 I feel about this type of thing, but I would  
23 like to answer any questions I could.

24 THE CHAIRMAN: Thank you, Mr. Mayor, for  
25 your time and for your thoughts.

1 MR. GODBOLD: Okay.

2 THE CHAIRMAN: I have a follow-up question  
3 for you with respect to your statement that you  
4 can go and get ten votes and the sheriff can go  
5 and get ten votes and whoever gets the ten votes  
6 wins. My question to you is: Why is it a good  
7 thing if the sheriff has the right to go and try  
8 and get ten votes? Why is that system better --

9 MR. GODBOLD: Because he's an elected  
10 sheriff and he was elected by the public and he  
11 has a right to put together a budget, just like  
12 the department heads put together a budget and  
13 submit it to me, then I submit it to the --

14 Now, if the sheriff wasn't a -- had the  
15 opportunity to go to the council, then he  
16 shouldn't be elected, if that's the way you want  
17 it. I don't think that's the way you want it.

18 THE CHAIRMAN: Well, my question to you  
19 is: As the mayor of a strong -- under a strong  
20 mayor form of government, the accountability for  
21 what's best for the City should lie with you.  
22 And so why should you have to argue and fight  
23 politically with another player in the  
24 consolidated structure if you don't think his  
25 budget programs, policies are what's best for

1 the City?

2 MR. GODBOLD: It's not the policy I'm  
3 setting. This is budget.

4 THE CHAIRMAN: But the budget is policy.

5 MR. GODBOLD: And why turn it to the  
6 council? The council holds -- they are the  
7 legislative body that holds the purse strings.

8 Why don't the mayor just have the budget  
9 and don't submit it to the council? If that's  
10 your attitude, then we don't need a City  
11 Council, just let the mayor make the final  
12 decision on everything. No, I don't believe in  
13 that. I believe there should be checks and  
14 balances.

15 THE CHAIRMAN: I do too.

16 MR. GODBOLD: I do too.

17 THE CHAIRMAN: That's the role the council  
18 plays on the mayor.

19 MR. GODBOLD: That's right.

20 THE CHAIRMAN: I think the mayor should be  
21 able to have final authority, though, without  
22 having other players go around him to the  
23 council.

24 When you were talking earlier about  
25 micromanaging by the State, that's exactly the

1 dynamic you're talking about --

2 MR. GODBOLD: See, the department heads --  
3 (Simultaneous speaking.)

4 THE CHAIRMAN: -- (inaudible) and allow  
5 them to try and change the law.

6 MR. GODBOLD: The council has the right to  
7 call the -- any department head over there, and  
8 department heads have the -- if I put a budget  
9 together for my Health Department and I submit  
10 it to the council, if the council wants to speak  
11 to department heads about that health budget,  
12 they have a right to take that budget apart,  
13 change it, move it, and do anything they want to  
14 with it, and that department head has the right  
15 to answer their questions and make his answers  
16 honest and not just go down there and support  
17 the mayor but answer their questions.

18 One time Hans Tanzler thought in his wisdom  
19 that he would cut out mosquito control.  
20 Dr. McGivney (phonetic), who was a United States  
21 General, retired, in the United States Health  
22 Department, was our health officer, and he went  
23 right straight to the council and said, "I'll  
24 resign if you take mosquito control and endanger  
25 the city." They put it back in. I thought that

1           was good policy. I thought McGivney had a right  
2           to go down there and answer those questions, and  
3           he took it on his own to go down there and tell  
4           them how he felt about it.

5           We were getting ready to pass a bill on a  
6           floating nuclear power plant. The City attorney  
7           decided he was going to go against his mayor  
8           because he thought it was wrong, and he went  
9           down to the City Council and said why he thought  
10          it was wrong. And I, as one of the City  
11          Councilmen, agreed with him after hearing the  
12          presentation. I think the government was better  
13          off for it. The public was better off for it.  
14          Thank God he did what he did.

15          Sometimes there's checks and balances, and  
16          there should be. That's what we have this  
17          democracy for. That's why I believe  
18          consolidation works very good. There certainly  
19          can be some changes.

20          Any other questions?

21          THE CHAIRMAN: Yes, quite a few.

22          Vice Chair O'Brien.

23          MS. O'BRIEN: Thank you, Mayor, for joining  
24          us this morning.

25          It certainly sounds like you are a strong

1           proponent of the consolidated government and a  
2           strong mayor --

3           MR. GODBOLD: I am.

4           MS. O'BRIEN: -- form of government.

5           MR. GODBOLD: I am.

6           MS. O'BRIEN: I think it's a privilege for  
7           us to have you here since you, in particular,  
8           went through the consolidation process.

9           It is my understanding that a truly  
10          consolidated government, strong mayor form of  
11          government would not have an elected property  
12          appraiser, an elected supervisor of elections,  
13          an elected supervisor, and the other two  
14          offices -- clerk of courts.

15          MR. GODBOLD: I think that --

16          MS. O'BRIEN: Well, that's not my  
17          question.

18          MR. GODBOLD: And I don't think -- excuse  
19          me, go ahead.

20          MS. O'BRIEN: That's not my question.

21          That's my understanding of a truly  
22          consolidated government.

23          But in 1968, I understand certain  
24          concessions were made in order to pass a  
25          consolidated government, form of government;

1           thus, we still have those elected officers.

2                   What were the conditions then and do those  
3           conditions still stand today?  Would those  
4           concessions still need to be made today or have  
5           times changed since that period?

6                   MR. GODBOLD:  Well, to be very frank with  
7           you -- and I only know one way to do it, and  
8           that's to be honest with you about it.  Some  
9           people may complain about it and my friend  
10          Littlepage may not like it and write something  
11          about it and gets everybody on me, but I'm going  
12          to tell you how I feel.

13                   I believe there's no doubt when we went  
14          into consolidation, a lot of people didn't  
15          understand a strong mayor type of government.  
16          Frankly, the people that were pushing to  
17          consolidate government really thought it was  
18          going to be a very close vote because the black  
19          community had every reason in the world not to  
20          vote for it.  And then you add a few -- you add  
21          a bunch of people in the county, the county  
22          commissioners and others, who didn't want to  
23          lose their job, and other people that didn't  
24          want to lose their job and their constituents,  
25          and it could have been close.

1           That's the very reason we have three --  
2           four -- we have a Baldwin and three beaches down  
3           there. They had no business whatsoever being  
4           out there. They need to be in a consolidated  
5           government. If there would have been any other  
6           time, the legislature knew that that wasn't the  
7           right thing to do, but they did it only because  
8           the beaches -- where in the world would you ever  
9           say, "Yes, I think there ought to be  
10          consolidation, but no, I don't want to be in  
11          it"? They not only had the right to vote for  
12          it, but they had the right to vote against them  
13          being in it but for the people of Jacksonville  
14          being in it. But that deal was made because  
15          they needed that vote at Baldwin and the three  
16          beaches.

17                 Same way with the commissioners, a lot  
18                 of -- a lot of -- a collector -- a tax collector  
19                 that was very popular at that time, he had a lot  
20                 of votes out there, and I think they needed -- I  
21                 wasn't in on that discussion, but at that time  
22                 we all felt like that was the reason they stayed  
23                 in there. I, too, believe that those offices  
24                 should be appointed.

25                 MS. O'BRIEN: Thank you.

1 THE CHAIRMAN: Commissioner Youngblood.

2 MR. YOUNGBLOOD: Mr. Chairman, thank you.

3 Just when I expected more of the same, you  
4 have given a breath of fresh air also.

5 Thank you for your comments.

6 The current structure you were so much a  
7 part of, and you said you dealt with dual  
8 governments, do you see the appointment of any  
9 of the positions of constitutional officers as a  
10 dual government that could create a conflict?

11 It was -- the question was just asked and  
12 you said you did agree with those appointments  
13 of the tax collector and supervisor of  
14 elections, but you're not in agreement for  
15 sheriff and school board. I somewhat echo those  
16 sentiments, but I'd like to know more on why  
17 those two positions you think -- and I guess the  
18 reason I say this -- let me --

19 MR. GODBOLD: I think these are two  
20 positions that really need -- the public feels  
21 real strong about them having a voice, and it's  
22 two governments that control their  
23 neighborhoods, that controls the future of their  
24 kids controls. It controls the educational  
25 system which is so important to their future, to

1           their children's future economically.

2                   And then in the law enforcement area, you  
3           know what it means out there. I don't know --  
4           if we had an appointed sheriff right now with  
5           the problems we've had in crime here lately, I  
6           don't know how -- the sheriff has done an  
7           excellent job of going in those neighborhoods,  
8           being -- not answering to the mayor, but  
9           answering to the public in those neighborhoods  
10          and out in those schools and going and visiting  
11          and talking and keeping those lines of  
12          communication. I don't think it would be that  
13          way.

14                   I think that those two positions are two  
15          that need to be a strong people type of thing,  
16          that the people should decide who is going to  
17          represent them in those areas.

18                   I don't -- I think that -- with the other  
19          two you're talking about, I think it's kind of  
20          like a department head really, you know. It's  
21          sitting over there, and it should be part of  
22          what the mayor is doing there. Collecting  
23          taxes, he sets the taxes. He certainly can  
24          collect them, you know. It's kind of  
25          duplication over there.

1           MR. YOUNGBLOOD: But if he were to want  
2 more money, he could obviously increase taxes  
3 based on having control of that department --

4           MR. GODBOLD: But he could also collect  
5 them.

6           The only reason we took utilities -- and I  
7 was -- years ago I was not necessarily for  
8 making it a small government, but there was a  
9 reason for taking sewer and water, because it's  
10 a utility. And for the history of Jacksonville,  
11 we've -- the City has run and the mayor has run  
12 city and water -- I mean, sewer and water  
13 department. But there was some justification  
14 for taking it and putting it under JEA, under an  
15 authority, because it's a utility, and they were  
16 already running a utility. And I think that's  
17 worked out very well.

18           I had my doubts about it, but I don't like  
19 taking anything away from the mayor because I  
20 believe in a strong mayor on government. But I  
21 think those positions are a little different,  
22 and the public should have a say so in those  
23 two.

24           MR. YOUNGBLOOD: Yeah, I agree with you,  
25 and I like the fact that you continue to bring

1 up the aspect of the public because it's so  
2 often that we forget how long and hard the fight  
3 was for females to vote, for the black community  
4 to vote, and now we want to just say, "Let's  
5 give up that right to vote, and let's appoint  
6 those positions." I'm not saying that we go so  
7 far that we elect a dog catcher, but I do think  
8 the people's involvement is being lost in the  
9 process of appointment.

10 MR. GODBOLD: It's kind of an unnecessary  
11 election there. It could be ran just as well  
12 and better and less costly.

13 MR. YOUNGBLOOD: So on the two issues of  
14 appointment --

15 MR. GODBOLD: If you didn't have -- I don't  
16 think anybody feels real compassionate about  
17 having a -- unless you have a special interest  
18 in it, on appointed.

19 One of my best friends, Lynwood Roberts,  
20 was the tax collector, but I've often told -- I  
21 often told Lynwood, when he was alive, that I  
22 didn't think that that office should be  
23 elected. You know, it's -- but there was a  
24 compromise there. There's no secret about it.

25 MR. YOUNGBLOOD: I think there was times,

1           though, in the current mayor's office and  
2           throughout the state of Florida where there were  
3           issues questioning the way the votes were cast  
4           and the supervisor of elections having the  
5           authority over that elected by the people. When  
6           there's a question, he's accountable directly to  
7           the people regardless of who sits in that seat,  
8           Republican or Democrat, when those questions  
9           come about. Wouldn't that be an issue, have  
10          someone that's accountable to --

11           MR. GODBOLD: Well, it was an issue when  
12          George W. Bush got elected as -- I don't  
13          necessarily think you ought to throw --

14           MR. YOUNGBLOOD: Katherine Harris had a  
15          tough job --

16           MR. GODBOLD: Yeah.

17           MR. YOUNGBLOOD: -- on her hands.

18           MR. GODBOLD: It could happen, but --  
19          unless you have a corrupt mayor, I don't think  
20          that's going to happen.

21           MR. YOUNGBLOOD: You said earlier, though,  
22          based on the mayor's position, if you get a weak  
23          mayor, you're in trouble, hang on.

24           MR. GODBOLD: Being a strong mayor doesn't  
25          mean you're going to be like Chicago or

1 something over there, the governor and the  
2 trouble they have had with their governors.

3 Being a strong mayor doesn't mean that  
4 you're going to do things that are corrupt or  
5 not by the letter of the law on everything. I  
6 mean, we always have those people that may do  
7 that, but I wouldn't -- I don't know a mayor  
8 that would get down and mess with the -- no more  
9 than I have the -- you know, why should I think  
10 that -- one time I ran and I lost by 700 votes,  
11 but I didn't even -- I didn't even think about  
12 the mayor or the city electorate being on the  
13 other guy's side or anything like that.

14 Somewhere there has to be integrity and honesty,  
15 and I guess that's one of the areas. And if you  
16 had that as an elected person -- I guess there's  
17 some say so about, you know, that he could do  
18 the same thing in his election. You know, why  
19 should he be elected and he's overseeing his own  
20 election, you know?

21 MR. YOUNGBLOOD: Thank you for your  
22 passion. Thank you.

23 MR. GODBOLD: Yeah.

24 THE CHAIRMAN: Commissioner Oliveras.

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

1           And Mr. Mayor -- Mr. Chairman, if I can  
2           just take a point of personal privilege for a  
3           moment.

4           Mr. Mayor, I would like to thank you.  
5           Years ago -- 19, 20 years ago, when I was a  
6           rookie police officer working the greater  
7           Oceanway area, I would have occasion to eat  
8           lunch at Toby's restaurant on --

9           MR. GODBOLD: Yeah, I know it very well.

10          MR. OLIVERAS: And you, sir, frequented  
11          that restaurant many times at the same time I  
12          did and my fellow officers, and you would make  
13          it a point to get up from wherever you were  
14          seated and come over and just say hi to us and  
15          thank us for what we did. There were no TV  
16          cameras, no press. It was just us. And I  
17          appreciated that and that has always stuck with  
18          me, and I just want to thank you for it.

19          MR. GODBOLD: We've come a long way.

20          MR. OLIVERAS: Yes, sir. Oceanway has  
21          changed quite a bit.

22          I have a couple of questions for you. One  
23          is the strong mayor. In your mind, in the  
24          current structure we have now, is the strong  
25          mayor model -- is the mayor strong enough where

1 he stands today?

2 MR. GODBOLD: I -- you know, that's the  
3 reason I questioned -- we've given a lot of  
4 power away from the mayor. If we don't watch  
5 out, it won't be a strong mayor government. I  
6 think we've got to be concerned about that.

7 We took -- that's the reason I questioned  
8 whether we should take the sewer and water  
9 department and turn it over to -- if we didn't  
10 have a JEA, I certainly wouldn't have been in  
11 favor of going and letting some private utility  
12 run our sewer and water department.

13 That's the thing about -- when you talk  
14 about -- you know, we hear all the time, "If I'm  
15 elected, I'll run city government like a  
16 business." And I think that goes over -- what  
17 are you laughing about? He knows better.

18 That goes over good with the public, but to  
19 be honest with y'all, you can't do it, you know,  
20 because there's none of you in business that has  
21 to deal with unions and -- a union and a -- you  
22 know, I could say, "Well, let me deal with a  
23 union." But I've got to deal with a union, then  
24 I've got to deal with the Civil Service Board,  
25 you know? And then I got to deal with

1           19 councilmen.

2           Some people have talked about, you know, we  
3           ought to have nine councilmen. I wish we had --  
4           when I was mayor, sometime I wish we had none,  
5           you know. But I don't know how the government  
6           did -- how we decided at that time to go to 19,  
7           but to me, it was a perfect number because I  
8           think -- over in Tennessee, I think there was  
9           36. That must be a heck of a job for a mayor,  
10          you know, to deal with 36 council people.

11          And -- but still you had 19. You have got  
12          to have ten for a majority. It's hard to get  
13          ten. You're certainly not going to get that  
14          little click that may get you in trouble and may  
15          get them in trouble.

16          Now, when you've got seven and all you got  
17          to have is four votes, you know, it's easy to  
18          have some corruption there, or if not  
19          corruption, some special interests we'll call  
20          it. But I think we were in the charter when  
21          they put it together, the 19. As a former  
22          mayor, I believe that was a great number.

23          I also believe that the five at-large was a  
24          great thought because the mayor -- the mayor  
25          really needs to have somebody sitting on the

1 council that is not so parochial that it's not  
2 just looking for the Oceanway district or  
3 looking out for the -- down to the Southside  
4 district.

5 And you can't blame a councilman for  
6 representing his district, but sometimes that  
7 councilman has to come out of that mentality and  
8 look at the overall picture of what's best for  
9 all of Duval County. But believe me, ladies and  
10 gentlemen, it's very hard for a district  
11 councilman to do that.

12 Now, it's suicidal for an at-large  
13 councilman not to do that. If he's elected --  
14 he or she is elected at-large, he's got to kind  
15 of -- he or she has to -- that councilperson has  
16 to kind of look at it -- when the mayor gets  
17 them in his office and he says, "Mr. Councilman,  
18 you know, you're elected in the same areas I'm  
19 elected in, and let me tell you what's happening  
20 over here in Southside. Let me tell you what's  
21 happening over here." "Well, my constituents  
22 out here on the Northside, they don't  
23 necessarily like that and don't care, and they  
24 think you're spending too much money down  
25 here."

1           It's like downtown development, downtown  
2           don't have any constituency. That's why it's so  
3           hard to get budgets for it. That's why it's so  
4           hard to -- you've got to -- I used to say, "All  
5           I do is go around" -- people say, "All you do is  
6           go around and beat those damned old drums for  
7           downtown." Well, there's 70,000 people work  
8           down here. If they -- you don't have this  
9           payroll and this tax base, somebody is going  
10          to -- if you lose this tax base and you lose  
11          this payroll, somebody's going to have to pick  
12          up the taxes, and it's going to be all out there  
13          on you people that live in the county.

14                 So you -- others -- I've seen other cities  
15          go to a no-man's-land downtown. Instead of it  
16          being taxpayers, it becomes tax receivers.  
17          You're having to subsidize uptowns. You're  
18          having to have twice the police force in  
19          downtown than you do out here. You can't go in  
20          there without dogs and shotguns to put a fire  
21          out, and that's not good for your reputation,  
22          for economic development, and everything else.  
23          So you have to take those things into  
24          consideration.

25                 I think I got off the track a little bit.

1 MR. OLIVERAS: I don't mind, Mr. Mayor.

2 MR. GODBOLD: All right.

3 MR. OLIVERAS: So would you contend that  
4 we're in the ballpark with where the mayor needs  
5 to be as a strong mayor or --

6 MR. GODBOLD: Yeah. I think we got to be  
7 very careful with it, though. I think the  
8 legislature last year -- I don't know the  
9 candidate for governor, Ruben, but I think he  
10 was wrong. I think he was playing politics with  
11 the old idea that you could -- you know, most of  
12 the public, very frankly -- the attitude of  
13 people today is, "I want it all, and I want it  
14 right now." And we don't have the money to do  
15 it all and do it right now.

16 And everybody wants -- I mean, so many  
17 people, our mentality is, I want that new park.  
18 I want that -- I want Main Street paved. I want  
19 new -- my people don't have any place to launch  
20 boats and everything else, but they think you  
21 ought to be able to do it with no new taxes.

22 The fact of the matter is we are the lowest  
23 tax city probably in the country maybe. We're  
24 certainly the lowest tax city in the state. But  
25 it's very hard to convince people of that, and

1           it's very hard for them to understand it in an  
2           economy like we've got.

3                     But it's not only when the economy is like  
4           this. They don't like it any time, you know,  
5           and sometimes you just have the backbone and  
6           whatever else you want to call it to -- to go  
7           and raise those taxes when they need to be  
8           raised to increase those taxes. But the mayor  
9           has got to have the courage.

10                    You know, Jacob Bryant once told me when I  
11           went on the council, he said, "Jake, the one  
12           thing you can do -- the biggest mistake you can  
13           be is to try to please everybody. If you want  
14           to guarantee failure in your mayor's seat, if  
15           you want to guarantee you're going to be a  
16           failure, you try to always please everybody."

17                    And I know a personal friend of mine that  
18           was mayor, and that's what he tried to do. He  
19           tried to please everybody, you know. I'm going  
20           to cut the taxes every year. I'm going to cut  
21           the taxes. He was trying to please everybody,  
22           but some day, sometime, somewhere, one strong  
23           mayor is going to have to stand up and say,  
24           "We've got to do this," and have the encourage  
25           to put his next election aside and say, "You may

1 not elect me, but we've got to take care of  
2 these problems, you know," whether it be the  
3 schools or whether it be roads or sewers or  
4 whatever.

5 Sometimes you just have to do -- the worst  
6 thing about government is people that care more  
7 about being elected than they do in doing a good  
8 job. When you start putting your reelection  
9 before your -- and that's how you make your  
10 decisions, you just become an old politician  
11 then, and you don't ever get anything done, you  
12 know. You've got to do, do, do, and don't worry  
13 about being elected. And the worst thing we  
14 ever did was to hire people like McCormick and  
15 people to start doing those polls for us all the  
16 time.

17 And every mayor sitting up there now wants  
18 to look at that poll. What does the poll say?  
19 What does the poll say? Well, I'll be damned if  
20 I understand how anybody runs a government from  
21 a poll, you know? No more than you would run  
22 a -- your business by a poll. Sometimes you've  
23 got to have the backbone to just do what's right  
24 for the overall -- and I believe in the long  
25 run, people will look back and say, "You know, I

1           didn't agree with him then, but he was right,  
2           you know."

3           If we would have waited until the public  
4           was ready for us to build the Dames Point  
5           Bridge, we would have never built it. I have  
6           never built a road the public was for, and now I  
7           can't find anybody that was against it.

8           We built J. Turner Butler. The FBI came in  
9           and investigated us because they thought -- they  
10          said we were just putting sewer and water lines  
11          out there for developers, but look what  
12          happened. We got a -- you know, it used to be  
13          nothing but cows out there and cow mess.

14          Now, you've got -- from the expressway all  
15          the way back to the beach, those aren't just  
16          buildings. Those are places where people are  
17          working. Those are businesses. Those are  
18          payrolls. Those are taxes. If we hadn't run  
19          those sewer and water lines out there and we  
20          hadn't built J. Turner -- now, that would have  
21          never been built if you would have went by the  
22          polls.

23          If you went by the polls, believe it or  
24          not, 67 percent of the public didn't think the  
25          mayor, me, ought to be involved in bringing an

1 NFL team into Jacksonville. You just  
2 sometimes -- you just can't go -- an elected  
3 official should not run his office by polls.

4 MR. OLIVERAS: Mr. Mayor, I have one more  
5 question.

6 MR. GODBOLD: Yes, sir.

7 MR. OLIVERAS: The idea of a strategic plan  
8 for the City was brought up by Dr. Corrigan from  
9 UNF, and I was wondering if you had any thoughts  
10 on that, providing the mayor with a strategic  
11 plan for the City.

12 MR. GODBOLD: Well, you'll have to always  
13 plan. The problem with plans is everybody --  
14 they put on a good -- I don't want to criticize  
15 anybody or anything. I do all the time, but I  
16 shouldn't.

17 But plans are great, and a lot of people  
18 hide behind plans. It makes them -- it makes  
19 their constituency think they're doing  
20 something. I like good plans, but I like action  
21 better. You can talk these things to death and  
22 you've got a lot of plans and -- and we don't  
23 have a lot of action, you know? You've got to  
24 have the guts to go out there and get it done.

25 You know, I went to build -- I went over --

1           and I'll tell you one more story, if you don't  
2           mind. I went to -- with the Chamber and we went  
3           on a business trip and we went over to see a  
4           good friend of mine in Texas, in San Antonio.  
5           And I said, "Golly, Mayor, I love this" -- I  
6           don't know how many of you have ever visited  
7           San Antonio and -- and went on the riverwalk.

8                     And, you know, they've got this big old  
9           ditch. It's about as wide as this room, and  
10          it's cement, runs like that (indicating). And  
11          then it's got cement walkways and you've got  
12          cafes and restaurants and movies and everything  
13          all the way down this thing.

14                    And then they didn't have any water, so  
15          they took sewer water and put in this thing and  
16          called it a river. And it was treated sewer  
17          water, and it's treated 99 percent, supposed to  
18          be. And -- but people just flocked -- have you  
19          ever -- you've been there, and others have been  
20          there. It's just -- they're tourist attractions  
21          in downtown. I mean, it's just -- people flock  
22          there.

23                    And I said, "Mayor, I love what you've done  
24          with this riverwalk." And he looked at me and  
25          he said, "Mayor, I'll make you a deal. You give

1 me your river, and I'll give you my riverwalk."

2 And on the way home, I told my aide, I  
3 said, "Listen, you know what he was saying?" He  
4 said, "You're damn right. He was saying if he  
5 had a river like we have, like the St. Johns  
6 River, he would put a riverwalk on it."

7 And we came home and built a riverwalk.  
8 The public said no. They said the polls will go  
9 to China. How are you going to bring it down  
10 under the bridge? They said everything except  
11 the boards will warp. They never told me the  
12 boards would warp. That was the only problems  
13 we had. The damn green wood warped. We had to  
14 pick them up and put them down again, you know.

15 But those are the changes -- I have  
16 never -- ladies and gentlemen, I'd like to take  
17 the trouble -- time to say this: I have never  
18 built a project that I didn't have trouble  
19 with. I'd be darned if I know why.

20 You hire engineers. You've got engineers.  
21 You've got architects. Then you hire engineers  
22 and architects on the outside to look at the  
23 ones on the inside to make everything right, and  
24 they still do it wrong.

25 And I think sometimes our government,

1 architects and engineers and inspectors liked  
2 the crisis we went through. Sometimes they  
3 become too cozy with the banks, and sometimes our  
4 people become too cozy with these companies  
5 that's doing it, and they turn their head and  
6 let them do shoddy work. But so many times when  
7 we go to do a City project, we have too much  
8 trouble with it, you know, and that's the reason  
9 we have overruns. And that's what happened in  
10 the courthouse business there.

11 But anyway I thank you, and I appreciate  
12 being here with you and God bless you and --

13 THE CHAIRMAN: Mr. Mayor --

14 MR. GODBOLD: -- I hope this is a great  
15 year for all of you.

16 THE CHAIRMAN: Unfortunately, you're not  
17 done. We have more questions.

18 MR. GODBOLD: Oh, I'm not? Oh, okay.  
19 I'm sorry.

20 THE CHAIRMAN: Commissioner Miller.

21 MS. MILLER: Through the Chair, thank you  
22 so much, Mr. Mayor, for being here.

23 MR. GODBOLD: Thank you.

24 MS. MILLER: Thank you for your candor and  
25 passion.

1           You mentioned earlier the -- and I hope I  
2           paraphrase this correctly. But your thought is  
3           that since the sheriff -- the sheriff is  
4           elected, but since his budget goes to mayor's  
5           office and is reviewed by the council, that that  
6           process is part of the checks and balances.

7           MR. GODBOLD: I do.

8           MS. MILLER: Okay. So if that's the case,  
9           if we'll go back to the original charter and  
10          the -- one of the reasons we became consolidated  
11          and one of the reasons behind consolidation was  
12          the disaccreditation of our schools. And as you  
13          may know and I'm sure you're very familiar with,  
14          originally the school board budget was reviewed  
15          and approved through the same process, through  
16          the mayor and the council, as well as the school  
17          board was required to use central services, as  
18          is the supervisor of elections and many of the  
19          other constitutional officers.

20          So you may know now, though, that that is  
21          no longer the case. So I'm wondering if -- you  
22          know, based on if -- if it's good enough for the  
23          sheriff and if in your mind it is a checks and  
24          balances on the sheriff and the other  
25          constitutional officers and there's no need to

1 go through an appointment process, then where  
2 are the checks and balances on the school board?

3 MR. GODBOLD: Well, I think the legislature  
4 certainly has a lot to do with our budget, and I  
5 think they keep them pretty well under control  
6 if they didn't.

7 I truly believe the school board has been  
8 financially shorted. I really don't believe  
9 they've been financed, and -- and I was involved  
10 in the promises that was made on the lottery and  
11 never, never kept.

12 I would like to know today how much  
13 money -- when we were putting that together --  
14 when the State was putting it together and we  
15 were talking about it, there was no doubt that  
16 the lottery was going to finance education. And  
17 now I don't know what percent they get over  
18 there, but it's not like it was supposed to be  
19 at all. And they have been shortchanged over  
20 there, and the legislature got in to using that  
21 school money to balance their budget.

22 And, you know, the City and the school  
23 board only has certain ways to raise money. The  
24 State has many, many ways to raise money, but  
25 the thing -- the way we used to run government

1 was ad valorem taxes. And when they get into  
2 trying to set the millage, which they did, they  
3 cut a mayor's feet right from under him, you  
4 know. And the taxpayers have a right to remove  
5 that mayor, and we don't need that checks and  
6 balance there where the governor is -- I mean,  
7 where the legislature is telling us we can't --  
8 we've got to have a cap on the tax.

9 And a lot of mayors down in South Florida  
10 use that cap to -- and when I was mayor, we had  
11 eleven mills. That was the top of the millage,  
12 eleven mills. At one time we had eight mills.  
13 But I think when I went out, we had maybe ten or  
14 eleven. Now we're probably not but -- what are  
15 we? Twelve or thirteen now, mills, I think it  
16 is, not very much more than we were 20 years  
17 ago.

18 AUDIENCE MEMBER: 9.27 is what they just  
19 approved.

20 MR. GODBOLD: But I don't know -- I'm not  
21 the authority on their budget, but I think they  
22 have really controlled that budget there, and I  
23 really believe they -- between the state and the  
24 government and the Feds -- I don't know what you  
25 would think about -- I don't know what would be

1 right there. I would hate to see this City  
2 Council to get into the school board budget if  
3 that's what you --

4 MS. MILLER: Well, again, the original  
5 charter and the original -- for the first  
6 probably 15, 20 years of our consolidated  
7 government --

8 MR. GODBOLD: I don't remember that. And  
9 it was at that time -- what?

10 MS. MILLER: I worked with Mr. Rohan to  
11 pull this up on the original charter, and it was  
12 the case in the original charter that the school  
13 board budget was part of the consolidated  
14 government, went through the council for  
15 approval, and the school board used central  
16 services. So my thought is --

17 MR. GODBOLD: I don't ever remember when I  
18 was on the council getting into that school  
19 board budget very deep.

20 MS. MILLER: Okay. But my point is that if  
21 the school board has -- if the City Council and  
22 the mayor has an issue, not with balancing the  
23 budget, with -- well, balancing the budget, but  
24 with performance, with the sheriff, the council  
25 has the ability to withhold a certain amount of

1           that budget under the line or -- and expect  
2           certain standards and expect certain performance  
3           standards. Who can do that now at the school  
4           board? There's no one who can expect -- set  
5           standards and expect higher standards from --

6           MR. GODBOLD: Well, if I was the mayor  
7           right now and I ran their budget, I would give  
8           them a hell of a lot more money than they got,  
9           so they're doing a pretty good job, I'll tell  
10          you there, because I would increase their budget  
11          right away if -- maybe you don't need the checks  
12          and balances over there; they're doing such a  
13          good job.

14          I don't have any opposition to the -- to  
15          the council taking a look at their budget and  
16          working with them and trying to find new ways  
17          to -- I'm sure the council knows the  
18          responsibility of the school system. Most of  
19          them feel the same way I do, so I don't have any  
20          problem with that.

21          Like, ladies and gentlemen, I don't have  
22          any problem if you want to go to the war and to  
23          fight and the blood and the guts, then put it  
24          all on the ballot, but that's what it's going to  
25          be because I'm telling you now -- I'm not

1           threatening you and I'm not threatening  
2           anybody. I'm just saying that I know the public  
3           does -- not going to vote for that, and lot of  
4           these people that have special interests in  
5           doing -- eliminating the school board and  
6           eliminating the sheriff and everything, a lot  
7           of -- it's going to be like a campaign out  
8           there, and I don't know if we really need that  
9           right now. I don't think --

10           You know, let me tell you something else  
11           about the school board. I think that the school  
12           board thing is the last resort. I wouldn't at  
13           all -- this thing didn't just happen. These  
14           same people that are trying to -- some of the  
15           same people that are trying to get you to  
16           eliminate the school board right now, they tried  
17           to get me to eliminate the school board.

18           But I'll tell you something else. Every  
19           opinion that I got, from Bill Durden right on  
20           down, said you had to go to the public to do it,  
21           and I knew the public wasn't going to vote to do  
22           that, and I didn't want to go through that  
23           blood -- we had enough problems without taking  
24           that on.

25           But I believe that some people that have

1           written you are wrong. You're going to have to  
2           go to the school -- you're going to have to go  
3           to the public. You're going to have to put it  
4           on the ballot. I don't think you'd want to do  
5           it any other way anyway. For God sake, don't  
6           try to do it and go around the public. But if  
7           you put it on the ballot, I'm like Mayor Peyton,  
8           I'm not totally against that. Hey, let's have a  
9           big discussion about it and Mr. McCormick will  
10          get more money over there and these political  
11          consultants because they're going to be a big  
12          political campaign and there's going to be some  
13          negative campaign ads ran on some of you and me  
14          and all the rest of us because they're going to  
15          dig into it, but I don't think that that's  
16          necessary and --

17                 But still again, I was in touch with  
18          Mayor Daley when he took over the school board  
19          over there. He didn't have any choice. He  
20          didn't have -- that was one hell of a mess, and  
21          the other hell of a mess we got is in  
22          Washington, D.C., and that mayor had the  
23          backbone and the courage to really back the  
24          superintendent down now -- I mean, back her up,  
25          but the -- the report card is not in on whether

1           that's going to work or not over there. It's --  
2           They really got a mess in Washington right  
3           now. I've been over there many times and  
4           studied that thing for weeks at a time, and it  
5           is a war over there. And they got that school  
6           system and the public and the unions and the  
7           teachers and the business people all at each  
8           other's throat, and the school system has kind  
9           of suffered for it over there, but there's some  
10          good things that happened that -- that she's  
11          made happen, but it has been a war.

12          But on your point there, I really don't  
13          have a strong opinion about that. I do recall  
14          now that it was kind of like a rubber stamp  
15          thing with the school board when it would come  
16          over there to the council.

17          I'd like to see the minutes where -- how  
18          much discussion went on with the school board  
19          because an awful lot of discussion publicly goes  
20          on over there in that budget when the school  
21          board puts that budget on.

22                 MS. MILLER: Thank you.

23                 MR. GODBOLD: Thank you.

24                 THE CHAIRMAN: Commissioner Korman.

25                 MS. KORMAN: Mr. Mayor, I just want to get

1 a clarification question from you.

2 A little -- a few minutes ago, before -- I  
3 don't remember, maybe 15 minutes ago, you  
4 mentioned that sometimes elected officials worry  
5 too much about their reelections and it can  
6 cause them maybe not to do such a -- good of a  
7 job. Then why is appointed versus elected not a  
8 good idea? Because if you were appointed in  
9 certain positions, they wouldn't worry about  
10 those things --

11 MR. GODBOLD: Because you're doing the same  
12 thing everybody else does. People say, "Let's  
13 go appoint this guy and take out all the  
14 politics." There's more politics involved in  
15 those authorities than it does at City Hall. If  
16 you don't believe it, go out to that -- it's  
17 just -- they got their own politics and their  
18 own problems, and it goes -- you know what I got  
19 to say, that I learned after a period of time --  
20 when somebody came in and they didn't want the  
21 mayor to appoint this person or that person, all  
22 we were doing is moving it to their friends  
23 instead of your friends. You know, it's  
24 according to -- just whose friend type of thing  
25 over there.

1           They play politics. If you think the  
2           independent authorities don't play politics,  
3           you're absolutely wrong.

4           The independent authorities I always felt  
5           like should be absolutely independent. I always  
6           had the feeling -- and believe it or not, I felt  
7           like that once you went to an appointed  
8           authority member, you shouldn't go back and put  
9           pressure on them.

10           Now, I've seen some articles that  
11           Littlepage has wrote since then that he says,  
12           well, you got -- you should go over and talk to  
13           that person because you appointed them.

14           I had -- one time on the Intracoastal  
15           Waterway, on the bridge out there -- Lanahan was  
16           chairman of the JTA, and we were having some  
17           wrecks out there and they wanted to put some  
18           rails up, the public and the newspaper and  
19           everybody. And then we had one last wreck that  
20           really messed somebody up and they lost their  
21           life, and I was pushing the JTA to -- through  
22           the channels to build those safety rails across  
23           that bridge, and somebody said, "Well, you --  
24           one of your best friends, Arnold Tritt, he  
25           sits on that board. You ought to talk to the

1           people" -- I said, "You don't want to talk to  
2           that little guy. You don't pressure him. He'd  
3           resign."

4                     But today some people say you ought to talk  
5           to the boards, but my philosophy is that once  
6           you appoint those people on that authority,  
7           you -- you hope -- the whole theory is that  
8           these are businesses. These are capitalists  
9           over there. The JEA, the JTA, they're -- the  
10          port, they're all making money. They got big  
11          personal budgets, and they're all running their  
12          own budget. I mean, they make capital, and so  
13          you got capitalists running it. You got  
14          businessmen and women who -- Royce Lisles  
15          (phonetic) used to say, "Give me a CPA, give me  
16          a lawyer. I need some lawyers and some CPAs on  
17          this JEA board."

18                    So you should try to go to some real strong  
19          people with real strong backgrounds running  
20          those authorities there, but they have their  
21          lobbyists and their -- the JEA got in trouble  
22          when I was mayor. The Port Authority is in  
23          trouble right now, so there's -- a lot of  
24          politics goes on with those independent  
25          authorities anyway.

1           I do believe that -- I really believe that  
2           the authority on the -- on the JEA and JTA was  
3           good choices to do that. I think there's --  
4           with these other people -- the sheriff, the  
5           school board, the mayor, the City Council --  
6           those are people the public wants to have a  
7           say-so in getting elected. Sometimes they pick  
8           the right people, sometimes they don't. I think  
9           the public has been pretty wise with their  
10          selection for councilmen and for mayors over the  
11          years, and we've got along pretty good.  
12          Nobody's been perfect, but I think overall we've  
13          had some good mayors and some good sheriffs,  
14          some of them not as strong as others and some of  
15          them not the leaders -- strong leaders as  
16          others.

17                 You know, when you -- you haven't got to  
18                 have the greatest business mind in the world to  
19                 be the mayor, but you need honesty, integrity.  
20                 You need a lot of enthusiasm. You definitely  
21                 need to be -- you need to pick out a guy with a  
22                 great personality and a salesman because he  
23                 beats those drums every day. And that's part of  
24                 his job, is selling the city, getting people to  
25                 be enthusiastic, getting people to work over

1           their head, getting people -- bringing the best  
2           out on people.

3           Albert Ernest was president of the Barnett  
4           Bank system, and Albert came over to see me five  
5           days after I was elected. He said, Mayor, I  
6           helped you, I raised you money, but most of the  
7           Chamber didn't. They all did after I was  
8           elected and they did the following years, but  
9           the first time I ran, I ran against a state  
10          senator, very popular guy, a good guy, and they  
11          felt like he was a great businessman and was  
12          more inclined to do what they wanted to do  
13          and -- and everything.

14          He said, but Jake you've won now. You can  
15          be vindictive and you can go out and kiss babies  
16          and cut ribbons and really enjoy being mayor and  
17          just every time you get a chance, just kick our  
18          ass over at the Chamber. He said, but that  
19          would be the wrong thing for the government, it  
20          would be the wrong thing for the public, the  
21          people that elected you. It would be the wrong  
22          thing for economic development. He said, but if  
23          the Chamber has come to a point where we realize  
24          that -- if we're going to move this  
25          government -- we've been 12 years of

1 consolidation and we have cut taxes every year,  
2 but we haven't built any new bridges, we haven't  
3 built any new highways, we haven't paved. We  
4 paved \$43,000 worth of the streets last year,  
5 and the year before that we paved 75-. That  
6 won't pave three or four streets. We haven't  
7 built any new parks, we haven't built any boat  
8 ramps.

9 Capital improvement in the first 12 years  
10 of consolidation -- four projects in 12 years,  
11 Hanna Park, Charlie Webb Library, Mary Singleton  
12 Center, and one other, and I forgot what it  
13 was. And three of those four were federal  
14 money. So that means, ladies and gentlemen,  
15 12 years of consolidation and only four capital  
16 outlay projects.

17 Now, you could realize at the end of  
18 12 years we hadn't built any -- we hadn't built  
19 any libraries, we hadn't built any boat ramps.  
20 We're still trying to catch up from those first  
21 four years at -- government, but everybody said  
22 to us, if new business, new industry will come  
23 here -- if you'll just cut the taxes.

24 If that was true, guys, we would have them  
25 lined up. We would have more industry than we

1 know what to do with because we don't have -- we  
2 don't have -- we have the lowest ad valorem  
3 taxes in the state. We don't have a personal  
4 income tax in Florida. We have the lowest taxes  
5 of any city, but still we don't have that  
6 economic push that we ought to have.

7 But you know what? In my -- I raise my  
8 hand before God with you here today that in my  
9 eight years -- and you were there -- in my eight  
10 years as mayor we brought in 189 new  
11 corporations. Not a single one of them asked me  
12 anything about the taxes in Jacksonville, but  
13 the number one thing they talked to me about was  
14 the school system. Can our kids get a good  
15 education if I bring Mayo Clinic to  
16 Jacksonville? I was involved in that  
17 negotiation. Jay Davis and myself was the ones  
18 that went and got them.

19 Can my people's kids get a good education?  
20 What kind of junior college do you have here?  
21 Can my people that work for us get -- further  
22 their education?

23 That was the number one priority.

24 The second priority was, what kind of  
25 quality of life do you have there?

1           What do we mean, "quality of life"? It  
2 means if I bring in 400 new corporate people,  
3 what are they going to do with their wife and  
4 their children in their spare time? We like to  
5 go to the park, we like to go to a nice zoo, we  
6 like to go downtown, we like to go on the river,  
7 we like to be able to launch our boats, we like  
8 to take the kids to the library. We need more  
9 programs, more parks, more entertainment, more  
10 nice restaurants to eat at. The quality of life  
11 is very important that we build those things and  
12 keep them up properly.

13           I've taken up too much time. I would be  
14 glad to answer more questions, but I know y'all  
15 are getting tired.

16           Thank you so much.

17           THE CHAIRMAN: Thank you, Mr. Mayor.

18           We appreciate your time and your insights.

19           MR. GODBOLD: Good luck, all of you.

20           THE CHAIRMAN: Thank you.

21           MR. GODBOLD: I know you're doing a hard  
22 job.

23           THE CHAIRMAN: Our next speaker is Sheriff  
24 Demings from Orange County.

25           I don't know if -- Sheriff Demings, please

1           come on up.

2                   (Sheriff Demings approaches the podium.)

3           THE CHAIRMAN: Thank you very much for  
4 being here. We appreciate you making the effort  
5 to be here today.

6           My thanks also to Mr. Brunet for arranging  
7 for you to come address us.

8           If you could just give your name and  
9 address for the record and then we'll have our  
10 court reporter swear you in, and then if you'd  
11 like to give just a brief self-introduction.

12           SHERIFF DEMINGS: Okay. Good morning.

13           I'm Jerry Demings, the Orange County  
14 sheriff, and my mailing address in Orange County  
15 is 2500 West Colonial Drive, Orlando, Florida  
16 32804.

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

19           SHERIFF DEMINGS: (Complies.)

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

24           SHERIFF DEMINGS: I do.

25           THE REPORTER: Thank you.

1           SHERIFF DEMINGS: Good morning, Chairman  
2           Duggan.

3           THE CHAIRMAN: Good morning.

4           SHERIFF DEMINGS: I'm honored to have been  
5           asked to come today and to speak to all of you.

6           Before I really get into the formal  
7           comments that I'm going to make, I think that it  
8           is worthy of me giving you a further  
9           introduction of who I am and really why I'm here  
10          today.

11          First off, you should know that I have  
12          served as both sheriff, director of public  
13          safety, and as police chief in Orlando.

14          I am also married to the current Orlando  
15          Police Chief, Valdez Butler Demings, who I might  
16          add was born and raised here in Jacksonville,  
17          grew up in the Mandarin area. And, secondly, we  
18          own property here in Jacksonville. So I'm a  
19          taxpayer in Duval County and, therefore, one of  
20          your constituents, and so I add all of that this  
21          morning.

22          To help you really understand the comments  
23          that I'm going to make and put it into  
24          perspective, I need to do some things by putting  
25          my career into perspective, and I hope that that

1 will help you understand what I'm saying.

2 I'll make a few comments and then I'll  
3 conclude, and I'll be happy to respond to any  
4 questions that you may have this morning.

5 I spent the better part of my career with a  
6 municipal police agency, that being the Orlando  
7 Police Department. I started there as a patrol  
8 officer and I worked my way up through every  
9 rank. And in 1990, then mayor -- the first  
10 female mayor in the history of Orlando appointed  
11 me as the first African-American police chief in  
12 the history of Orlando, in my home town where I  
13 was born and raised.

14 So I'll give you that and share that as a  
15 little bit of my history.

16 I was appointed, I said, as the first  
17 African-American police chief in the history of  
18 Orlando. I want to share with you that in that  
19 appointment I was appointed by the mayor of  
20 Orlando, had to go through a City Council  
21 confirmation.

22 When I interviewed for the position, I came  
23 to some agreements, some understanding with the  
24 mayor about expectations, both hers and mine.

25 The mayor was very clear with me in her

1           expectations, that she expected someone that  
2           could lead the Orlando Police Department with a  
3           lot of passion, a lot of energy, a lot of  
4           integrity, but would be responsible for managing  
5           the day-to-day operations of the agency.

6           I was clear to her that if she selected me,  
7           then she would have to give me the full autonomy  
8           to run the day-to-day operations of the agency.  
9           I'm happy to tell you that she did just that.

10           I did not, as an appointed police chief,  
11           have interference from the mayor in running the  
12           day-to-day operations of the Orlando Police  
13           Department. By the same token, I must tell you  
14           that as an appointed police chief, I understood  
15           that if I was given the keys of the Mercedes  
16           Benz, if you will, of an agency, that if I  
17           wrecked it, the mayor will find a new police  
18           chief. It was just that simple.

19           You might ask yourself today, though, did I  
20           feel inhibited in making public comments when I  
21           disagreed with the mayor or the commission?  
22           That question will be germane to the discussions  
23           that I've heard this morning and I'm sure some  
24           of the others that you will have. The answer  
25           really is simple. Yes.

1           I always gave my position on issues to the  
2           mayor and to the commissioners, but I was  
3           expected to have most of those controversial  
4           discussions in private. They would listen in  
5           most instances and they accepted my position.

6           My point here is that the public did not  
7           always have the benefit of hearing my position  
8           or thoughts on matters that directly impacted  
9           them in my capacity as an appointed police chief  
10          who served at the pleasure of the mayor.

11          In Orlando, again, the chief is appointed  
12          and serves for an indefinite period of time, but  
13          must also be confirmed by the majority vote of  
14          the six-person City Commission.

15          Now I'm going to move on.

16          After my retirement from the Orlando Police  
17          Department in October of 2002, I was appointed  
18          by the Orange County mayor to the position of  
19          director of public safety for the county.

20          Orange County is a charter county with a  
21          strong mayor form of government. Through  
22          referendum, Orange County voters made the change  
23          to elect its chief executive or county chair in  
24          1992.

25          Initially, the title given to the position

1 was county chairman, and I believe it was 2004  
2 when it was put on the ballot and the voters  
3 changed the title to county mayor.

4 As a director of public safety, my official  
5 job title was deputy county administrator. I  
6 wore the working title of director of public  
7 safety. I was one of four deputy county  
8 administrators who reported to the county  
9 administrator. All of us were appointed for  
10 one-year terms by the mayor with confirmation by  
11 the board of county commission [sic], which  
12 consists of six commissioners, each elected from  
13 a single-member district, and the county mayor,  
14 who was elected countywide in nonpartisan  
15 elections.

16 My duties as director of public safety  
17 included oversight for the Orange County Jail.  
18 I believe Orange County is just one of perhaps  
19 six counties in the state where the jail doesn't  
20 report to the sheriff. It reported under the  
21 board of county commission, through a jail  
22 director, to the director of public safety.

23 I also had oversight for the Orange County  
24 Fire Department, Emergency Management, public  
25 safety communications, consumer fraud

1 investigations, and several other smaller  
2 offices. I provided oversight to over 3,200 of  
3 the county's 7,000 employees with budgetary  
4 responsibility of over \$320 million.

5 Again, as a senior appointed official, I  
6 was given full autonomy to manage daily  
7 operations. However, I must admit that during  
8 my nearly six years as public safety director,  
9 appointed officials were allowed to certainly  
10 speak to issues publicly, but they were also  
11 required to really have most of the meaningful  
12 dialogue about the budget and other issues in  
13 private.

14 During my tenure as the public safety  
15 director, most things were very controlled by  
16 the mayor and the county administrator. Things  
17 that most often were presented to the public  
18 were orchestrated behind the scenes without a  
19 lot of meaningful public input.

20 But in fairness to my former comrades, they  
21 had a well-oiled machine. But, again,  
22 meaningful public input was lacking.

23 Now, as I moved forward to my current  
24 position as an elected sheriff, I resigned from  
25 my position as public safety director in January

1 of 2008 and was elected in a countywide race in  
2 November of 2008. I was sworn in as the first  
3 African-American sheriff and constitutional  
4 officer in Orange County one year ago today.

5 I guess this is my happy anniversary. I'm  
6 here in Jacksonville, in Duval County.

7 As I understand the task that you have to  
8 consider, the proposition that the sheriff in  
9 Duval County should be appointed rather than  
10 elected, there seems to be two central issues,  
11 having an elected sheriff is philosophically  
12 inconsistent with a strong mayor form of  
13 government. Number two, the mayor has no direct  
14 control over law enforcement expenditures which  
15 account for a large percentage of the City's  
16 budget.

17 My goal today is really to provide you with  
18 my experiences in working in various roles and  
19 hopefully it will assist you in making an  
20 informed decision on how you move forward.

21 I must say to you that you must be proud of  
22 the Jacksonville Sheriff's Office. This  
23 sheriff's office enjoys a great reputation, both  
24 nationally and within the state of Florida.

25 Sheriff Rutherford is highly regarded amongst

1 the 66 sheriffs here in Florida, and so I share  
2 that with you.

3 You have a good sheriff who's been elected  
4 by the people. If Jacksonville is anything like  
5 Orange County, the people have certain  
6 expectations of your sheriff.

7 Now, I realize I'm not in Orange County;  
8 I'm in Duval County, but I believe this: The  
9 people of Duval County expect him, your sheriff,  
10 to vociferously fight for what he needs to keep  
11 them safe. They do not expect him to be silent  
12 on matters that affect them, such as  
13 disagreements regarding budget or public safety  
14 expenditures. They expect him to focus on the  
15 law enforcement mission and objectives.

16 I'm certain that you will objectively  
17 evaluate the balance between the powers of  
18 individuals, segments of local government, and  
19 the City's interest as a whole. I believe  
20 that's the charge you have during this period of  
21 the Charter Review Commission [sic].

22 In Orange County, we have wrassled with  
23 this issue three separate times since 1992. Let  
24 me share with you a little about Orange County's  
25 experience.

1           In order to focus -- in 1992, Orange County  
2           went through -- went from having a  
3           constitutional sheriff to a charter sheriff.  
4           The sheriff's office, the position was moved  
5           under the county charter.

6           In 1996, the citizens of Orange County  
7           decided a charter sheriff was a bad idea and  
8           voted to restore the office of sheriff to  
9           independent, elected, constitutional status.  
10          That's been nearly 14 years ago. Here are a few  
11          reasons why in 2007, for example, this came back  
12          up again:

13                 The Charter Review Commission was meeting  
14                 in Orange County. I took the liberty of getting  
15                 some of the notes from the previous sheriff's  
16                 comments to the Charter Review Commission, and  
17                 I'm going to paraphrase some of the things that  
18                 he said to the commission at that time.

19                 He said -- here are the reasons why he  
20                 believes that the citizens of Orange County  
21                 should have an independently-elected,  
22                 constitutional officer as sheriff. He said, I  
23                 believe the citizens of Orange County do not  
24                 want the power of their vote taken away,  
25                 therefore, their decision-making power taken

1           away. They want to retain the right to hire  
2           and, if need be, to fire the sheriff if they  
3           desire.

4           And that rationale seems to be the same  
5           across the state. Again, 66 elected sheriffs  
6           here out of 67 counties.

7           The sheriff went on to say, To put it in  
8           context, that's less than 1.5 percent of the  
9           counties in this state that don't have an  
10          elected sheriff.

11          In Orange County, one of our local  
12          television affiliates, WFTV, Channel 9,  
13          Eyewitness News, did a poll in which they asked  
14          the question at that time, do you think the  
15          sheriff should be appointed by public vote or by  
16          the County Commission? Ninety-one percent of  
17          the people in Orange County said by public  
18          vote. Only nine percent said by the County  
19          Commission or the county mayor.

20          I share that with you.

21          The then-sheriff went on to say that the  
22          few who would like to see a switch to a charter  
23          government claimed it is for oversight. They  
24          claim it is for oversight of budgetary matters  
25          and oversight of personnel matters. However,

1 the fact of the matter is that the sheriff's  
2 office budget is public record. The budget is  
3 approved by the Board of County Commission. The  
4 sheriff appears before the Board of County  
5 Commission and any questions could be asked by  
6 the public during one of at least two hearings.

7 The then-sheriff went on to say that in  
8 1996, then Orange County property appraiser,  
9 Richard Crotty, who is now the Orange County  
10 mayor, said that, I am a strong supporter of the  
11 Orange County charter amendment that will  
12 reverse the controversial 1992 decision that  
13 removed the property appraiser, the tax  
14 collector, and the sheriff from under the state  
15 constitution and placing them under the county  
16 charter.

17 What occurred in 1992 was -- when it went  
18 to referendum, all three offices and some other  
19 issues were all on a single ballot.

20 Again, as I said, in 1996, the voters,  
21 after much consternation and deliberation in our  
22 community, saw fit to change that.

23 I also will read for you, in 2007, when the  
24 Charter Review Commission was meeting, a letter  
25 that was written by the state attorney at that

1 time and still the state attorney, Lawson L.  
2 Lamar. He wrote to the Chair of the Charter  
3 Review Commission. This is what he said:

4 "I know that the topic of placing the  
5 office of sheriff on the county government via  
6 charter revision is again being discussed. The  
7 sheriff must remain independent of the  
8 Commission. He or she is directly responsible  
9 to the citizens for law enforcement. He is not  
10 a journalist, rather a specialist who must have  
11 a different fawn of knowledge than general  
12 county government. A good sheriff needs  
13 independence to challenge the county government  
14 if need be."

15 He goes on to say that the Miami-Dade  
16 model, for example, of an appointed sheriff has  
17 generally been less successful.

18 "The commission has a detached,  
19 bureaucratic, corporate personality that causes  
20 the ordinary citizen to frequently feel  
21 unrepresented.

22 "The sheriff is politically very tangible  
23 and undiffused. Sheriffs tend to respond to  
24 issues a lot faster and better if they work for  
25 the people directly instead of being another

1 appointee.

2 "There is plenty of oversight, including an  
3 aggressive media, recertification and annual  
4 audits, as well as voter approval."

5 Lawson Lamar goes on to say, "I had to buck  
6 the Commission in order to lower crime rates at  
7 the state's fastest rate for any large county  
8 for seven of my eight years as sheriff. Had I  
9 been an employee of the Commission, we could not  
10 have enjoyed that success.

11 "The commissioners just didn't understand  
12 what needed to be done. I held public hearings  
13 that they didn't like but were an example of  
14 real democracy. People took the sheriff to  
15 action. It worked. The commission would have  
16 fired me the first year."

17 I'm assuming he's saying had he been an  
18 appointed police chief.

19 "I hope this finds you well. Thanks for  
20 all you do for all of us.

21 "Very truly yours, Lawson."

22 Now, as I conclude my remarks -- again, I  
23 guess you can see what side I stand on. In  
24 fact, I couldn't and wouldn't be here today  
25 speaking to you as citizens in this open forum

1 if I were appointed.

2 I believe that the merits -- the best  
3 governments should be open governments where the  
4 citizens can fully and adequately participate in  
5 the process to ensure that their tax dollars are  
6 spent the best and that they get the best out of  
7 the people who they put in office to elect them.

8 I'll stop now and give you the opportunity  
9 to ask me any questions that you may see fit.

10 THE CHAIRMAN: Thank you, Sheriff.

11 I have a question. Do you have a sense of  
12 why the electorate in '96, after just four years  
13 of the charter sheriff system, decided they --  
14 that it wasn't working?

15 I understand why the -- you know, the  
16 political players feel like it might not work  
17 well. And I'm not using "political" in a  
18 negative sense, but why did the people feel like  
19 it wasn't working well?

20 SHERIFF DEMINGS: I think there was much  
21 written and talked about. The voters felt that  
22 they were confused at the time that they  
23 initially voted because of the multitude of  
24 issues on that ballot at the time. They went  
25 forward.

1           I think there was much lobbying by the then  
2           sheriff and the other constitutional officers  
3           that had been moved under the charter. The  
4           citizens of Orange County felt that they wanted  
5           those individuals to be more responsive to them,  
6           so there was a public education campaign that  
7           went forward and the issue went back on the  
8           ballot as a referendum, and the sheriff was  
9           moved back under the charter at that time.

10           THE CHAIRMAN: Were the other  
11           constitutional officers moved back too?

12           SHERIFF DEMINGS: They were.

13           THE CHAIRMAN: Thank you.

14           Commissioner Korman.

15           MS. KORMAN: Happy anniversary, and thank  
16           you for joining us today.

17           SHERIFF DEMINGS: Thank you.

18           MS. KORMAN: I happened to be in Orlando a  
19           few days after Christmas and saw an article in  
20           the Orlando Sentinel about the 25 most  
21           influential people, and I saw that --  
22           congratulations -- you were on it as well as  
23           your wife.

24           And I'm going from memory, so I --

25           SHERIFF DEMINGS: You did well.

1           MS. KORMAN: I'm paraphrasing what I read,  
2           but -- I won't say he was ranked higher, but I  
3           will say that under your wife's column, it said  
4           that she helped lower the crime numbers, if I  
5           recall -- and tell me if I'm wrong -- and one of  
6           the -- I don't know if I can put words in her  
7           mouth, but I wanted to see what she would say  
8           standing here in front of us today about what  
9           you said and her feelings about appointed versus  
10          elected.

11          SHERIFF DEMINGS: Well, she would say, you  
12          know, it was a lot of work for my husband to get  
13          elected, you know, because she was part of  
14          that. And there were those in our community  
15          that felt that that would be too much power in  
16          one house, for the two top cops, if you will,  
17          that shared jurisdictional responsibility.

18          But in this first year, all of the numbers  
19          are just fantastic. You know, our crime is down  
20          by double digits in both the unincorporated area  
21          of Orange County and within the city of Orlando.

22          But, you know, I also shared with you that  
23          I have been the Orlando police chief myself,  
24          and -- she's not here today. Okay? And I know  
25          the role, I know the responsibilities. She has

1 a mayor that supports her -- by the way, she's  
2 the first female police chief in the history of  
3 Orlando -- but she cannot stand and say certain  
4 things that I can stand and say in the presence  
5 of other elected officials. And certainly she's  
6 appointed by the mayor, and she's very mindful  
7 of that and respectful of that, but there is a  
8 bit of inhibition there to be able to freely  
9 speak and address issues.

10 There are 13 municipalities within Orange  
11 County, and I can tell you that sometimes with  
12 those appointed police chiefs, certain issues  
13 that they feel uncomfortable attacking or  
14 addressing in the public, they come to me as the  
15 elected sheriff to speak on their behalf as a  
16 law enforcement community.

17 And certainly -- you know, my wife and I,  
18 we didn't just get married. We've been married  
19 for well over 20 years before we were ever in  
20 any of these positions that I talked about.  
21 We've grown up together. We share similar  
22 ideologies. We have a fairly interesting chat  
23 in our house sometimes about the issues  
24 confronting our community, but we work closely  
25 together to address issues on mutual concerns.

1 It is our home. It's where we raised three  
2 children.

3 MS. KORMAN: Mr. Chair -- and you have a  
4 very unique situation. I think it's wonderful,  
5 the situation you have.

6 But going back to her as appointed, it says  
7 she helped lower the issue of crime  
8 tremendously, from what I read, and I think,  
9 personally, that's more of an issue than -- for  
10 me and for the community because we do have a  
11 high crime rate, as I'm sure you've -- are  
12 aware. It's lower this year, which is --  
13 congratulations to the JSO, but does the -- does  
14 her position as an appointed, does she have some  
15 ability to lower the crime rate better than an  
16 elected sheriff? Is it just her as a person? I  
17 mean, what -- what's behind that?

18 SHERIFF DEMINGS: Well, I will tell you  
19 that she won't stand up here and take credit for  
20 lowering the crime rate because it's not a  
21 single issue. You know, no singular person can  
22 lower the crime rate. The crime rate was  
23 lowered, I think, partly because of how the law  
24 enforcement agencies deploy their resources and  
25 address crime issues, how they do preventive

1           patrols, and those types of things.

2                   But crime is a by-product of social  
3           issues. And in order to have a long-term impact  
4           on reducing crime, you must address those social  
5           issues: education, employment, housing, health  
6           care, and all of those other things play into  
7           it.

8                   What she has been very successful doing, as  
9           well as I, is working in our community to be  
10          advocates outside of our particular realm of  
11          responsibility.

12                   As an appointed police chief, she did make  
13          the top 25 list, if you will, which was a group  
14          of about 14 individuals in our community who sat  
15          and had a discussion, and they decided who were  
16          the top 25 most powerful people. The two of us  
17          made the list. It may not be accurate at all  
18          about what the people think in the city, you  
19          know, because, again, Orange County itself has  
20          1.2 million people in a thousand square miles.  
21          The city of Orlando is in maybe 110 square  
22          miles, was 240,000 people. The overwhelming  
23          majority of the people who live in Orange County  
24          don't live in any city limits. So what they  
25          think, you know, may be something different.

1           But as an appointed police chief, appointed  
2           by the mayor, she has been successful, I  
3           believe, because of the support that she's been  
4           able to garner. She's a very articulate  
5           person. She's very well trained, very  
6           experienced law enforcement professional, and  
7           she's able to get the entire community engaged  
8           in reducing crime. So the reason crime is down  
9           there -- it's down in the state, it's down in  
10          the nation. But in our area, it's anywhere from  
11          three to four times the reduction in the nation  
12          and the state.

13           So we believe that by our combined efforts,  
14          working in our community, we have been  
15          successful in reducing crime. We still have  
16          crime, and so we're not just jumping up and down  
17          because we still have some things happening in  
18          our community, just like here in Jacksonville.

19           (Ms. O'Brien assumes the Chair.)

20           THE VICE CHAIR: Commissioner Catlin.

21           MR. CATLIN: Thank you, Sheriff.

22           On a personal note, you and I share a very  
23          good friend in Fred Lynhart (phonetic) down  
24          there in Orlando, good guy.

25           You've talked about an appointed sheriff

1 not being able to speak in public on what you  
2 really want to say. What you haven't talked  
3 about is what a lot of us hear here in  
4 Jacksonville, that the public perception is  
5 that -- if the sheriff is appointed, that could  
6 lead to corruption, that could lead to political  
7 favors. When you were the appointed sheriff or  
8 chief of police, were you subject to being asked  
9 by the mayor or anybody else -- political  
10 favors, per se?

11 SHERIFF DEMINGS: You know, in these  
12 senior, high-level appointed or elected  
13 positions, people may ask. I hadn't -- you  
14 know, I'm a man of integrity. I was never  
15 seriously approached by anybody to doing  
16 anything illegal, unethical because that's not  
17 what I stand for.

18 And I don't mean to stand here and say that  
19 just because you're appointed or you're elected,  
20 you are more inclined to be corrupted one way or  
21 the other. I think it's all about the  
22 individual and their personal beliefs and what  
23 they stand for.

24 (Ms. Korman exits the proceedings.)

25 SHERIFF DEMINGS: Now, I will share this

1 with you: In preparing to come today, I looked  
2 at the Florida Commission on Ethics annual  
3 report for 2008. It was out -- 2009 is supposed  
4 to come out sometime today, but I'll share this  
5 with you:

6 They looked at over 35,000 public and  
7 elected officials in the state who are required  
8 to report various things, and the most current  
9 year that I have information on, there were  
10 167 complaints filed in 2008 for ethical  
11 misconduct. And when we look at the categories  
12 of public officials who had complaints, whether  
13 they be state elected officers, state appointed  
14 officers, district appointed officers, district  
15 elected officers, county elected officers,  
16 county appointed officers, municipal elected  
17 officers, municipal appointed officers,  
18 employees, et cetera, there were 167 complaints  
19 in 2008, and I'm told in 2009 it will be a  
20 similar number.

21 Of those 167 complaints, 28 percent of them  
22 were for municipal elected officials, 21 percent  
23 were for county elected officers, and 8 percent  
24 were district elected officers, 5 percent state  
25 elected officers.

1           But if you take the big numbers, the 28 and  
2           the 21 percent, the highest number in 2008 were  
3           of people who were elected at the municipal  
4           level who were complained ethically about, their  
5           ethics, followed by 21 percent county elected  
6           officials.

7           So what I'm saying is that there's no  
8           guarantee one way or the other, whether you're  
9           appointed or elected, that the person will  
10          misbehave or engage in misconduct, but at least  
11          I think when you're elected, the -- in terms of  
12          the sheriff, it's all in the open. You know,  
13          you have very spirited campaigns. And if you  
14          have any shortcomings, they will more than  
15          likely be exposed. As an appointed police  
16          chief, the public did not participate in the  
17          appointment.

18          When I was appointed police chief in 1998,  
19          the announcement was made and I was in. And I  
20          was police chief for a four-year period of time  
21          until the county offered me the opportunity to  
22          be the director of public safety, and I was  
23          there for nearly six years. And so I find  
24          myself a year down the road, I'm the sheriff  
25          now. And having gone through all of those

1 positions, I can tell you that I wouldn't be  
2 standing here today as the 28th elected sheriff  
3 in Orange County if I didn't believe that being  
4 elected would give me a better opportunity to  
5 serve my community and to speak to the issues  
6 that the citizens of Orange County need spoken  
7 to.

8 (Mr. Duggan resumes the Chair.)

9 THE CHAIRMAN: Commissioner Oliveras.

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

11 Thank you, Sheriff, for making the drive up  
12 here today. I hope when you go home it's  
13 warmer. If it's much warmer, can I go home with  
14 you?

15 SHERIFF DEMINGS: It's about the same.  
16 When I left home, it was 34 degrees in Orlando.

17 MR. OLIVERAS: I'll stay here. Never mind.

18 I have a question for you about -- well,  
19 let me preface it this way: Some of the -- I  
20 think one reason why we're having this  
21 discussion today is this summer when we -- when  
22 Jacksonville went through its budgeting process,  
23 there was some friction and tension between the  
24 sheriff and the mayor.

25 Having said that, I'm sure you've

1           experienced these same things, whether while you  
2           were an appointed chief or as an elected  
3           sheriff. How do these things compare with you  
4           in your experience and how -- or have you had  
5           these experiences and how have you been able to  
6           resolve them and work out a reasonable  
7           compromise so that you get what you need for  
8           your folks?

9           SHERIFF DEMINGS: Well, as an appointed  
10          police chief and director of public safety, you  
11          know, I had -- I believe I had great credibility  
12          with my mayor and even my county manager or my  
13          chief administrative officer for the City.

14          Again, issues that may have been somewhat  
15          controversial for me to publicly discuss, we  
16          discussed privately. We would come to some  
17          agreement about it. But if they felt, when I  
18          was an appointed official, that what I was -- my  
19          position was too controversial to air out in the  
20          public, you know, I was told, "We're going to do  
21          the presentation. We're not going to put you in  
22          that position; we're going to do the  
23          presentation."

24          What I'm saying is simply this: I don't  
25          know that that's in the best interest of the

1 public. I believe the public deserves to have  
2 the full information, the full knowledge of the  
3 complexities of the issues as opposed to a  
4 neatly-wrapped presentation that has a bit of  
5 the facts left out of it.

6 So as an elected sheriff now, I believe  
7 that as it relates to my budget, there's more of  
8 a level playing field for me to go into the  
9 Board of County Commission chambers and advocate  
10 one way or the other for my budget. I'm not  
11 worried about what the commissioners or the  
12 county administrator or the county mayor are  
13 going to think about what I'm about to say. I'm  
14 more concerned about what the people think about  
15 what I'm about to say than what they are.

16 As an appointed director of public safety,  
17 I have said here already, I had a wonderful  
18 group of people that I worked with there in  
19 Orange County. They were well-trained,  
20 well-experienced. It was a well-oiled machine.  
21 But when anything was presented to the public,  
22 it was all orchestrated before it ever went to  
23 that commission. And that is the risk, I  
24 believe, that you have to make a judgment or  
25 call in your capacity here with the Charter

1 Review Commission. You've got to make a call on  
2 whether that's worked for your community or  
3 not.

4 But I can assure you that if you no longer  
5 have an elected sheriff, as it relates to the  
6 law enforcement budget and issues facing your  
7 law enforcement agency, if you no longer have an  
8 elected sheriff, you are going to lose the  
9 ability to hear the unadulterated truth from  
10 whoever that chief executive is if they're  
11 appointed.

12 MR. OLIVERAS: Thank you.

13 THE CHAIRMAN: Commissioners, I have no one  
14 else in the queue.

15 Any other questions, comments?

16 COMMISSION MEMBERS: (No response.)

17 SHERIFF DEMINGS: I do thank you all.

18 THE CHAIRMAN: Thank you, Sheriff.

19 We really appreciate you --

20 SHERIFF DEMINGS: I'll make sure I find my  
21 way back to Orange County. But, as I say, we do  
22 have a second home here, so we're here all the  
23 time, so -- God bless you all.

24 THE CHAIRMAN: Thank you for your service  
25 to the public.

1 All right. We're over time, as you know.  
2 I am -- I know Commissioner Oliveras wanted to  
3 address his draft statement, strategic plan, so  
4 why don't we do that first.

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

6 I will be very, very brief.

7 Jeff forwarded this idea. And I'd like to  
8 take full credit for it, but I can't.

9 Dr. Corrigan at UNF -- when I read -- as  
10 you know, I missed that meeting, and I regret it  
11 for so many reasons, for not being able to hear  
12 Mayor Delaney and Dr. Corrigan.

13 When I read what he said about the  
14 strategic plan idea, it was one of those "ah-hah"  
15 moments, and I just -- I looked at it, and it  
16 just start ricocheting in my head that perhaps  
17 the concept of a strategic plan for the City in  
18 some ways transcends some of these other issues  
19 that we're having with the school board, with  
20 the sheriff.

21 It is a way to not necessarily force the  
22 constitutional officers -- the school board  
23 representatives from the independent  
24 authorities, not to force them to march in  
25 lockstep with the mayor, but at least require

1           these elected individuals and these executive  
2           directors of these authorities to look in the  
3           same direction with the mayor because this mayor  
4           is going to serve a four-year term or perhaps  
5           eight years, and I think it's right for this  
6           city and its leaders to look in the same  
7           direction for goals to -- so that we're not  
8           moving in three or four different directions  
9           with three or four opposing philosophies.

10                    So I really think what Dr. Corrigan  
11           presented us was actually very effective and  
12           very elegant.

13                    Now, what I put together is just an idea,  
14           it's just a draft. I mean, I'm not -- I'm not  
15           married to this idea, and I asked Mr. Rohan if  
16           he could translate it into that different  
17           language of lawyers. And I did accuse him of  
18           being bilingual because he can speak and read  
19           lawyer, but --

20                    And so if OGC can do that and bring it back  
21           to us in a way that fits the mechanics of the  
22           charter -- and the idea is very basic, very  
23           straightforward. I think it accomplishes  
24           something to assist the idea of a strong mayor  
25           because this allows a given mayor to say, this

1 is my agenda, these are my goals, and we want to  
2 work together as a community to achieve these  
3 goals.

4 So I think it does that, but it doesn't  
5 limit him or her in that capacity. It's broad  
6 enough, I think, that we can do something,  
7 and -- and a mayor can take it and mold it and  
8 shape it in a way that they see fit.

9 And then the other things that are attached  
10 are -- I just copied the six goals that the  
11 Duval County School Board uses in their  
12 strategic plan. And the reason I have that is  
13 just so you know this idea works at the macro  
14 level for the entire school district, but it  
15 also works at the micro level.

16 At the school I'm assigned at as a school  
17 resource officer, we use these six goals every  
18 week at our administrative leadership meeting,  
19 and I happen to chime in on goal number 4,  
20 establishing safe and secure schools. That's my  
21 area that I speak to and that's the area where  
22 my principal puts on the agenda things relating  
23 to current issues with school safety that any  
24 other administrator or somebody in the meeting  
25 can speak to, but -- so it's used at the micro

1 level as well at individual schools. So I  
2 thought that -- I think it's effective.

3 And then the other document is their data  
4 dashboard, and it shows the individual  
5 objectives that marry up to the specific goals,  
6 and it shows -- and my copy is in black and  
7 white, but you have where they've been making  
8 their -- attempting to achieve their benchmarks,  
9 you either have green, yellow or red. And so  
10 the public can click on the Duval County School  
11 Board web site and see where they are with  
12 regard to achieving their objectives with this  
13 strategic plan.

14 A lot of them are green, some of them are  
15 yellow, and there's a few red, and so I -- I  
16 assume what that does is that compels the  
17 district officials, the senior officials in the  
18 school district to look -- to reexamine why  
19 those objectives are not being met, develop new  
20 strategies.

21 So I think this works. And, again, I'm not  
22 suggesting that this is what has to be in place  
23 for something for this city, but something like  
24 this -- I think it works very well, and it would  
25 allow a mayor to say, okay, this is where we

1           want to go, this is what we want to do as a  
2           city, and to achieve buy-in from the sheriff,  
3           for example, on public safety issues, to achieve  
4           buy-in from the school board on education  
5           issues.

6                     There may be something where the supervisor  
7           of elections doesn't really fit into some of  
8           these general goals that the mayor has, but  
9           there may, in fact, be something that the  
10          supervisor of elections can contribute to, and  
11          so he or she would be able to participate in  
12          this.

13                    And then, again, as I say, it would -- just  
14          moves the entire City in a direction where we're  
15          at least looking at common goals and we're not  
16          moving in disparate directions.

17                    So that is what I have, and I would just  
18          submit it to the commission for our  
19          consideration, and I would like to bring it up  
20          as something that we could consider as a  
21          recommendation.

22                    THE CHAIRMAN: Thank you, Commissioner, for  
23          taking the initiative on that.

24                    So do I understand that Mr. Rohan is going  
25          to be massaging some of the language --

1 MR. ROHAN: Yes.

2 THE CHAIRMAN: -- that you'll bring back to  
3 us?

4 Thank you. Thank you both.

5 Commissioner Miller.

6 MS. MILLER: Through the Chair, I have a  
7 request.

8 We've all, I'm sure, had the opportunity to  
9 read Mr. Rinaman's letters and, yesterday or the  
10 day before, Mr. Gentry's letter regarding the  
11 constitutional issue, specifically whether or  
12 not this -- the consolidated government in  
13 Jacksonville can change its own charter to  
14 appoint the school board.

15 And I have to say, in reading Mr. Gentry's  
16 letter, it occurred to me that the -- his  
17 letter -- and he obviously intends to say this.  
18 He says on the second page, "The school board  
19 never was and is not now part of nor subject to  
20 the control of Duval County or the  
21 municipalities therein," and it -- that struck  
22 me, as well as a lot of the other language in  
23 there when -- when you look at the language of  
24 the -- the very clear language of the charter,  
25 the constitutional amendment that was -- that is

1 embedded in the Florida Constitution, that --  
2 you know, that Duval County and our consolidated  
3 government includes all county, district,  
4 municipal, local government boards, bodies,  
5 officers, constitutional or statutory, and then  
6 goes down the list, so -- and that's out of  
7 Mr. Rinaman's letter as well and out of the  
8 Florida Constitution.

9 So there's an interesting legal argument,  
10 obviously, here. And the threshold question is,  
11 what does -- what do we believe, what does the  
12 City believe, what is the authority of this  
13 county to -- this consolidated government to  
14 appoint or change the composition of the Duval  
15 County School Board, and so I would ask now,  
16 formally, for the Office of General Counsel  
17 to -- and if you'd like this in writing, we can  
18 do that -- issue a binding legal opinion --  
19 binding legal opinion on this issue because  
20 until we resolve this threshold issue, our hands  
21 are tied.

22 I think we've heard some persuasive  
23 arguments that -- on both sides, most  
24 persuasively, in my mind, from Mr. Rinaman, from  
25 the Florida Constitution as to our authority,

1 but until -- I feel like our hands are tied.  
2 And if we truly cannot, then -- or if that's too  
3 big of a risk, then let's pursue the other  
4 alternatives because there are other  
5 alternatives. The hybrid model, I think, is  
6 a -- is a very good alternative.

7 And even if we recommend appointment, I  
8 think we should recommend alternatives in  
9 addition to that because it's ultimately up to  
10 the City Council, but I would like the Office of  
11 General Counsel to issue an opinion on this  
12 because it's clearly -- we have two very well  
13 respected members of the bar debating this.

14 And the good news is that it's in the  
15 public venue, that it -- because a lot of these  
16 discussions have been -- have taken place  
17 outside the public venue for a long time. So I  
18 think that -- that's the good news.

19 I would like to -- so I'd like to ask that  
20 of the General Counsel's Office. And I know  
21 Mr. Mullaney is an expert in consolidated  
22 government and city, county and local government  
23 law, so I'm sure the Office of General Counsel  
24 is well prepared to -- to issue that.

25 THE CHAIRMAN: Thank you, Commissioner

1 Miller.

2 I agree with your assessment of the  
3 situation and the ability of Mr. Mullaney to  
4 knowledgably opine perhaps better than anybody  
5 possibly could, so -- Mr. Rohan, what is the  
6 feasibility of that?

7 MR. ROHAN: Well, given the conflicting  
8 opinions from these two highly-distinguished  
9 attorneys in the city of Jacksonville, I  
10 anticipated that such a question might come up.

11 I have -- and I anticipated having a  
12 response in writing within a week, but I had no  
13 anticipation that it would be in the form of a  
14 request for a binding legal opinion.

15 I cannot assure that a binding legal  
16 opinion can be accomplished in a week, but I  
17 will get the message to Mr. Mullaney. We will  
18 do our best to take that under review.

19 MS. MILLER: And, through the Chair,  
20 Mr. Rohan, would you explain the difference  
21 between a legal opinion and a binding legal  
22 opinion under our charter?

23 MR. ROHAN: Well, the binding -- the  
24 authority of the General Counsel to issue  
25 binding legal opinions and to bind the

1 institutions of the consolidated government is  
2 provided for in Article 7 of our charter, but we  
3 issue many, many general legal opinions on a  
4 daily basis which are advisory only and do not  
5 necessarily bind the individual agencies.

6 But when we issue a binding legal opinion,  
7 that's done in a format that's very clear, very  
8 precise, extraordinarily well researched, as  
9 most of our work is, but -- but very focused and  
10 very clear, and so it -- it takes it -- ramps it  
11 up just another level, but the -- in other  
12 words, an opinion from me as to the general  
13 opinion of the Office of General Counsel is one  
14 thing. But when the General Counsel issues, he  
15 or herself, a binding legal opinion, that's  
16 another matter altogether.

17 Did I answer your question --

18 MS. MILLER: The legal authority for a  
19 binding legal opinion is that -- that the matter  
20 is then put to rest, legally --

21 MR. ROHAN: Well, here's the problem: It's  
22 only put to rest within the government. It is  
23 not put to rest as to third parties, which I  
24 must tell you is why the General Counsel's  
25 exercise of his authority to issue binding legal

1           opinions is done very circumspectly, very --  
2           done with great restraint.

3           For instance, the issue of a -- issuance of  
4           a binding legal opinion that these county  
5           offices -- let's say the school board is what  
6           we're talking about -- that -- whether they can  
7           be changed to an elected office, appointed  
8           offices from elected offices, would not prevent  
9           the individual school board members in their  
10          individual capacity, not as the school board,  
11          but in their individual capacity from suing and  
12          getting a determination from a court, or going  
13          to the Attorney General.

14          So we do control the government in terms of  
15          being the Supreme Court, if you will, but we do  
16          not control third parties, which is why we have  
17          rarely done a binding legal opinion on such  
18          grave issues as referenda authority because  
19          usually there's somebody out there, a committee  
20          or interested parties who are prepared to go to  
21          court. So we usually initiate the legal  
22          proceedings, go to court, and get a decision  
23          from a court of competent jurisdiction.

24          So it's not a final decision because it  
25          does not prohibit somebody who would like to run

1 from the office -- for the office from seeking a  
2 decision from a court. And that, of course,  
3 includes your sitting school board members who  
4 have not been -- well, who would like to run  
5 again.

6 THE CHAIRMAN: Commissioner Youngblood.

7 MR. YOUNGBLOOD: Thank you, Mr. Chairman.

8 For the sake of time, could I put a motion  
9 on the floor that we chip away at some of the  
10 decision-making in the appointed over the  
11 election process -- and so I put it in the form  
12 of a motion.

13 Can we motion now, with the current group  
14 that we have, that we go ahead and make the  
15 decision on -- elected or appointed on one of  
16 the four positions, or two of the four, or maybe  
17 all of the constitutional officers?

18 Just to help chip away at some of the  
19 agenda that we have, obviously, before us and a  
20 very short amount of time with the amount of  
21 meetings that we have left to say on the matter  
22 of the sheriff, let's go ahead and vote in  
23 appointed or elected. And I make the motion to  
24 leave him elected and move away from  
25 appointment, and then I'd have a second motion

1 behind that with the school board, leaving it  
2 elected, not appointed.

3 Can we come to an agreement on those two  
4 issues?

5 THE CHAIRMAN: As a threshold matter, I  
6 personally would feel a sense of obligation to  
7 Commissioner Austin not to take this vote  
8 without his presence. This is an issue that he  
9 has felt very strongly about from the very  
10 beginning of this process, but I'm not opposed  
11 at all, if you feel like you want to start  
12 taking votes, that we start moving toward that  
13 process at our next meeting, but -- but really  
14 more out of a sense of obligation to him, I  
15 don't think today is the day to do that.

16 MR. YOUNGBLOOD: Right.

17 Well, not to be in opposition to you or  
18 former Mayor Ed Austin, I know where he stands  
19 and I truly am in favor of election versus an  
20 appointment on all of the constitutional offices  
21 at this point. It may be premature, but I do it  
22 based purely on the information that we've  
23 already heard, and I feel comfortable making the  
24 decision -- putting my neck out there and making  
25 that decision.

1           At the same time, I think in each meeting  
2           we may have one or two or many that we won't  
3           hear from that won't be in attendance. So for a  
4           matter of formality -- I mean, I don't know that  
5           I need to hear from a fellow commissioner, and  
6           could I motion to move forward and is there a  
7           second for that?

8           THE CHAIRMAN: Well, I'll just step up as  
9           the chairman and rule that motion out of order,  
10          which is my prerogative to do, rather than  
11          putting somebody else on the spot to second or  
12          not second your motion, but --

13          MR. YOUNGBLOOD: Obviously, for time sake,  
14          we have, you know, very few meetings left --

15          THE CHAIRMAN: We do.

16          MR. YOUNGBLOOD: -- and a lot of matters to  
17          cover, and I guess the issue at hand -- I was  
18          also going to ask for the -- to put the ethics,  
19          as it was originally, back in the charter. But  
20          that's, again, another motion and, obviously, we  
21          can't move forward at your will.

22          THE CHAIRMAN: That issue -- the ethics  
23          issue is also on our issues list still.

24          I'm happy to commit right now that at our  
25          next meeting we can start taking votes on the

1           sheriff's issue.

2           I've already scheduled a speaker for the  
3           next meeting and a subsequent meeting on the  
4           school board issue on -- on education reform  
5           issues. We've gotten a commitment from  
6           Mayor Ortiz of Pembroke Pines to come talk about  
7           their charter school district, and, you know,  
8           I --

9           MR. YOUNGBLOOD: I think the structure is  
10          still open for discussion, but the matter of  
11          appointed over elected is the issue, really, I  
12          had. I think we can still discuss structure, if  
13          we could truly change structure to have a  
14          greater benefit on education.

15          THE CHAIRMAN: Well, I would say with  
16          respect to the sheriff, it's really an up or  
17          down, one-issue vote: Are we going to recommend  
18          that he be appointed or not? There are really  
19          not hybrid models there.

20          MR. YOUNGBLOOD: Right.

21          THE CHAIRMAN: So I do think the week -- I  
22          don't have any more speakers scheduled on this  
23          issue. You know, I --

24          MR. YOUNGBLOOD: Is that one that I could  
25          put on the floor for a motion, then, now to

1 say --

2 THE CHAIRMAN: I was going to say that next  
3 week we could take a vote on that.

4 Commissioner Miller.

5 MS. MILLER: I feel the need to interject.

6 I am opposed to taking any votes now or in  
7 the future that are not publicly noticed. I  
8 think if we're going to take a vote, it should  
9 be publicly noticed, as is the City Council's.  
10 Items up for vote, items up for public hearing  
11 should be publicly noticed in advance.

12 So if we want to start adding in even a  
13 line item on our agendas that states that we --  
14 we will start considering voting and that the  
15 following items may be voted on, even if we  
16 don't get to them, I think that's fair to the  
17 public. I think it's very important. And I  
18 think that we should at least, at a minimum,  
19 notify the fellow commissioners that we will  
20 start voting so it gives them an opportunity to  
21 participate.

22 So I'm opposed to any voting without  
23 notifying our commissioners and the public.

24 THE CHAIRMAN: That's an excellent point.

25 MR. YOUNGBLOOD: Is that customary?

1 THE CHAIRMAN: Well --

2 MR. YOUNGBLOOD: Because on the agenda it  
3 does state that they could be present and  
4 there's -- open for comments. And not to  
5 disagree with a fellow commissioner, but I  
6 thought that we could do that at any time at  
7 your will, obviously, as the chairman.

8 THE CHAIRMAN: I think you're both on the  
9 right track.

10 I think Commissioner Miller makes excellent  
11 points. When we began this process, it was my  
12 commitment to the public that our process would  
13 be transparent. And I think she makes an  
14 excellent point, that -- that if we're going to  
15 start taking votes, if people want to come down  
16 and see that or have input on that, then -- then  
17 I think that's what we should do. That's my  
18 personal feeling.

19 So if you want a commitment from me that we  
20 can take a vote on the issue of an elected  
21 versus an appointed sheriff next week, I'm  
22 hap- -- I'm open to that. We can put it on the  
23 agenda, we can talk about it at that meeting,  
24 and -- and if it's the will of the committee at  
25 that time to take a vote, then -- then I'm happy

1 with that, but I -- I'm not comfortable at  
2 12:30, you know, when we've already lost two  
3 commissioners, we've got two or three who  
4 weren't here, to start taking votes.

5 MR. YOUNGBLOOD: Right. The matter was  
6 timing. And, obviously, time is of the essence  
7 because of the amount of meetings that we have  
8 left, so I wanted to start us down that path.

9 So thank you so much.

10 THE CHAIRMAN: Sure.

11 MR. OLIVERAS: Mr. Chairman, point of  
12 order.

13 THE CHAIRMAN: Yes, Commissioner Oliveras.

14 MR. OLIVERAS: I don't believe that we  
15 publicly noticed when we put these items up on  
16 our agenda list. Did we publicly notice what we  
17 were going to be voting on, whether we were  
18 going to put something on that list? I don't --  
19 I don't know that we did that specifically.

20 But what I would -- as a point of order,  
21 what I would like to see occur, because we're --  
22 our time is drawing nigh, perhaps that should be  
23 a generic item that -- or a note at the bottom  
24 of the agenda, that we will begin voting on some  
25 of these issues without certain specificity,

1           whether it's today or next Thursday, that it  
2           could come up quickly.  Otherwise, we may be  
3           doing this a few times, and I don't think that's  
4           helpful.

5           THE CHAIRMAN:  Right.  I think that's --  
6           so, in other words, your suggestion is that  
7           we -- going forward for our meetings, put on the  
8           agenda that votes may be taken?

9           MR. OLIVERAS:  Right.

10          THE CHAIRMAN:  I think that's a fine  
11          suggestion.

12          Mr. Clements, if you could do so.

13          MR. CLEMENTS:  Yes.

14          THE CHAIRMAN:  Thank you.

15          And, of course, our issues list is on the  
16          web site.  People know the issues we've been  
17          talking about.  When we took our cut down vote  
18          and eliminated, for example, the General  
19          Counsel's Office, we took votes on what we were  
20          going to continue to keep taking about, so I do  
21          think the people are on notice of what our  
22          issues are that are on the table.  You know, I  
23          would say it's elected versus appointed  
24          constitutional officers, elected versus  
25          appointed school board, ethics, staggering of

1 elections, timing of elections and length of  
2 terms. I mean, really, those are the issues  
3 that we're still talking about.

4 MS. O'BRIEN: Currently still on the list,  
5 although we have not allocated any time to  
6 discuss it, is the pension issue.

7 THE CHAIRMAN: Correct.

8 Any other public -- any other comment on  
9 these issues, discussion?

10 COMMISSION MEMBERS: (No response.)

11 THE CHAIRMAN: Okay. We'll move to public  
12 comment.

13 Vicki Drake.

14 (Audience member approaches the podium.)

15 AUDIENCE MEMBER: Good afternoon.

16 Vicki Drake.

17 Do I need to give my address?

18 THE CHAIRMAN: Yes, please.

19 Name and address for --

20 MS. DRAKE: 7076 Ramoth Drive.

21 I just wanted to see if I could answer a  
22 few questions.

23 The school board agenda is put together by  
24 the chairman and the superintendent. Most of  
25 what's on it are things that come from the

1 departments and things that have to be voted on  
2 by law, so those -- those tacky human resource  
3 issues are going to have to be voted on, things  
4 like suspensions. We don't usually talk about  
5 them unless somebody comes to protest them, but  
6 they're going to have to be on there.

7 And if you look at the entire agenda,  
8 there's a lot of not interesting things, like  
9 those issues and voting on toilet paper and  
10 stuff like that that are just going to have to  
11 be on there. And, like I said, we don't talk  
12 about them, but they're there.

13 Ms. Miller, you'll be real excited to know  
14 that on each -- at each county the salary of the  
15 school board members are exactly the salary of  
16 the lowest -- the entry-level pay of teachers,  
17 so that is already state law. So your  
18 suggestion has already made it into state law,  
19 so you'll be happy to know that.

20 And as far as the -- the structure of  
21 school boards, our role is governance. That is  
22 what we do. It's not management, and that --  
23 that's already in place. Our job is to hire a  
24 superintendent. His job is management. His job  
25 is to hire those people to run the budget,

1 facilities, curriculum, all those different  
2 departments. They do the management.

3 (Ms. O'Brien exits the proceedings.)

4 MS. DRAKE: School boards do governance.  
5 We set policy. We stay out of the management  
6 end of it, but they -- we hire those experts  
7 that do all the budget stuff, that do the  
8 facility stuff. We pass the policies and set  
9 the management oversight, and then they come  
10 back to us with those management issues. We  
11 have it set in the policy.

12 If you look at our policy management, they  
13 come back to us at regular intervals during the  
14 year and bring us reports that tell us how their  
15 departments are working and we see overview with  
16 that.

17 We have management oversight, policies. We  
18 have data dashboards that we can pull up on our  
19 computers that tell us how the departments are  
20 working, how things are working.

21 When we see things that we want to know  
22 about, we pull them back in and say, how's this  
23 working? This seems to be a problem. Come back  
24 to us with a report on whether you fixed this or  
25 not. We also come back to them and ask them

1 information during the year.

2 We have one of the highest bond ratings in  
3 the state of Florida. When we went out this  
4 year for our COPS review to borrow money, in  
5 this horrible economic time, we actually got a  
6 greater bond rating.

7 Two years ago, when the investment market  
8 crashed and school boards lost money, when they  
9 went bankrupt and could not meet their payroll,  
10 I want you to know Duval County was so in tuned  
11 to what was going on, we pulled all of our money  
12 out of the investment market two weeks before  
13 that happened. We did not lose one single  
14 penny. We are the most solid school district in  
15 the state of Florida.

16 So I just wanted to let you know some of  
17 that information.

18 THE CHAIRMAN: Ms. Drake, I have a question  
19 for you.

20 What is the status of the school board  
21 decision as to whether they're going to  
22 participation in Race to the Top funding  
23 applications?

24 MS. DRAKE: We will know that next week.

25 We are still looking at those issues. Right now

1 we are studying that issue. We are looking at  
2 the Memorandum of Understanding. As I'm looking  
3 at it right now, we're having the attorney work  
4 on how we're going to structure that.

5 I'm guessing -- and I can't really speak  
6 for my fellow board members, but I'm guessing  
7 we're going to write that up so that we can  
8 possibly proceed.

9 If we can do this in a cost revenue neutral  
10 way, I believe that we will proceed, but right  
11 now we're looking at about a \$45 million deficit  
12 for the upcoming year with the money that we're  
13 going to get from the State.

14 If it's going to cost us money to  
15 participate in Race to the Top, that's not going  
16 to be a good fiscal decision for this district.

17 If we can do this so that it doesn't cost  
18 us money, it would be a good move for us to do.  
19 If it -- we can't do that, then it's not going  
20 to be a good move for us to do.

21 So if we can sign that Memorandum of  
22 Understanding in a way that -- as we work on our  
23 plan, and we can do that in a cost revenue  
24 neutral basis, and as we work forward on that  
25 plan, that -- that we can continue on that, then

1 I believe we will move forward.

2 But as we work on the plan moving into  
3 April, May and June, if the money doesn't appear  
4 to be coming in or it looks like it's going to  
5 cost us something, then we need to stop and not  
6 move forward with it because to lose money on  
7 this would not be positive for this district.

8 THE CHAIRMAN: Thank you.

9 Melissa Kicklighter.

10 (Audience member approaches the podium.)

11 AUDIENCE MEMBER: Good afternoon.

12 My name is Melissa Kicklighter. I live at  
13 13927 Heathford Drive.

14 I am a member of the Duval County Council  
15 of PTAs and a concerned citizen. I work hard to  
16 be an involved and engaged parent to help pave  
17 the way for my children -- my three children and  
18 all the children of Duval County.

19 And thank you for allowing me to make a few  
20 very short, I promise, but hopefully meaningful  
21 remarks because I was given feedback that you  
22 all have said, "Well, we're not hearing from  
23 anybody," so I'm here, and you can hear from me  
24 today.

25 As you all know, leadership is an awesome

1 responsibility. One of the keys to success in  
2 leadership is vision. I hope you all will have  
3 the vision to make the insightful, thoughtful  
4 recommendation -- I know you will, but to have  
5 one person -- even one person with intelligent  
6 and valuable staff and advisors, just one person  
7 elected to lead the city and the school system  
8 by deciding school board members, appointing  
9 them, appointing a superintendent, et cetera,  
10 concerns me very much, besides that fact that it  
11 gives too much power and influence to one  
12 person. Most importantly, it takes away the  
13 people's right to decide and vote for who they  
14 want representing them in the city of  
15 Jacksonville in key leadership positions.

16 We are a large and very diverse population  
17 of very special people in Jacksonville and the  
18 needs of our city cannot be met by the vision of  
19 just one elected mayor with the power to appoint  
20 important leaders in our community.

21 Beyond my own thoughts, I want to share  
22 with you some thoughts of a few very important  
23 citizens in Jacksonville as well.

24 Last month my husband and another scout  
25 leader brought a group of Boy Scouts to this

1 meeting. As part of the work, they have to earn  
2 their Citizenship in the Community Badge. They  
3 came here. And they're all working hard to get  
4 their Eagle Scouts so that they can become  
5 leaders in whatever community they're a part of,  
6 and I hope they come back to Jacksonville to do  
7 that.

8 After attending the meeting, these fine  
9 young men made some interesting observations and  
10 shared some insightful comments, especially for  
11 13- and 14-year-old boys. Some of the more  
12 pointed comments included the following:

13 "It's hard to believe these people are  
14 considering taking away my right to vote, a  
15 right I don't even have yet.

16 "If brought to the voters, why would people  
17 give away their right to elect any of our  
18 leaders? Isn't this really a waste of our  
19 taxpayer dollars and time?"

20 And one that kind of scared me a little  
21 was, "If this happens, are we electing a mayor  
22 or are we seriously considering electing a  
23 dictator?"

24 Other things specific to the school board  
25 was, "We like our superintendent and school

1 board members because they're around and they  
2 always tell us they're looking out for us.  
3 Would that change if they were appointed?"

4 Good question.

5 "Schools in Jacksonville really are getting  
6 better and we already have some really awesome  
7 ones. Why change things now?"

8 I ask you -- and I tell you, these are just  
9 some of the voices that are voices of the future  
10 in our city. Please listen, hear them because  
11 they're listening and watching you. Don't take  
12 away their right to make decisions in the  
13 future.

14 Thank you.

15 THE CHAIRMAN: Annette Worthen.

16 (Audience member approaches the podium.)

17 AUDIENCE MEMBER: Good afternoon.

18 I appreciate the opportunity to speak  
19 before you.

20 First, I would like to say -- Ms. O'Brien  
21 is not here, but for all of you, thank you for  
22 your volunteer hours and service that you have  
23 given to the board; however, I would like to  
24 add -- based on Ms. O'Brien's comments about you  
25 being and serving as individuals, I certainly

1 appreciate and understand that because as County  
2 Council president for over 140 PTAs here in  
3 Duval County, I do that as a volunteer position  
4 and I had to disassociate myself with a lot of  
5 organizations in order to do that because when I  
6 speak, I'm speaking on behalf of PTA. That  
7 forced me to do things like open a separate  
8 e-mail account and a separate cell phone account  
9 so that I am disassociated, even with my own  
10 family, so that there's not a conflict.

11 You, on the other hand, several of you have  
12 mentioned who you work for and you're using  
13 business e-mails as contact information and  
14 phone numbers for community members to contact  
15 you, and I would think that maybe in the future  
16 you might look at doing things to disassociate  
17 yourselves from your employer so that you're not  
18 bringing your employer in, whether you mean to  
19 or not, because when your e-mail address states  
20 that, it -- it does bring your employer in.

21 So I just think that that's important, but  
22 I do totally agree with you that there needs to  
23 be that separation.

24 To Ms. Miller, at the end of last month's  
25 meeting, you made comments that I felt were

1 incorrect, so I -- I did some research. And if  
2 you have other information, I would appreciate  
3 it because I think knowledge is power.

4 There is no provision or law that I could  
5 find that the ADA requires -- Americans with  
6 Disabilities Act requires school systems or  
7 school boards, whether they're elected or  
8 appointed, to provide vision screening or  
9 eyeglasses to the students, and there is not a  
10 law in the state of Florida that requires the  
11 school system or school board to provide the  
12 vision screening or glasses, and you did say  
13 that at the end of last meeting.

14 And as a protector of the Duval County  
15 Council's eyeglass and vision screening efforts,  
16 I just wanted to make that clear, that that is  
17 something that we as parents and teachers and  
18 students have taken on in this community. And  
19 there was a need several years ago from the  
20 school board and the superintendent. They asked  
21 the PTAs to take that on, and we have, but I  
22 could find no laws through the state or the ADA  
23 that required that.

24 THE CHAIRMAN: Thank you.

25 MR. WORTHEN: Thank you very much.

1 THE CHAIRMAN: Thank you.

2 Curtis Lee.

3 (Audience member approaches the podium.)

4 AUDIENCE MEMBER: Hello.

5 My name is Curtis Lee. This is my fourth  
6 speech before the commission. I'm at 7537  
7 Teaticket Court.

8 I'm a retired attorney with pension  
9 expertise.

10 I originally decided to become involved  
11 because I was upset about the deficit in the  
12 three City pension plans, which is about  
13 1.2 billion. The cash outlays are now at about  
14 \$100 million per year for the plans, and the  
15 City concedes that the cash outlays will more  
16 than double before the decade is out.

17 I've already made some charter revision  
18 suggestions related to this topic, which I won't  
19 repeat now, but I'll return my focus to the  
20 Police and Fire Pension Fund, which is our  
21 biggest financial problem.

22 Two weeks ago, I received 307 pages from  
23 the City in response to a public records request  
24 regarding what the City is seeking from the  
25 police and fire unions and collective

1 bargaining. The documents are disturbing for  
2 several reasons. First, it appears that the  
3 City can't do math and it has withheld relevant  
4 materials.

5 The deficits for the three plans total  
6 slightly over 1.2 billion per the three  
7 actuarial valuations provided [sic] me, but the  
8 City's reports on why pension reform is needed  
9 add the three numbers up to 1.05 billion.

10 These are -- there are discrepancies  
11 regarding two of the three plans. The numbers  
12 don't tie out. I'm not an accountant, but I can  
13 add and I've dealt with accountants for  
14 decades. This is serious stuff and a lot of  
15 money.

16 Second, the City fails to understand why  
17 taxpayers should pay for public employee  
18 pensions that are twice as great on average as  
19 the (inaudible) per capita wages and income in  
20 Jacksonville or why police and firemen should  
21 make well over twice the Jacksonville average or  
22 more like four times the average if you include  
23 overtime and benefits.

24 Third, the City's proposed second tier  
25 won't work because the Police and Fire Pension

1 Fund doesn't even have assets to cover the  
2 liabilities regarding its inactive participants,  
3 principally retirees.

4 Bottom line: The City must reduce benefits  
5 for current employees going forward, no ifs,  
6 ands or buts, but the City staff won't even ask  
7 for this in their negotiations with the unions.

8 The second tier would only apply to new  
9 hires and is a baby step going forward and is a  
10 baby step that consigns Jacksonville residents  
11 to endless tax increases.

12 The City must radically rethink its  
13 approach and involve outsiders now, before we're  
14 locked into an untenable situation.

15 I urge the -- the business and civic  
16 leaders of this city to take the initiative.

17 I really can't adequately communicate these  
18 problems in less than three minutes, one  
19 (inaudible) per week, so I throw the ball in all  
20 of your courts.

21 Please contact me if you need further  
22 details. I just can't stop saying it's a very  
23 bad problem and something has to be done  
24 relatively fast.

25 Thank you very much.

1 THE CHAIRMAN: Thank you, Mr. Lee.

2 Mr. Nooney.

3 (Audience member approaches the podium.)

4 AUDIENCE MEMBER: Hello.

5 My name is John Nooney, 8356 Bascom Road,  
6 Jacksonville, Florida 32216.

7 First, I just want to wish you all a  
8 Happy New Year.

9 There's two things I just want to touch  
10 on. You know, this is the agenda (indicating)  
11 from the last Jacksonville City Council meeting,  
12 and I'm just happy to tell you that an  
13 ordinance, 2009-895, it was introduced by  
14 Councilmember Lee to add an additional period of  
15 public comment to a Jacksonville City Council  
16 meeting. Of those 19 council members, anyone  
17 could have introduced this legislation, and I  
18 applaud her for just taking this step to do it.  
19 It's in Rules and it should come out.

20 Now, the Charter Revision Commission, I  
21 applaud you and what you are being asked to do,  
22 and that is to address our charter.

23 And I want to get back to the code of  
24 ethics, the code of ethics that was in our  
25 original charter in 1968 and taken out four

1           years later. I just hope that each commission  
2           member will make the recommendation to the City  
3           Council to reinstate the original code of ethics  
4           that was in our original charter because if you  
5           don't, you will have really dropped the ball and  
6           for the next ten years, I will -- it will be  
7           tough seeing you leave just a share -- you know,  
8           what's going on within our community.

9           And I just want to share -- this is today's  
10          paper (indicating), you know, the business  
11          section. You know, Abel Harding, a new State  
12          Attorney faces test. You know, and this has to  
13          do, you know, with, you know, elected  
14          officials. And we're not just talking one real  
15          estate transaction. There were four separate  
16          real estate deals.

17          And then you go right next door and  
18          listen -- and look at this story: Ocean Galley  
19          Seafood expanding. And listen to this: Ocean  
20          Galley was founded in 1986 in Mayport and moved  
21          to Green Cove Springs in 1989. They got out.

22          The public trust in this community is being  
23          destroyed. You want to get out of Duval County.

24          I really appeal to you to restore this  
25          public trust by restoring the code of ethics

1 that was in our charter and taken out four years  
2 later because it's been downhill since, and --  
3 that's all I just want to just touch on today.

4 So just thank you for listening.

5 THE CHAIRMAN: Thank you, Mr. Nooney.

6 Commissioners, I have no other public  
7 speakers.

8 Commissioner Miller.

9 MS. MILLER: Through the Chair, I wanted  
10 to, once again, recommend that this body adopt  
11 City Council rule number 3.604 regarding  
12 addressing the Council. It specifically refers  
13 to members who are not members of the council,  
14 in this case the commission, who address the  
15 board or address the commission, and the nature  
16 of their remarks.

17 To this point in our journey we have been  
18 using this rule. For all intents and purposes,  
19 we have asked the person to fill out a speaker's  
20 card, return it, and before speaking, state  
21 their name and address for the record, the  
22 three-minute time period.

23 I will note that -- the last three  
24 sentences of the rule: "All remarks shall be  
25 addressed to the Council as a body and not any

1 member thereof. No person other than a council  
2 member or the person having the floor shall be  
3 permitted to enter into any discussion, either  
4 directly or through a member of the Council,  
5 without permission of the presiding officer.  
6 All questions of the Council shall be directed  
7 through the presiding officer."

8 I ask, once again, that this body would  
9 adopt that because, as I mentioned before, this  
10 is obviously a very emotional issue for many  
11 people. And I would ask this commission to  
12 remove emotion and look at the facts, look at  
13 the facts and the record and the results and the  
14 performance on every single issue we're looking  
15 at, sheriff's department, ethics, whatever you  
16 want to -- all the way down the road.

17 So, again, we are charged as a body, we  
18 should be addressed as a body.

19 My comments at the conclusion of our  
20 meeting regarding the ADA were simply to state  
21 that as with the JAA, the JTA, the port, every  
22 single one of those independent authorities are  
23 required to follow federal, state and other  
24 regulatory schemes and laws, as would any  
25 independent or appointed school board. The same

1 laws would apply and -- whether it's a voluntary  
2 program -- that -- that was not what my comments  
3 were directed to. It would require -- it was  
4 directed to the requirements of the law.

5 Thank you.

6 THE CHAIRMAN: Thank you, Commissioner  
7 Miller.

8 Does anybody have any objection to  
9 enforcing that with our speakers and comments  
10 going forward?

11 MR. OLIVERAS: Mr. Chairman, just a  
12 question.

13 I don't mind if somebody wants to ask me a  
14 direct question. I don't have a problem with  
15 that. I mean, there should be a sense of  
16 decorum and a sense of mutual respect as given,  
17 but I don't have a problem with somebody  
18 addressing me directly.

19 THE CHAIRMAN: And I certainly, as Chair,  
20 would not enforce this procedural rule to say,  
21 well, you can't ask a question of one of our  
22 commissioners, but I think the intent of the  
23 rule is that public comment is to all of us.  
24 It's not to get into a debate with particular  
25 commissioners, and I will certainly use my

1           discretion and give the speakers latitude that I  
2           feel is appropriate.

3           MR. OLIVERAS: That's fine.

4           THE CHAIRMAN: But your point is well  
5           taken.

6           Commissioner Catlett.

7           MR. CATLETT: Well, for the same reason,  
8           when the young lady mentioning -- mentioned  
9           something about the e-mails being directed to  
10          business, you know, I wasn't personally  
11          offended, but somebody might be offended. I  
12          don't know. I didn't get that issue totally at  
13          all, but, you know, certainly it's her right to  
14          say whatever she wants to say to anybody she  
15          wants to say it. That's why we have public  
16          comment.

17          THE CHAIRMAN: I have nobody else in the  
18          queue.

19          I want to thank everybody for their  
20          commitment today -- I know we've gone long --  
21          most especially Ms. Tropa, who's been at it  
22          without a break since 9:00. She has fingers of  
23          steel.

24          We're adjourned.

25          (The above proceedings were adjourned at

1 12:55 p.m.)

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C E R T I F I C A T E

STATE OF FLORIDA:

COUNTY OF DUVAL :

I, Diane M. Tropa, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

Dated this 12th day of January, 2010.

Diane M. Tropa