

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

CITY OF JACKSONVILLE  
CHARTER REVISION COMMISSION  
MEETING

Proceedings held on Thursday, February 18,  
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.
- ED AUSTIN, Commission Member.
- JIM CATLETT, Commission Member.
- WILLIAM CATLIN, Commission Member.
- JESSICA DEAL, Commission Member.
- TERESA EICHNER, Commission Member.
- ROBERT FLOWERS, SR., Commission Member.
- BEVERLY GARVIN, Commission Member.
- MECHELLE HERRINGTON, Commission Member.
- ALI KORMAN, Commission Member.
- JEANNE MILLER, Commission Member.
- GARY OLIVERAS, Commission Member.
- CURTIS THOMPSON, Commission Member.
- GEOFF YOUNGBLOOD, Commission Member.

ALSO PRESENT:

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

- - -

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

P R O C E E D I N G S

February 18, 2010 9:00 a.m.

- - -

THE CHAIRMAN: Good morning.  
Chilly out there.  
Let's start with our customary roll call.  
Commissioner Thompson.  
MR. THOMPSON: Curtis Thompson.  
MR. OLIVERAS: Gary Oliveras.  
MR. FLOWERS: Robert Flowers.  
MS. O'BRIEN: Mary O'Brien.  
THE CHAIRMAN: Wyman Duggan.  
MR. AUSTIN: Ed Austin.  
MR. CATLIN: Billy Catlin.  
MS. GARVIN: Beverly Garvin.  
MS. MILLER: Jeanne Miller.  
MR. YOUNGBLOOD: Geoff Youngblood.  
THE CHAIRMAN: Thank you.  
I got a text message from Commissioner  
Deal. She is on the way, but has a slight work  
delay.  
Let's go ahead and begin with the Pledge of  
Allegiance and a moment of silence.  
(Recitation of the Pledge of Allegiance.)  
THE CHAIRMAN: Thank you.

1           As a reminder, please turn all of your  
2 electronics devices to silent or vibrate.

3           Commissioners, just for your information  
4 for today, our agenda is to hear from Pastor  
5 Gundy and then to have a discussion on the  
6 reform -- education reform draft proposal that I  
7 circulated yesterday afternoon to Mr. Clements.  
8 I hope everybody got that in time to take a look  
9 at it. And then we'll be talking about our  
10 thoughts on how the next iteration of the  
11 Charter Revision Commission should operate. So  
12 that's the roadmap for today.

13           And then for following today's meeting and  
14 the final votes on those issues, I will be  
15 putting together a draft report to circulate  
16 hopefully to all of you by next Monday to give  
17 you some time to review it.

18           And then at our next meeting, our last  
19 meeting, really I would conceive of that as an  
20 opportunity for comment and feedback on the  
21 draft, although I don't see any problem with you  
22 e-mailing me your comments before then if you'd  
23 like.

24           I don't think there's a Sunshine violation  
25 there unless, Mr. Rohan, you feel differently.

1           MR. ROHAN: I'm sorry. I missed the  
2 comment.

3           THE CHAIRMAN: Okay. My intention is to  
4 circulate a draft report hopefully by next  
5 Monday --

6           MR. ROHAN: Yes.

7           THE CHAIRMAN: -- to the commissioners for  
8 their feedback, and so I was inviting them to go  
9 ahead and send me comments or revisions in  
10 advance of the next meeting. I don't see how  
11 that would be a Sunshine problem if they're just  
12 commenting -- I mean, we've taken all our  
13 votes -- but they're just giving me feedback on  
14 the draft report rather than having to wait  
15 until the last meeting to have those  
16 conversations. I mean, perhaps you could send  
17 them through Mr. Clements.

18          MR. ROHAN: Yeah. I think that will be  
19 fine. They should be in writing and --  
20 documented in writing so that they are a public  
21 record and available for the public to see.

22          THE CHAIRMAN: Yes.

23          MR. ROHAN: And as long as that's being  
24 done and it will be discussed at the next  
25 meeting, there will be no problem at all.

1 THE CHAIRMAN: Okay. Thank you.

2 That way, my intention is to have  
3 essentially the final draft at the next meeting,  
4 either in discussion form or final form, and  
5 then we can take a vote on the final text.

6 If there's any cleanup language, I can do  
7 that after the meeting, and then I would submit  
8 the report to Council President Clark next  
9 Friday, consistent with our obligation to report  
10 by the end of the month.

11 I mean, I think technically we could go to  
12 the 28th, but I'm not going to be working on it  
13 on the 28th, so that's my intention. And I  
14 can't think of anything else.

15 So I know that we have had a few  
16 Commissioners come in; Commissioner Korman and  
17 Commissioner Eichner. Thank you. And Mechelle;  
18 thank you.

19 And when Commissioner Catlett and  
20 Commissioner Deal arrive, somebody remind me  
21 that we want to have a picture taken today  
22 because Commissioner Deal has to be in D.C. at  
23 our last meeting with the Chamber group, so  
24 today will be our last day to get a group  
25 photograph.

1 Thank you.

2 I don't see Pastor Gundy.

3 AUDIENCE MEMBER: Pastor Gundy should be  
4 on his way, but I have a letter also --

5 THE CHAIRMAN: Could you come to the  
6 microphone, sir, so we can get you on the  
7 record?

8 (Audience member approaches the podium.)

9 THE CHAIRMAN: Would you state your name  
10 and address for the record, please.

11 AUDIENCE MEMBER: My name is Ernest  
12 Griffin. My address is 2030 Dean A Avenue,  
13 Jacksonville, Florida, 33208, and I'm here  
14 representing the NAACP and I would like to read  
15 a letter to the commissioners, if I might, at  
16 the appropriate time.

17 I just want to --

18 THE CHAIRMAN: Yes, sir. We will have  
19 public comment at the end of the meeting and  
20 that would be the appropriate time to do that.

21 MR. GRIFFIN: Thank you, sir.

22 THE CHAIRMAN: Thank you.

23 Okay. Commissioners, in the absence of  
24 Pastor Gundy and in the interest of time,  
25 because I do think we have a lot to get to

1           today, let's go ahead and start our discussion  
2           on the education reform proposal.

3           At our last meeting, it was my  
4           understanding that the thrust of the discussion  
5           was that I would put together a proposal to the  
6           Council that included a menu of options for the  
7           Council to consider with respect to education  
8           reform rather than recommending one solution  
9           only. And so that's what this discussion draft  
10          is designed to accomplish.

11          Just to clarify, I would consider that what  
12          we will be voting on is this language in its  
13          entirety as our recommendation to Council; to  
14          say, Council, we've heard from -- we've heard  
15          testimony from a lot of sources. We've heard  
16          about the problems of our educational system.  
17          We've heard from some experts on best practices  
18          that could address some of those problems, here  
19          they are, and we are presenting all of them to  
20          you for you to consider.

21          So that's what I'm trying to accomplish in  
22          this discussion document, just to make sure that  
23          everybody understands that was my intent, and  
24          may perhaps not have read it that way. So I  
25          want to clarify that at first.

1           There was a request made that we assign a  
2           rank order priority to the recommendation, so I  
3           have done that as a preliminary, but certainly  
4           that's -- you know, that's an issue we can  
5           discuss as to whether we want to rank order and,  
6           if so, do we want to change the order of these  
7           recommendations.

8           So with that as background, I will open it  
9           for discussion from commissioners.

10          Vice Chair O'Brien.

11          MS. O'BRIEN: Thank you.

12          I am in support of the current proposal set  
13          out there by our chairman and in that priority  
14          order.

15          In particular, I think that it is from the  
16          presentations that we've had, both by school  
17          board members, the school board, by invited  
18          guests, we have a serious issue. Whether you  
19          want to call it a crisis or not, I think we are  
20          close to it if we're not already there.

21          And when I think we -- when we look at our  
22          history of what we have done to alleviate that  
23          situation, both in the education system which  
24          has not been a significant governance change,  
25          but on the other side when you look at the water

1           and sewer system, that was a failing system, and  
2           at that point the City of Jacksonville made a  
3           very drastic change to create an appointed,  
4           non-paid JEA board to address that situation.  
5           It turned the system around. Change was  
6           enacted. It is a much more efficient system.  
7           They are held to their budget, and they abide by  
8           that budget. They make money for the City of  
9           Jacksonville in that case.

10                  I think it is a model that has been  
11                  successful by going to an appointed board that  
12                  we have done here within the City of  
13                  Jacksonville. I know that's a concern.

14                  You know, what they may do in Louisiana,  
15                  what they may do in New York, may not apply to  
16                  Jacksonville, but I think it's important to  
17                  look, what have we done here in a crisis  
18                  situation to address that situation and to  
19                  change it and to change it for the better?

20                  And, to me, I think that is a wonderful  
21                  example of what we were able to do to identify  
22                  key people to serve on that board; again, at no  
23                  pay, and to turn the system around, to bring  
24                  those people in who are dedicated to the city  
25                  and who are willing to make the hard decisions,

1 and I fully support the current listing of  
2 recommendations in that order.

3 THE CHAIRMAN: Thank you, Vice Chair  
4 O'Brien.

5 Commissioners, any other speakers?  
6 Commissioner Flowers.

7 MR. FLOWERS: Mr. Chairman, I support  
8 everything except where we talk about at-large  
9 elections. I think that the closer we can stay  
10 to "We, the people," the better we're going to  
11 be as long as we have identifiable districts  
12 that we live in. So I can conceive of at-large  
13 elections where certain districts may not be  
14 represented.

15 So I would like to bring that to your  
16 consideration that we somehow make it certain  
17 that certain districts will be represented.

18 Thank you.

19 THE CHAIRMAN: Thank you, Commissioner  
20 Flowers.

21 And let me go ahead and address that issue  
22 because I do think it's an important issue.

23 I intentionally put into this draft  
24 proposal the words "at-large residency areas"  
25 because I'm trying to get at exactly the concern

1           that I think you're raising. You can have  
2           at-large elections that aren't tied -- where the  
3           people run from -- you could have five at-large  
4           seats and all five people could run -- could  
5           live on the same street, on the same block, if  
6           there are no restrictions as to what area of the  
7           town they come from. And so that would be the  
8           unfettered at-large approach. Or you could have  
9           an at-large seat, but you have to have a  
10          residency area that you live in to run for that  
11          at-large seat, and that's what I'm trying to  
12          propose here so that exactly your concern gets  
13          addressed.

14                 I'm trying to balance the maximum  
15          democratic input on our school board members  
16          because as we've seen under the current  
17          single-member district model, two of the current  
18          members have run twice, each without their names  
19          ever appearing on the ballot; in essence, they  
20          didn't run. They were appointed because nobody  
21          else ran.

22                 So if the standard is going to be we need  
23          maximum voter input on our school board members,  
24          then I think we need to move from single-member  
25          to at-large because that increases the

1           likelihood, A, that people will run because if  
2           you're not in that single-member district, you  
3           can't -- if you don't live there, you can't run  
4           for that district; but also, B, that the  
5           greatest number of voters get to vote on that  
6           slate of candidates.

7                    But I do think it's important, obviously,  
8           to ensure minority access that the at-large  
9           seats be tied to a residence area, and I'm happy  
10          to put in here language that makes that more  
11          explicit; that we can say, "at-large residence  
12          areas designed to ensure minority access"  
13          because I think that's important.

14                   And my leaving that out, I'm not at all  
15          trying to avoid that issue. I think I was  
16          trying to keep it as simple as possible and let  
17          Council make the fine, detailed decisions.

18                   But I'm happy to put that in because it  
19          sounds like that's a concern of yours. So I'll  
20          just go ahead and propose an amendment to my own  
21          language that says, "at-large residence areas  
22          to" -- let me think about that while other  
23          commissioners are talking, but I'll come up with  
24          the language before we vote.

25                   MR. FLOWERS: Thank you.

1 THE CHAIRMAN: Commissioner Oliveras.

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

3 I'm still opposed to the mayoral control  
4 model, and I intend to vote against this, but  
5 I'm not going to belabor the point.

6 I do have a question, though. Are we going  
7 to be in a position to make some -- after we act  
8 on this measure, are we going to discuss and  
9 talk about recommendations for some specific  
10 suggestions for our schools; funding, different  
11 models that we -- that we're going to forward to  
12 Council as more pinpoint suggestions on how to  
13 fix the current problems, and not necessarily  
14 related to governance issues, but to the success  
15 in our schools? Are we going to go there  
16 today?

17 THE CHAIRMAN: I wasn't intending to, but  
18 I'm not opposed to it. I would say that until  
19 we know what reform the Council is going to  
20 undertake, it might be a little premature, but  
21 I'm not opposed to it.

22 In other words, if we're going to recommend  
23 different funding approaches, well, if Council  
24 ultimately decides to not do any of these things  
25 and leave the current status quo, then they

1 haven't inserted themselves into funding  
2 issues. But I'm not opposed. I mean, we can  
3 have that discussion today. I'm not trying to  
4 shut anything down, and it may be that after we  
5 hear your ideas, we want to put something in the  
6 report.

7 Commissioner Miller.

8 MS. MILLER: Through the Chair and to the  
9 Commission, thank you, Chairman Duggan, for  
10 preparing this recommendation.

11 And for our report, I just had a few  
12 suggestions in language.

13 In the first sentence, it says, "The  
14 Commission recommends the following measures, in  
15 order of priority, for further review." I would  
16 suggest changing that language to "for  
17 action" -- "appropriate action, by the City  
18 Council."

19 "And public referendum," where -- "if  
20 applicable," and then make some reference in  
21 there, and I'm not sure where to put that --  
22 what I was hoping to have -- and I know it might  
23 be a little bit more difficult, but if we have  
24 some background and essentially a findings of  
25 fact, at least to tell the Council what we have

1 heard because it's very hard to -- I think it  
2 would be hard as a legislator or as someone in  
3 the governance body like the Council or the  
4 mayor, to read this in a vacuum. And so it  
5 would be helpful to at least lay out some of the  
6 facts, some of what we have heard, who we have  
7 heard from, the myriad of experts, including our  
8 own school board members on several occasions,  
9 including elected officials, including people  
10 from other communities, and what we have heard  
11 and the fact that we have spent more than --  
12 most of our time as a commission on this issue,  
13 and then doing a good amount of due diligence,  
14 so that the Council knows and the mayor knows  
15 that these recommendations are not made, as I  
16 said, in a vacuum or without some background or  
17 substance behind it to give it some additional  
18 credibility, so -- whether that's findings of  
19 fact or background to how we got to these  
20 recommendations, and that these recommendations  
21 are in kind of a ranking order based on the best  
22 information, the best practices, as we've heard  
23 them.

24 As to the recommendation of at-large, I  
25 like that idea and I support that idea, and I'd

1           like to share with the Commission why I think  
2           that's a good idea.

3           I agree with Commissioner Flowers that the  
4           at-large districts should be reflective of the  
5           city as a whole. Right now we have five  
6           at-large district council members. As you know,  
7           each of those council members have to reside in  
8           a particular planning district. So how the  
9           Council comes up with the at-large districts for  
10          the school board, it may be the current  
11          districts; that each one of those members have  
12          to reside in the current districts of the school  
13          board. It could be that. But the key here is  
14          that the school board itself, if it's elected,  
15          should be elected by our entire community. It  
16          should be truly elected by the entire  
17          community. In that way, the school board then  
18          becomes accountable to the whole community for  
19          results and for action. And I think that alone  
20          also would help the school board move more into  
21          an appropriate policy-making model in a  
22          policy-making role as opposed to the role that  
23          they currently serve in terms of almost their  
24          own little kingdoms, if you will. And so when  
25          they're accountable to the whole community, then

1 the whole community can vote on everyone. So  
2 the school board member from Mr. Flowers'  
3 district would still be running, but the race  
4 would be a countywide race as opposed to a  
5 districtwide race.

6 I think that would also have the effect of  
7 maybe minimizing the effect of special interest  
8 groups because we know that special interest  
9 groups tend to dominate in very -- in smaller  
10 races -- smaller district races.

11 And so that's my second point.

12 My third point would be, when we package  
13 this information to the City Council, we might  
14 ask for -- since Dr. Wong was unable to come to  
15 talk to the Commission, it might be helpful --  
16 again, getting back to my first point about  
17 background information -- it seems to me that  
18 Dr. Wong, as the national authority, at least --  
19 possibly, the international authority -- on the  
20 change in governance model and the effect of the  
21 change of governance model, and since he has all  
22 of the data on that, it may be -- it may be  
23 worth it to recommend to the Council that when  
24 we present this that we ask the Council if we  
25 could hold a workshop with the Council or

1 request that Dr. Wong come to talk with them  
2 because, again, I think that the breadth and  
3 depth of these recommendations -- these  
4 recommendations are very different than any  
5 other of our recommendations thus far, and  
6 they're deep and they're complex, and I think  
7 that they're -- it's worthy of some additional  
8 discussion and I think that the benefit  
9 should -- the Council should have the benefit of  
10 someone like Dr. Wong. I mean, they're not  
11 going to have the time or the benefit or the  
12 effort -- or the opportunity to hear from all of  
13 the experts that we've heard from, but I think  
14 Dr. Wong could very, very easily take what is a  
15 very complex issue and break it down and deliver  
16 the facts and the best practices, if you will,  
17 throughout -- from the nation to the Council,  
18 and I think that the Council is -- I think it  
19 would be helpful for the Council to hear that.

20 So those are my recommendations.

21 The other -- I have some other  
22 interlineated changes in Section 3 where you  
23 have in the second line the at-large residency  
24 areas. It says, "determined by the Council."  
25 We could say, "as currently defined" -- "for the

1 school districts as they're currently defined."  
2 So -- just to give some reassurance that we  
3 are -- if we're electing at-large, it could be  
4 from the residency areas of the school board  
5 district areas as they're currently defined so  
6 that the voters don't feel like they're losing  
7 their school board district definition -- we  
8 don't have to recreate the wheel. It's just  
9 that the -- the who -- the people electing will  
10 not just be from that district but will be the  
11 community at-large.

12 And then in Section 4, my suggestion is to  
13 state, "Establish a charter school district  
14 under sponsorship and governance of the City of  
15 Jacksonville," and then it may be for selected  
16 schools as opposed to for the entire district,  
17 because I think they probably need a little bit  
18 more guidance. And, again, we know that certain  
19 of our schools are more in crisis than other of  
20 our schools and so we may want to recommend a  
21 more focused -- provide a more focused  
22 recommendation for a charter school district of  
23 selected schools or the schools with the highest  
24 need or who are in the greatest amount of  
25 crisis, particularly those intervention schools,

1 or the schools at risk of State intervention.

2 Those were my comments.

3 THE CHAIRMAN: Thank you, Commissioner  
4 Miller.

5 Just so you know, I absolutely intend to  
6 present findings as part of the report, not just  
7 the language that we're proposing. I'm happy to  
8 work with you on drafting that language.

9 Secondly, with respect to the  
10 recommendation on charter school district  
11 language, the reason it doesn't say that -- that  
12 I didn't put that in there is because as I read  
13 Mr. Rohan's memo, Duval County doesn't qualify  
14 under the State criteria to establish a district  
15 because our schools don't meet the minimum  
16 threshold. So this solution here is designed to  
17 get around that by just suggesting that the City  
18 create individual schools, which I think they  
19 still can do under the statute; they just can't  
20 create a district because the -- as I -- correct  
21 me if I'm wrong, Mr. Rohan, but that's what I  
22 understood your memo to be saying; we don't meet  
23 the minimum academic threshold to be eligible to  
24 create a district.

25 (Mr. Catlett enters the proceedings.)

1           MR. ROHAN: You read the supporting  
2 information in-between the lines. That is a  
3 correct statement. That is correct.

4           And the City does not sponsor a district.  
5 The school district sponsors a charter school  
6 district, but the City can sponsor individual  
7 schools.

8           THE CHAIRMAN: And the State Department of  
9 Education -- or does not the State Department of  
10 Education also have a role to play in the  
11 creation of charter districts as opposed to  
12 schools?

13          MR. ROHAN: You are correct. They control  
14 charter school districts. The Duval County  
15 School Board controls charter schools.

16          THE CHAIRMAN: Okay. Thank you.

17          So, Commissioner Miller, that's -- I don't  
18 want to recommend a solution for a district that  
19 we can't meet and then that's not an option for  
20 the Council.

21          MS. MILLER: Through the Chair --

22          THE CHAIRMAN: Yeah.

23          MS. MILLER: -- in response -- and I have  
24 some experience with charter schools.

25          I would like to at least propose in the

1 alternative that the City seek a charter school  
2 district authorization from the Florida  
3 Department of Education as an alternative to  
4 singularly sponsoring a charter school.

5 There's a lot of reasons for that, and it  
6 may be that there's an opportunity -- well,  
7 there's -- you have opportunity for greater  
8 economies of scale when you have a district,  
9 obviously. And it seems to me we're going to --  
10 that the City would need that if they were to  
11 undertake this process, and you may have more  
12 success with the State Department of Education  
13 in authorizing a charter school district.

14 So I would just propose that -- whether  
15 it's a singular charter school, multiple charter  
16 schools, or one district as authorized by the  
17 Florida Department of Education, I think all of  
18 those alternatives might be considered.

19 THE CHAIRMAN: Well, I'm happy to treat  
20 that as a friendly amendment. If you want to  
21 come up with language for number 4 in the next  
22 few minutes, then we can vote on that because,  
23 believe me, I'd like to do that. I just wasn't  
24 sure that we could.

25 MS. MILLER: Okay.

1 THE CHAIRMAN: Commissioner Youngblood.

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

3 Not to belabor the point of my opposition  
4 to an appointed school board over an elected  
5 school board, but I would like for all the  
6 commissioners to truly understand the difficulty  
7 that we place on our City Council in the event  
8 that they do approve this idea and take it to  
9 the Duval Delegation, which in turn takes it to  
10 Tallahassee for the final approval for us to do  
11 this. I would know at what cost are we about to  
12 launch and make a recommendation for our City  
13 Council, are we going to do this?

14 And I ask this of Steve Rohan because I  
15 believe you've made mention that there would be  
16 litigation, there would be a fight that ensued  
17 in the event that City Council did approve and  
18 adopt the Charter's recommendation of appointed  
19 versus elected because we have seven elected  
20 members currently, and we currently have a high  
21 percentage -- I think the current percent is  
22 84 percent -- the will of the people want to  
23 elect their city officials, not appoint. So I  
24 think I speak for the people when I talk with  
25 the percentage of 84 percent say that we would

1           rather continue to elect them than appoint  
2           them.

3                       So will we launch our City Council in the  
4           event that they do adopt and accept our  
5           recommendation into a legal battle?

6                       And, Steve, could you speak to that?

7                       MR. ROHAN: That raises a very interesting  
8           topic, through the Chair.

9                       Florida law currently prohibits local  
10          governments from expending funds in support of  
11          referenda, and therefore what would eventually  
12          have to happen if the Delegation -- City Council  
13          approved and Duval Delegation approved and there  
14          was a referendum, ultimately some citizen  
15          committee would end up having to sponsor it and  
16          would have to support it because there would be  
17          opposition to it.

18                      And so chances are there would be a legal  
19          fight, but I'm not sure that the City of  
20          Jacksonville would be on one end of that fight  
21          because we're not allowed to expend funds  
22          supporting it. So it would -- the people of the  
23          City, those strong leaders in support of it,  
24          would have to form whatever organization they  
25          would have to form in support of it, much like

1 we did to eliminate the elected Civil Service  
2 Board. And then there would be others who would  
3 oppose it, so there would be a legal fight. But  
4 generally the costs, I do not anticipate falling  
5 back on the shoulders of the taxpayers here.

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

7 Through the Chair, then I guess my question  
8 is -- because I recall back when the previous  
9 Charter Revision Commission met and they  
10 recommended that we elect or appoint our Civil  
11 Service Board over electing the Civil Service  
12 Board, it did go on the ballot as a referendum  
13 and it was extremely confusing. As a matter of  
14 fact, that ballot elected the Civil Service  
15 Board, and on the very same ballot the  
16 referendum to create an appointed board, which  
17 came at a great confusion because if those had  
18 known truly that they were giving up their right  
19 and appointing a board, they would have not  
20 checked the box, but it was drafted in such a  
21 fashion that it was confusing.

22 I just want to know, are we prepared to  
23 have this fight if they truly accept our  
24 recommendation? Not that we shouldn't attempt  
25 to fight for something, but you've got me

1           kicking and screaming and you're going to drag  
2           me all the way to City Council stating that this  
3           is our recommendation, and it's not unanimous,  
4           truly.

5                     And I've seen nothing compelling that says,  
6           Let's just do it. Let's just jump in. We don't  
7           know the law of unintended consequences. Have  
8           we heard enough?

9                     And I know we're going to speak to the  
10          issue today of the upcoming Charter Revision  
11          Commission, when they come and speak, or they  
12          come in to find their -- make decisions and have  
13          findings, how long do they need? Because I  
14          don't know that we've been given enough time to  
15          appropriately cover this topic.

16                    Now, we've clearly had speakers that are in  
17          favor of the charter school program, that are in  
18          favor of the KIPP school program, but we've  
19          heard from very few of our elected officials who  
20          are currently doing the hard work and the heavy  
21          lifting for our current school board; seven  
22          members -- not all of them. We have heard from  
23          a few. And I see the look on the commissioners'  
24          faces. We've heard from some. We've heard from  
25          some, but there's seven elected members

1           currently, and we haven't heard from each of  
2           them and their perspective of what they have to  
3           deal with.

4           In communication just in this past week  
5           with school board members, I found that the  
6           budget concerns that I gave of being  
7           \$1.9 billion, and being over \$15,200 per  
8           student, is inaccurate. It's probably closer to  
9           10- or \$11,000 per student. But when you see  
10          the amount of money that's spent on payroll and  
11          other budget issues that they're concerned with  
12          and the money that comes from the State of  
13          Florida, they are mandated to spend it in a  
14          certain fashion. So here we are saying, "You're  
15          not doing a good job," when their hands are tied  
16          from Tallahassee.

17          I'm just fearful of the law of unintended  
18          consequences and come out unanimously and say,  
19          hey, let's do this as a commission, when we  
20          don't realize the fight legally that we're going  
21          to have, the public outcry -- 84 percent that  
22          are not for it -- let alone the opposition that  
23          we see currently in City Council to it. So when  
24          we make this preparation, are we wasting our  
25          time?

1           And then I digress and go back to we do  
2           need to give the next Charter Revision  
3           Commission more time and more appropriate  
4           resources to dig into these tough topics.

5           Thank you, Mr. Chairman.

6           THE CHAIRMAN: Commissioner Korman.

7           MS. KORMAN: I have to respectfully  
8           disagree with Chairman Youngblood on a few of  
9           his points.

10           One of the points is going about not having  
11           enough time. A few of us felt that way about  
12           the sheriff, and unfortunately we only heard  
13           from really one sheriff. And so I respect that,  
14           but once again, you know, we only have a certain  
15           amount of time and we basically do what we have,  
16           and I think we've had a vast amount of speakers  
17           that have said in numerous of their  
18           presentations the voter's right actually becomes  
19           more powerful when you have one person over the  
20           whole education system versus seven independent  
21           people because you only -- you're basically only  
22           voting for one, but you've got a whole board  
23           making that decision.

24           So I think, you know, we've all been  
25           very -- it's been a benefit to all of us to

1 learn that for the past eight months and to get  
2 the insight, but, unfortunately, the rest of the  
3 public hasn't. But that's our job during these  
4 meetings, to tell them exactly what we've  
5 learned and hopefully that they'll hear and  
6 listen.

7 I think that as far as the unintended  
8 consequences, our job -- and correct me,  
9 Mr. Chairman, if I'm incorrect -- is -- and I  
10 don't want to sound -- I'm not sure how I want  
11 to say this, but it's not our job to worry about  
12 the lawsuit and everything else. Our job is to  
13 make recommendations and then it's up to the  
14 City Council.

15 And I will tell you, if you look at all the  
16 history of constitutional amendments -- and if  
17 it's pregnant pigs or anything else, there are  
18 citizen groups that come out in support.

19 Our job is not to basically lobby after  
20 this is done. We've done our job, and we hope  
21 we've done our job well enough where the public  
22 gets engaged and researches it and has an open  
23 dialogue like we did.

24 We're the starters of the conversation, we  
25 make a recommendation, and from there -- if

1           there are unintended consequences and a lawsuit,  
2           unfortunately it happens all the time in this  
3           world. And I think just like if you go back to  
4           consolidation, if we didn't make some of the  
5           changes and rec's we did back when they did in  
6           1967, then we wouldn't have been the great city  
7           we are now. And our job is to do the research,  
8           to make a recommendation, and go forward from  
9           that.

10           And I fully support Chairman Duggan's  
11           recommendations. I think that they were very  
12           well thought out. I think it's giving the City  
13           Council some leeway to make decisions they want  
14           to make. But I think it's really to better our  
15           city and I think we need to make some changes,  
16           so you have my full support.

17           THE CHAIRMAN: Commissioner Oliveras.

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

19           A question either to the Chair or to OGC  
20           regarding the at-large residency issue  
21           Commissioner Miller brought up.

22           My understanding of how it works with the  
23           City Council is you either represent and live in  
24           a district or you're one of the five at-large,  
25           but -- and you have something of a residency

1 requirement for the at-large, but -- and I may  
2 be misunderstanding what Commissioner Miller is  
3 saying, but are we talking about creating a  
4 position that would be elected at-large but yet  
5 represent a specific district as the seven  
6 school board districts are currently  
7 structured? Because if that's the case, would  
8 that be legal?

9 MR. ROHAN: As I understand the  
10 recommendation is to move to residential  
11 at-large districts, which is what we have at  
12 City Council. We have 14 individual districts,  
13 single-member districts with only the voters in  
14 that district voting, and then those 14 are  
15 grouped into seven -- or into five groups where  
16 the candidates must reside in that group area,  
17 but the entire Duval County votes on them.

18 So that's what I understand the chairman's  
19 recommendation is, is that you must reside  
20 there, but all the electors vote on you.

21 MR. OLIVERAS: Thank you.

22 I just -- I was concerned that we were  
23 still going to maintain the seven geographical  
24 school board districts as those at-large --  
25 potentially at-large school board members

1           representing a specific geographic area be  
2           elected district -- or countywide.

3           THE CHAIRMAN: Well, I think to clarify --  
4           that the suggestion has been made that the  
5           residence area tied to the elected school board  
6           members correspond to the existing school board  
7           districts, but not that they would represent  
8           only those areas. They would be elected by the  
9           whole county, so they would, in that regard,  
10          represent the whole county, but their residence  
11          area could, as a possible alternative, as a  
12          possible solution, consist of some combination  
13          of the existing school board districts.

14          So does that clarify?

15          MR. OLIVERAS: Yes.

16          THE CHAIRMAN: Okay. Commissioner  
17          Herrington.

18          COMMISSIONER HERRINGTON: Good morning  
19          again, through the Chair.

20          I have to say, I've had the experience of  
21          being a teacher here in Duval County in the  
22          public school systems, and now I am a criminal  
23          defense attorney here at the Public Defenders  
24          Office. And I can't tell you what is more  
25          disheartening than walking into the courtroom --

1            basically every day when I'm late, I'm coming  
2            from court; if I'm leaving early, I'm going  
3            back -- and seeing about four or five juveniles  
4            sitting in there facing prison. What's also  
5            more disheartening is seeing former students  
6            coming in who were mine.

7                       And, you know, not to say that going to an  
8            elected school board -- or an appointed school  
9            board is going to solve all of the problems or  
10           it may not solve any of them, but by having  
11           those experiences I think that we should do  
12           something. I think that this -- that this is a  
13           step as trying to make a change. As we've  
14           stated before, if it doesn't work, then we've  
15           seen cities who have gone back to an elected if  
16           appointed did not work.

17                      I think for the sake of the students who  
18           are involved, I think there is something that  
19           needs to be done. And certainly as a teacher  
20           here in Duval County, there are many times that  
21           I had students who would miss weeks of school at  
22           a time, and then you would go to the home and  
23           you would find out that they're baby-sitting  
24           because the parents have to go to work, or for  
25           single-family homes that -- I taught fifth

1 grade. So I had a fifth-grader watching a  
2 toddler so the mother could go to work. And  
3 that's just unacceptable.

4 And I think that the recommendations here  
5 that the chairman have put together -- the only  
6 thing that I kind of disagree with is  
7 recommendation number 2. I think I'm kind of in  
8 the position that either it should be all  
9 elected or all appointed instead of having a  
10 hybrid system. After more discussion and before  
11 we go to vote, I'm sure I will have made some  
12 type of a decision by then.

13 But I think that some type of change is  
14 needed. My mother was an educator here in Duval  
15 County public schools for 37 years. She just  
16 recently retired. And by growing up, you know,  
17 with my mother, I got to see the change in the  
18 school board from growing up -- I went to public  
19 schools -- to see the -- basically, almost the  
20 deterioration of some schools from those -- from  
21 the 30 years that I got to see from my mother  
22 being in the school system. I believe I was  
23 very fortunate to have a mother as an educator  
24 because I had that inside -- I guess if you want  
25 to say loop or inside, you know, information --

1 to it.

2 I graduated from -- I went to James Weldon  
3 when it became the pre-college prep, the feeder  
4 into Stanton. I graduated from Stanton, so I  
5 feel that I was very lucky as maybe opposed to  
6 some of my counterparts who did not have the  
7 same opportunity.

8 But as I've stated by being on both sides,  
9 being in the public school system and now I'm in  
10 the criminal justice system, I think that there  
11 is absolutely something that needs to be done.  
12 And it's just at the cost of our students, I  
13 don't think that we should just sit here and say  
14 that the way it's been going that it's okay.

15 I agree that something needs to be done,  
16 and I think that this is the step going in that  
17 direction in order to protect some of our -- in  
18 order to protect our students.

19 I just wanted to share that.

20 THE CHAIRMAN: Thank you, Commissioner  
21 Herrington.

22 Commissioner Miller.

23 MS. MILLER: Through the Chair, I'll defer  
24 comments until -- maybe after if we have  
25 Reverend Gundy here. I'm assuming we're going

1 to continue this conversation after his  
2 presentation.

3 THE CHAIRMAN: Again, I was thinking we  
4 would finish this and then move to Reverend  
5 Gundy.

6 MS. MILLER: Okay. All right then.

7 I just wanted to echo the sentiments of  
8 Commissioner Korman.

9 And if you haven't had an opportunity to  
10 review Mr. Rinaman's letter to the Commission  
11 dated February 3rd, I think he goes into great  
12 detail, Commissioner Youngblood, on all of the  
13 reasons why Duval County is different, as I  
14 mentioned in the last meeting, why we are  
15 different, why we have certain authority. And  
16 at the end of the day and the beginning of the  
17 day we make a recommendation. The City Council  
18 can choose to put it on the ballot or not. What  
19 we have done is we have brought facts to light  
20 in the public forum, we have started a  
21 conversation, and ultimately the citizens -- the  
22 citizens' group or otherwise, as was started in  
23 Kansas City -- is going to have to take this  
24 ball and run with it or not, right, or the City  
25 Council will have to make some recommendations

1           within their authority, either through the Duval  
2           Delegation or through a public referendum,  
3           depending on the recommendation.

4           But I don't think fear, or the fear of  
5           either being wrong or the fear of being defeated  
6           or the fear of a lawsuit should intimidate us or  
7           should deter us from recommending something that  
8           we have learned is in -- is probably in the very  
9           best interests of our children and our city. So  
10          fear can drive us to do a lot of things, but I  
11          don't think fear should deter us from doing what  
12          we, I think, is an inescapable conclusion that  
13          something has to be done in this community to  
14          change public education.

15          It is a -- it's like a public health  
16          crisis, and no one in this community would  
17          tolerate a public health crisis. We have a  
18          public education crisis. And so the answer  
19          should lay with our elected leaders.

20          And I truly appreciate Commissioner  
21          Herrington's personal insight. That's -- it's  
22          very -- I really appreciate your comments and  
23          your insight because I think we've heard now  
24          from a teacher.

25          And if we haven't heard from all the school

1 board members, it's not for a lack of invitation  
2 certainly, and it's not for a lack of their  
3 willingness and desire to actually come here and  
4 speak on the public record. They have had  
5 multiple opportunities. And, in fact, as you  
6 know, one of our early members was a school  
7 board member, Martha Barrett. So we have had  
8 multiple opportunities to hear from school board  
9 members and to hear from the experts at the  
10 school board.

11 So I will just close on that.

12 THE CHAIRMAN: Commissioner Garvin.

13 MS. GARVIN: Thank you.

14 Gosh, I'm sitting here listening to the  
15 pros and cons, and I'm going to go back to my  
16 comments last week.

17 Our system is broke, and we've been doing  
18 it the same way for a long time now with an  
19 elected board. And you can say, Well, this  
20 board is different. How long does it take for  
21 things to change?

22 We have to do something, and what we're  
23 doing is making a recommendation that the  
24 leaders -- that the elected officials look into  
25 it and come up with the answer, but we're saying

1 to them we have a serious problem and something  
2 needs to be done. Somebody needs to shake the  
3 tree because it's just not happening at the  
4 status quo that we have.

5 If you had asked -- and I'm sure Mayor  
6 Austin can answer this, but I'm sure if you  
7 asked people back when consolidation was put on  
8 the table, there were a lot of tempers that flew  
9 in all different directions. People didn't want  
10 it. People that lived in the county didn't want  
11 to be in the city, and people that lived in the  
12 city didn't want to mess with the county. There  
13 were all kinds of things that were going on, but  
14 we took it to the people and the people decided,  
15 and it was the best thing that happened to  
16 Jacksonville in our government.

17 So now we're at a point where something  
18 needs to be done. And, in my opinion, this  
19 could even be stronger. And I'm glad to know  
20 that you're going to put some finding of facts  
21 in there because I think this is too general for  
22 them to look at. It would be easy for them to  
23 read that and say, Oh, that's good, and put it  
24 aside without having finding of facts.

25 But I just am very, very concerned about

1           our school system, and I think that if we don't  
2           make a recommendation -- a strong  
3           recommendation -- to do something, then we're  
4           going to go back and look at ourselves later and  
5           say we had an opportunity to make a difference  
6           in Jacksonville and we didn't do it. And I  
7           don't want to do it because I'm afraid of a  
8           fight or I'm afraid of being sued. I think we  
9           need to do it because it's the right thing to  
10          do. We make the recommendation that they look  
11          into it, that they come up with it. They can  
12          come up with -- the City Council can come up  
13          with the plan. We're not telling them the  
14          plan. We're telling them that we need a change,  
15          and this is the direction. We've listened to  
16          the people and here's a direction, but it's up  
17          to them to come up with a plan.

18                 I fully support, with some of the changes  
19                 that have been mentioned, your reform.

20                 Thank you.

21                 THE CHAIRMAN: Vice Chair O'Brien.

22                 MS. O'BRIEN: We all know that inertia is a  
23                 strong force, and the inertia of our current  
24                 school system is not going in the right  
25                 direction.

1           I understand, as well as everybody, that  
2           change is difficult. It's a difficult decision  
3           to make no matter who you are, whether you're  
4           appointed like we are to serve on this board, or  
5           whether you're elected. I think the need for  
6           change is very evident just looking at our  
7           scores, at our graduation rates. No matter how  
8           you manipulate certain things, it's evident that  
9           Duval County is at the very bottom of the list  
10          within Florida, and unfortunately even within  
11          the nation.

12           And I don't want to give the impression  
13          that this board is passing the buck to our City  
14          Council elected officials. Unfortunately, it's  
15          the way that we're structured currently that we  
16          can only make recommendations to our City  
17          Council or to our Duval Delegation at the  
18          legislative level.

19           We will be discussing later on this  
20          afternoon whether we want to recommend changes  
21          in the future for future Charter Revision  
22          Commissions, but I believe that we aren't  
23          passing the buck, and this isn't an issue where,  
24          you know, we're just saying, Here are our  
25          recommendations; you know, you have the heavy

1           lifting. I think we as a board have done some  
2           significant heavy lifting to bring this issue to  
3           the forefront. And personally for me, this is  
4           the strongest thing we can do for our city and  
5           for the future of our city.

6           I believe in ethics, I believe in certainly  
7           financial impact statements and other votes that  
8           we have made as a commission, but truly I  
9           believe this is the biggest crisis that we as a  
10          city face and that our recommendation to the  
11          City Council is the most important thing that we  
12          do over our eight-month period.

13          That's a personal opinion, but I don't  
14          think that we're passing the buck and that if  
15          personally we had the power to put this on a  
16          referendum, I would certainly vote to do that  
17          immediately.

18          THE CHAIRMAN: Commissioner Miller, do you  
19          have the language for your amendment?

20          MS. MILLER: The amendment for the  
21          district?

22          THE CHAIRMAN: Item number 4, for the  
23          charter school district.

24          MS. MILLER: Yes. So in item number 4,  
25          "Establish," as you've stated, "charter" -- is

1           that -- "Establish charter schools," and I've  
2           suggested "or an appropriate charter school  
3           district." And I guess you would say "under the  
4           sponsorship and governance of the City of  
5           Jacksonville." So that way it's an appropriate  
6           charter school district, and then I don't know  
7           if we need to, in this context, explain that  
8           they can apply or give the Council advice either  
9           in this recommendation or in the body of the  
10          report that the charter school district can -- a  
11          charter school can be sponsored through the  
12          Duval County school district or that the City  
13          can seek a charter school district designation  
14          through the U.S. -- the Florida Department of  
15          Education. I don't know if we need to get that  
16          specific in the recommendation, but I just  
17          suggested "or an appropriate charter school  
18          district" in sort of a parenthetical or a phrase  
19          right in there, before "under sponsorship and  
20          governance."

21                   THE CHAIRMAN: Thank you.  
22                   Commissioner Catlett.

23                   MR. CATLETT: Mr. Chairman, I'm not certain  
24                   how to pass this information on, but it appears  
25                   that, you know, we had appointed and we had

1           elected, but in the process of listening to all  
2           the folks that were from the appointed systems,  
3           one thing rang out very clearly, and that was to  
4           give principals more autonomy on their schools  
5           and let them hire the teachers that they wanted  
6           to hire.

7                   And somebody else may think that's  
8           something different, but I listened for hours  
9           and hours, but that's -- I'm kind of a simple  
10          guy -- that's what I picked up that was a  
11          uniform thread going through this.

12                   And I don't know whether this is going to  
13          pass this commission or not. I don't know  
14          whether it's going to pass the City Council. I  
15          sure don't know whether it would pass the  
16          referendum, but I do think we need to pass on to  
17          the school board and to the Council that the  
18          common theme -- and there may be others, but the  
19          two common themes that I heard were that their  
20          major successes were as a result of giving  
21          principals more autonomy and letting them pick  
22          their own teachers.

23                   Now, I don't know what format that takes or  
24          how that fits in, but it seems like to me that  
25          that's what everybody said and we should pass it

1 on to somebody.

2 THE CHAIRMAN: Thank you.

3 I'm happy to include that in the findings  
4 of the report which everybody will have a chance  
5 to review. And if you think I have overstated  
6 that or understated that, we can address that in  
7 the final language, but I think it's an  
8 excellent finding to include.

9 Commissioners, I have nobody else in the  
10 queue.

11 Commissioner Austin, did you --

12 MR. AUSTIN: Yes. Mr. Catlett, I think  
13 that one of the basic problems with the  
14 principal and the -- is the union. The  
15 contracts make it very, very difficult to have  
16 any control over the assignment and promotion  
17 and so forth of teachers. I don't -- I think  
18 all of these issues have to be addressed by who  
19 is running the system. I'm not -- I -- some of  
20 these comments have just been, I think, right to  
21 the heart of it.

22 The system clearly, to me, has been -- and  
23 I've been saying this for at least 25 years --  
24 is broken. I mean, it's just a broken system.  
25 It's not getting the job done with the children

1           in our community. And the way we deliver  
2           educational services to our children is not  
3           reflective of the desires and the ability of  
4           this community to do things, in my judgment.

5           I would address one comment that was made  
6           about what the people want. Ultimately, the  
7           people will decide this by whom they elect as  
8           mayor and whom they elect as Council to confirm  
9           them and so forth. But if you had to poll real  
10          quickly whether you elect or appoint school  
11          board members, the public would overwhelmingly  
12          appoint -- elect. I mean, the people will say,  
13          you know, I would rather elect them. But if you  
14          follow polls, you aren't leading. I mean, you  
15          know, you just -- you can't -- if -- you go  
16          nowhere if you follow polls. It's whimsical.  
17          Not that the public's opinion is whimsical, but  
18          if you take it at any particular time, you can't  
19          rely on it to make major policy decisions.  
20          That's why we have a representative form of  
21          government in this country to analyze, to hear  
22          debates on both sides, and not do things on  
23          emotions and on the way the wind is blowing that  
24          particular day. Some of this is reflected in  
25          our constitution that we've amended too quickly

1 without having debate on both sides of it.

2 But I think the system, personally, is  
3 broken. I think we should take action on how to  
4 fix it. I think the action can only come from  
5 the top. And I think that the way we are  
6 proposing to have it done to do it is the best  
7 way for the future of this community and for --  
8 I'm not thinking about the politics of it. I'm  
9 talking about educating those children out  
10 there.

11 Thank you.

12 THE CHAIRMAN: Commissioner Deal.

13 MS. DEAL: This is a question. Is there  
14 any reason why we wouldn't want to propose to  
15 add what Commissioner Catlett suggested since we  
16 did -- that was one of the main things that we  
17 had heard throughout the entire presentations,  
18 and this particular document would be -- I think  
19 it merits being added to education reform as  
20 being one of the issues that we heard as a  
21 possible recommendation to help improve our  
22 school system. And that's what I understood  
23 from last week what this document was going to  
24 be is a list of recommendations and things -- of  
25 findings that we had heard that may benefit

1 improving our schools.

2 THE CHAIRMAN: How would you propose to  
3 incorporate it? And that could be Commissioner  
4 Catlett or Commissioner Deal. As an item  
5 number 5?

6 MS. DEAL: Sure. I mean, yeah.

7 THE CHAIRMAN: Commissioner Catlett, do you  
8 want to --

9 MR. CATLETT: That's fine.

10 (Inaudible.)

11 THE CHAIRMAN: He's throwing you under the  
12 bus.

13 MR. ROHAN: That's where I live. It's a  
14 welcome place.

15 THE CHAIRMAN: Commissioner Catlett, we  
16 would like you to draft -- we're going to have  
17 some continuing discussion on whether we add  
18 this. But in the interim, Mr. Rohan,  
19 Mr. Catlett has asked if you could draft some  
20 language to reflect the sentiment he expressed  
21 earlier as to the importance of principal  
22 autonomy. Is that an accurate --

23 MR. CATLETT: Pretty much.

24 MR. ROHAN: Okay. That would be fine.

25 I'll have that.

1           MR. CATLETT:  And hiring their own  
2 teachers.

3           THE CHAIRMAN:  Okay.

4           MR. ROHAN:  Okay.

5           THE CHAIRMAN:  Commissioner Korman, did you  
6 want to be heard on this issue?

7           MS. KORMAN:  I support Commissioner --  
8 excuse me, you knew I'd say something -- I  
9 support Commissioner Catlett's and Commissioner  
10 Deal's thoughts, but my concern is, it's really  
11 not part of the Charter.  I mean, their point,  
12 if I'm understanding it, is more specific, and I  
13 don't know if that's our purview to go into that  
14 because the other recommendations you have are  
15 more big-picture structural, so I don't know if  
16 that causes problems and we're starting to muddy  
17 up the waters a little bit.  So I don't know.  I  
18 mean, because we can write 20 things, of course,  
19 wanting to change the education system.

20           So that's my question to Mr. Rohan or to  
21 the chairman about, you know, are we starting to  
22 muddy the waters by getting a little too  
23 specific about things?  Even though I agree with  
24 their points wholeheartedly, I just don't know  
25 if that's part of our purview.

1           THE CHAIRMAN: Mr. Rohan, would you like to  
2           opine?

3           MR. ROHAN: Well, you are the Charter  
4           Revision Commission. You are here to make  
5           recommendations with regard to the Charter, but  
6           there are no Charter Revision police, so those  
7           recommendations that you make outside of that  
8           will not force any liability on you.

9           But you are the Charter Revision  
10          Commission, and I'll leave it to you to decide  
11          as a policy matter what matters you would like  
12          to put in your documents.

13          THE CHAIRMAN: Thank you, Mr. Rohan.

14          Commissioner Korman, my intent is we'll  
15          vote on that amendment as to whether the  
16          commissioners want to add it into the document,  
17          whether they share your sentiment that perhaps  
18          it's a little bit too fine a detail for this  
19          document or not.

20          MS. KORMAN: And my point, as I say, solely  
21          to repeat again, it's not that I'm against it.  
22          It's just that the more we add to these  
23          recommendations, the more they're going to get  
24          lost, and that's my concern. If we could focus  
25          on -- because I know we've talked about one

1           versus multiples; the more we add, the more  
2           issues that get lost.

3           THE CHAIRMAN: Thank you.

4           Mr. Clements.

5           MR. CLEMENTS: I might just throw in one  
6           little item on -- in paragraph 3 where  
7           Commissioner Miller has proposed at-large  
8           residency areas based on the current school  
9           board districts.

10           Just for your information, the current -- I  
11           guess it's either the Charter or the code, I'm  
12           not sure which -- currently provides that the  
13           school board districts are comprised of pares of  
14           City Council districts. So every ten years when  
15           the City -- when the census is taken and the  
16           City reapportions the Council districts, the  
17           school board districts change every ten years  
18           because it's made up of pared school board  
19           districts.

20           So if you -- I don't know if you want to  
21           say anything in there about, you know, based --  
22           at-large residency areas based on pared City  
23           Council districts as we currently do school  
24           board districts, or -- but just -- that's the  
25           way it's done. So it's not a fixed thing. It

1 changes every ten years.

2 THE CHAIRMAN: Thank you, Mr. Clements.  
3 That is helpful information.

4 Commissioner Miller, I have you in the  
5 queue.

6 MS. MILLER: Through the Chair, just as a  
7 suggestion to build on Commissioner Catlett's,  
8 Commissioner Deal's and Commissioner Korman's  
9 comments, and again getting back to the idea of  
10 findings of fact or background, what we have  
11 heard is not just that there needs to be more  
12 autonomy to the principals, that there also  
13 needs to be more authority and empowerment to  
14 the teachers and more authority over the school  
15 in terms of discipline and every aspect of  
16 that.

17 And what it gets down to is empowerment and  
18 instilling and giving people the authority to  
19 run the school, and then measuring  
20 individuals -- principals and teachers -- based  
21 on student outcomes. And so along with that, we  
22 heard about merit pay, and we know that the Race  
23 to the Top, you know, through the U.S.  
24 Department of Education is all about merit pay.  
25 It's about rewarding actual school performance,

1 and school performance eventually is based on an  
2 evaluation of those individuals who are  
3 delivering the student -- student services; the  
4 teachers and the principals.

5 So when you talk about empowerment and more  
6 autonomy to the principals, we're talking about  
7 the teacher authority, we're talking about  
8 streamlining funding. All of those things get  
9 back to making sure that you have either a  
10 school board, a school district, a  
11 superintendent, who has the political ability to  
12 empower and stand by those people who are making  
13 really difficult decisions.

14 And we know that in a political environment  
15 where people are, you know, worried about being  
16 elected, they are going to be more beholden to  
17 teacher unions, they are going to be more  
18 beholden to being -- and more worried about  
19 being reelected than actually making the hardest  
20 decisions.

21 And if you -- I know we haven't had a lot  
22 of time to look at this, but if you have any  
23 opportunity to hear about Michelle Rhee as the  
24 chancellor of the D.C. school district, then you  
25 will know she has to make very, very hard

1 decisions. But it's about that level of  
2 empowerment.

3 So I -- so to answer -- or maybe to respond  
4 or make a suggestion, and as Commissioner Korman  
5 mentioned, there are a lot of recommendations  
6 that we heard, and they all get down to  
7 empowerment and creating accountability.  
8 Because as soon as you create the empowerment,  
9 you want to create accountability, and then you  
10 want to be able to reward it where there's  
11 performance.

12 And so how we change the system should be  
13 based on some of those principles. I don't know  
14 if the existing school board can establish that  
15 or not. I think they're good recommendations,  
16 whether it's appointed, elected, hybrid,  
17 whatever it is, but -- and I think we should  
18 capture that. So if it's in findings,  
19 recommendations of fact, but there needs to be a  
20 fundamental shift so that we can empower, hold  
21 accountable, and then reward where there's  
22 actual outcome.

23 So I think it might be appropriate in  
24 findings of fact, but somehow if we weave it in  
25 to say that these recommendations are based on

1 the idea of ensuring that we increase authority  
2 and therefore we will reward successful  
3 outcomes.

4 Just a thought.

5 THE CHAIRMAN: Commissioner Catlett.

6 MR. CATLETT: Well, I totally agree with  
7 the last speaker, Commissioner Miller.

8 I wasn't trying to dilute who's in charge.  
9 I appreciate my colleague, Mayor Austin, and  
10 also this young lady down here, Ms. Korman.  
11 They're absolutely right. Who's in charge is  
12 the fundamental piece, but we don't get beyond  
13 our 15 votes on the referendum and what we send  
14 to City Council, we really don't have a whole  
15 heck of a lot to do with what the eventual  
16 outcome is if this reaches the referendum.

17 However, given that each and every single  
18 speaker -- and I know they haven't talked to  
19 each other because they're from all parts of the  
20 country -- had exactly the same keys to their  
21 success, exactly.

22 Unless somebody picked up something I was  
23 totally missing, it was -- their key to success  
24 was giving principals more autonomy and letting  
25 them hire their own teachers where they got the

1           brightest and the best. It didn't matter if  
2           they were elected or appointed, as you said,  
3           Jeanne, that they should be given that  
4           suggestion because we can't tell whether this  
5           will ever make it to the referendum or not, and  
6           if it does, how it's going to turn out.

7           But either way, this current school board,  
8           until it gets to the referendum or until there's  
9           a change or not a change, really ought to have  
10          the benefit of knowing what we have sat through  
11          dozens of hours of testimony to determine two  
12          things: let the principal have more autonomy  
13          and accountability, and let them hire their own  
14          people so that they can get to that  
15          accountability. It's hard to be accountable  
16          when you have no idea as to who you're going to  
17          have working for you, and you have no control  
18          over hiring them, firing them, or disciplining  
19          them.

20          So I wasn't trying to dilute, Mayor. I  
21          wasn't trying to dilute what your idea was at  
22          all. I'm simply saying whoever is running the  
23          show; appointed, elected, whoever, they ought to  
24          at least have the benefit of all the dozens of  
25          hours that we have sat through and boiling it

1 down to two things that were a universal thread  
2 in the fabric of education.

3 THE CHAIRMAN: Commissioner Austin.

4 MR. AUSTIN: Yeah. I would just like to  
5 point out, I agree with everything you say. I  
6 just don't know how you get there.

7 MR. CATLETT: I don't know that.

8 MR. AUSTIN: I think the board's got to  
9 make some policies on how -- who has the  
10 discretion to run -- really run the system, who  
11 has the discretion to promote employees. I  
12 think all of that's very, very valid. And I  
13 think I agree with all your comments. I don't  
14 know whether you can put those details into what  
15 we're doing or not and make it work, but I agree  
16 with everything you've said on it.

17 THE CHAIRMAN: Commissioner Oliveras.

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

19 Just as a suggestion, I would like to be  
20 able to support this idea because I think a  
21 strong dynamic principal is crucial to a  
22 school's success. That's why I was talking  
23 earlier and suggesting the idea of a pointed  
24 list of recommendations for improvements beyond  
25 what occurs with this current measure here.

1           And it may be worth -- I don't know if we  
2           have anybody that can answer the question. I  
3           know to some extent that occurs now. The  
4           principal at my school interviews for new  
5           teaching positions every year. She just  
6           finished a two-week process of interviewing  
7           football coaches. So that occurs now. I don't  
8           know, I couldn't speak to how widespread the  
9           practice is and how -- you know, how each school  
10          does it, if it's a district policy, but we might  
11          want to know to what extent it occurs now before  
12          we make a recommendation to do something that's  
13          currently occurring.

14           THE CHAIRMAN: Commissioner Deal.

15           MS. DEAL: No.

16           THE CHAIRMAN: Thank you.

17           Commissioner Eichner.

18           MS. EICHNER: I can't recall who the  
19          speaker was, but I think along the lines of what  
20          Commissioner Oliveras says, that there were from  
21          the district level in their presentation some of  
22          those instances.

23           One of the ones that I remember most was  
24          that in one year a principal moved a school from  
25          an F school to an A school in one school year.

1           So it's being done in the district. I would  
2           echo what Commissioner Oliveras said. I don't  
3           know how widespread it is, but it is happening.

4           THE CHAIRMAN: Commissioners, I have nobody  
5           else in the queue.

6           All right. Then we'll start voting on  
7           amendments.

8           Mr. Rohan.

9           MR. ROHAN: As I understand Commissioner  
10          Catlett's amendment, which would be number 5,  
11          the amendment to the proposal that you have  
12          here, it would read that, "The Council and the  
13          School Board pursue such remedial legislative  
14          action as will empower school principals with  
15          more autonomy in the selection of staff, the  
16          improvement of educational instruction, and  
17          increased accountability at the school level."

18          That's, as I understand, what  
19          Commissioner's recommendation was.

20          THE CHAIRMAN: Commissioner Catlett.

21          MR. CATLETT: Based on what I have just  
22          heard, can we put the words "further  
23          empowered"?

24          MR. ROHAN: Yes, of course.

25          MR. CATLETT: Mr. Chairman, could I ask a

1 question of general counsel?

2 THE CHAIRMAN: Yes.

3 MR. CATLETT: I do subcontractor work for  
4 the school board. Am I allowed to vote on this,  
5 not vote on this? I just want to know either  
6 way what I'm to do.

7 MR. ROHAN: Every Commissioner is fully  
8 allowed to vote on every recommendation that you  
9 have. You absolutely have the right to vote on  
10 this.

11 MR. CATLETT: Okay.

12 THE CHAIRMAN: Mr. Rohan, can I have that  
13 language? Can you give me that language so I  
14 have it in front of me? If you want to transfer  
15 it to another piece of paper so you have your  
16 own copy, that's fine. We won't vote on this  
17 one first, just to give you some time to do  
18 that.

19 MR. ROHAN: Okay.

20 THE CHAIRMAN: Okay. Commissioners, I  
21 would propose that our first vote be on  
22 Commissioner Miller's amendment to item number 4  
23 so that it would read as follows: "Establish  
24 charter schools or an appropriate charter school  
25 district under the sponsorship and governance of

1 the City of Jacksonville."

2 Everybody understand the proposal?

3 MS. EICHNER: One more time.

4 THE CHAIRMAN: Item number 4 would read,  
5 "Establish charter schools or an appropriate  
6 charter school district," and then the rest  
7 would remain.

8 All in favor of that amendment, please  
9 raise your hand.

10 Commissioner Thompson -- these are the aye  
11 votes: Commissioner Thompson, Commissioner  
12 Korman, Commissioner Flowers, Commissioner  
13 Eichner, Commissioner Catlett, Vice Chair  
14 O'Brien, the Chair, Commissioner Austin,  
15 Commissioner Deal -- it's unanimous except --  
16 I'm sorry -- Commissioner Deal, Commissioner  
17 Catlin, Commissioner Garvin, Commissioner  
18 Herrington, Commissioner Miller.

19 Opposed.

20 Commissioner Oliveras, Commissioner  
21 Youngblood.

22 Thank you.

23 So that amendment passes.

24 Commissioner Miller, you had suggested in  
25 the opening sentence that we would change

1 "further review" to "further action."

2 MS. MILLER: Right.

3 THE CHAIRMAN: I take that as an  
4 amendment?

5 MS. MILLER: Right.

6 THE CHAIRMAN: Okay.

7 MS. O'BRIEN: Second.

8 THE CHAIRMAN: We have a motion and a  
9 second on that change.

10 MR. AUSTIN: I'm sorry. Can you repeat  
11 it?

12 THE CHAIRMAN: Yes. Commissioners, this  
13 change would be in the first sentence of the  
14 document where it says, "The Commission  
15 recommends the following measures," comma, "in  
16 order of priority," comma, "for further review  
17 by City Council."

18 Commissioner Miller has proposed that that  
19 be changed to "for further action by the City  
20 Council."

21 We have a motion and second on that  
22 amendment.

23 Is there any discussion on that amendment?

24 Commissioner Eichner.

25 MS. EICHNER: Are we -- in changing that

1 language, are we asking for a public  
2 referendum? We don't specifically say -- we say  
3 "and a public referendum." We don't say "or."  
4 So is there an option in the way that that  
5 language is written?

6 THE CHAIRMAN: The language is written  
7 where I have "if applicable." I don't believe  
8 that item number 4, including as now amended,  
9 requires a public referendum.

10 (Mr. Catlett exits the proceedings.)

11 THE CHAIRMAN: So I have put in "if  
12 applicable" because I want to make it clear that  
13 ultimately we want the people to vote on any  
14 issue that requires -- or that has the option of  
15 a referendum, excuse me, because as we all know  
16 there are two ways to do these changes. One is  
17 a J bill and it doesn't go to the people, and  
18 the other is local action, local referendum. I  
19 think that's the better course. I think we all  
20 do, and I think that's universal. And I just  
21 wanted to make it clear in the language, but I  
22 did not want to make it sound like we needed a  
23 referendum on the charter school district or  
24 charter schools because we clearly don't.

25 Commissioner Miller.

1 MS. MILLER: Just through the Chair to  
2 clarify it, the word "review" in my mind  
3 suggests that the Council can now -- or maybe  
4 should undertake another lengthy review of  
5 this. And it gets to my point of we've done a  
6 lot of the background homework for them, and for  
7 them to know that these are -- it's more for  
8 them to take action, either voting them up or  
9 down, whether they go to the Duval Delegation or  
10 to the -- to referendum. It's more to the  
11 Council not saying that they're going to take a  
12 specific action, but just to act on the  
13 recommendations as opposed to continuing to  
14 think about them.

15 MS. EICHNER: Thank you.

16 THE CHAIRMAN: Any other discussion on that  
17 proposed amendment?

18 COMMISSION MEMBERS: (No response.)

19 THE CHAIRMAN: All those in favor, please  
20 raise your hands.

21 Commissioner Thompson, Commissioner Korman,  
22 Commissioner Flowers, Vice Chair O'Brien, the  
23 Chair, Commissioner Catlin, Commissioner Garvin,  
24 Commissioner Herrington, Commissioner Miller.

25 Are you in favor of that?

1 MR. AUSTIN: Yes.

2 THE CHAIRMAN: Commissioner Austin.

3 All those opposed to that change.

4 Commissioner Eichner, Commissioner

5 Oliveras, Commissioner Youngblood.

6 That amendment passes.

7 Commissioners, I believe Mr. Rohan is --

8 has or is distributing copies of the

9 Catlett-Deal amendment before we vote on them.

10 Any further discussion on this? I will  
11 treat Commissioner Catlett's motion -- mention  
12 of it and Commissioner Deal's endorsement as a  
13 motion and second.

14 Anybody have any further thoughts or  
15 comments on adding this? This would be number 5  
16 on our list of proposed recommendations.

17 Commissioner Miller.

18 MS. MILLER: Is that a friendly amendment  
19 to this amendment? Are we in perfect posture --

20 THE CHAIRMAN: Yes.

21 MS. MILLER: -- to suggest additional  
22 language?

23 Okay. After the word in the last -- second  
24 to the last line after "increased accountability  
25 to enhance and reward student outcomes," what I

1           want to get at is teacher pay, but also  
2           increased accountability, and the accountability  
3           is again to reward positive student outcomes.  
4           So just tie it to school performance.

5                        So we can have all of this stuff which is  
6           great, you know, selection of staff, improvement  
7           of educational instruction, but at the end of  
8           the day we have to have improved student  
9           outcome, so I would like to tie it to increased  
10          accountability to improve student outcomes,  
11          improve and hopefully reward enhanced student  
12          outcomes. So that's a mouthful. So to increase  
13          accountability and I'll say "enhance and reward  
14          student performance at the school level."

15                    THE CHAIRMAN: Okay. Can you read that  
16          last clause as you proposed it?

17                    MS. MILLER: Okay. All right. I'll start  
18          from "an increased accountability and enhance  
19          and reward student performance at the school  
20          level." I think that will make sense. So that  
21          the school board -- that the Council -- the City  
22          Council and the School Board pursue such  
23          remedial legislative action as will further  
24          empower school principals with more autonomy in  
25          the selection of staff, the improvement of

1 educational instruction, and increased  
2 accountability and enhance and reward student  
3 performance at the school level. That may be a  
4 better -- that's all -- that's kind of  
5 on-the-fly right now. There may be a better way  
6 to phrase that, but I want to get to -- we can  
7 do all of this, but it really needs to result in  
8 better performance which will be rewarded.

9 THE CHAIRMAN: Okay. Commissioner Deal,  
10 Commissioner Catlett has left the room. Will  
11 you accept that as a friendly amendment?

12 MS. DEAL: (Nods head.)

13 THE CHAIRMAN: Thank you.

14 Okay. Any further discussion on either  
15 Commissioner Miller's amendment to the amendment  
16 or the amendment itself?

17 COMMISSION MEMBERS: (No response.)

18 THE CHAIRMAN: All right. All in favor of  
19 this amendment as amended, raise your hands.

20 Commissioner Thompson, Commissioner  
21 Oliveras, Commissioner Korman, Commissioner  
22 Flowers, Commissioner Eichner, Commissioner  
23 Catlett, Vice Chair O'Brien, the Chair,  
24 Commissioner Austin, Commissioner Deal,  
25 Commissioner Catlin, Commissioner Herrington,

1 Commissioner Miller, Commissioner Youngblood.

2 Those opposed.

3 Commissioner Garvin.

4 That motion passes -- that amendment  
5 passes.

6 And then, Commissioners, the final  
7 amendment would be the language regarding the  
8 at-large residency areas.

9 I will propose the following language to be  
10 added. In paragraph number 2, the sentence in  
11 the middle that reads, "Elected school board  
12 members shall be elected from at-large residency  
13 areas determined by the City Council," I would  
14 propose to add "that at a minimum ensure  
15 minority access."

16 And then for the same language in  
17 paragraph 3 where it says, "Change the electoral  
18 composition of the School Board so that members  
19 are elected from at-large residency areas  
20 determined by the City Council, that at a  
21 minimum ensure minority access rather than  
22 single-member districts."

23 So that's my proposed language.

24 Any discussion?

25 First of all, can I get a second?

1 MR. CATLIN: Second.

2 THE CHAIRMAN: Thank you.

3 Any discussion on those additional -- those  
4 additions?

5 Vice Chair O'Brien.

6 (Mr. Catlett reenters the proceedings.)

7 MS. O'BRIEN: My concern there is -- I  
8 certainly want minority access, but then if we  
9 get into a position after this next census, and  
10 the -- I mean, are we going beyond what we  
11 should be doing in terms of that? Because I  
12 believe we're all familiar with gerrymandering.  
13 And what this may result in is a gerrymandering  
14 of a district that is solely to target that  
15 minority access, and is that truly  
16 representative of the community?

17 I think what's going to happen -- this is  
18 just my personal opinion -- on this next  
19 consensus [sic], what's happening is a wonderful  
20 thing. It's a desegregation of our communities  
21 within Jacksonville, and people are mixing  
22 better than ever before. And I believe what  
23 we're going to have is the traditional minority  
24 districts are going to be changing after this  
25 next census. And are we then coming up with --

1           where we're as a -- the school board will have  
2           to then go to a different means of choosing  
3           their districts to achieve that goal?

4           I just -- I think if you follow the  
5           consensus mark, which is a obviously federal  
6           standard, it's a cleaner system. I don't want  
7           to get into the business of our school board  
8           getting into gerrymandering districts. That's  
9           my concern.

10           THE CHAIRMAN: Commission Catlett.

11           MR. CATLETT: Well, I tend to agree. My  
12           next-door neighbor on the left is -- the whole  
13           family's black. Across the street are  
14           Puerto Ricans. Down the street, two houses  
15           down, the two gay ladies are both named Evelyn.  
16           I don't know why, but they just happen to be  
17           both named Evelyn. I can't get it wrong. The  
18           other side of that, we have Spanish people. I  
19           mean, we -- I don't know how you implement that  
20           because, you know, as minorities in our country  
21           become more educated, they move into nicer  
22           neighborhoods. They have nicer opportunities.  
23           They go to college. They're just like everybody  
24           else for the most part. So I really don't know,  
25           you know, how we do this by the color of

1 people's skins or backgrounds when everybody's  
2 free to live where they want to. All that stuff  
3 went out 30 years ago as far as that part goes.  
4 I don't know how you do that and guarantee  
5 minority seats when they're all moving around.  
6 I don't know how you do that.

7 THE CHAIRMAN: Commissioner Flowers.

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

9 One way that we could do what we are doing  
10 is to look at the distribution resources,  
11 particularly redline, bank loans, then deficits  
12 about to have changed. It's called Community  
13 Reinvestment Act. And we have created these  
14 deteriorating schools; not the school board.  
15 The community has allowed us not to take  
16 advantage of those federal mandates that should  
17 demand these neighborhoods stay viable to live  
18 in. So we did that to establish (inaudible) --  
19 what is it -- (inaudible) -- justification. And  
20 it's taken place in Brooklyn and all everywhere  
21 else and we are trying to legally or -- do this  
22 issue. So the least we could do is make certain  
23 that -- that certain zip codes be recommended in  
24 this legislation.

25 Thank you.

1 THE CHAIRMAN: Commissioner Herrington.

2 MS. HERRINGTON: The only, I guess, issue  
3 that I had with number 2 is I feel that it  
4 should be either all elected or all appointed.  
5 I'm not sure that I agree with the -- what's  
6 happened to hybrid systems. So I guess that  
7 would be my -- (inaudible) issue be either/or  
8 and (inaudible).

9 THE CHAIRMAN: The reason I put this option  
10 in here is because it may be the case that the  
11 Council does not feel comfortable making it  
12 completely appointed, but for all of the reasons  
13 that we have heard today, probably no more  
14 compellingly than from you, I think they ought  
15 to have a recommendation from us as to some  
16 lesser option that still promotes some change.  
17 So just by way of explanation, that's why this  
18 is in here.

19 My personal preference is yours -- is the  
20 same as yours. I think this hybrid is probably  
21 not as effective as fully appointed, but by the  
22 same token, I think it's our option to give them  
23 a menu of solutions. And if there aren't ten  
24 votes on the Council for a fully appointed  
25 board, there might be for a hybrid board. And

1           so that's the reason for including it in the  
2           list.

3                     Commissioner Miller.

4                     MS. MILLER: Through the Chair, my  
5           concern -- I echo the concerns of Commissioner  
6           Catlett and Commissioner O'Brien.

7                     And I guess my question is -- I have  
8           suggested it to defer to the -- when addressing  
9           the composition of the at-large districts, if we  
10          defer to the existing system and the existing  
11          process, then that provides the -- sort of the  
12          most -- the least amount of change in terms  
13          of -- you know, voters feel like they want to  
14          elect someone, then they elect someone from  
15          their existing district.

16                    My legal concern -- and I will defer  
17          certainly to Mr. Rohan, the Office of General  
18          Counsel -- is exactly as was stated by  
19          Commissioner O'Brien, is that I believe there  
20          may be a constitutional issue when you attempt  
21          to ensure -- and by -- who is a minority right  
22          now? Who is a minority in our community? I  
23          think that's rapidly changing, and the census is  
24          going to change that in another year or two.

25                    I think the most important thing, as we

1           have heard, is -- and what we hear from voters  
2           and those supporting a vote -- some type of --  
3           you know, the, quote-unquote, right to vote for  
4           their school board member, which I think they  
5           would still have their right to vote if they  
6           voted for the mayor, but if you're addressing  
7           that, then it really is a geographic -- it's  
8           about geography. It's making sure that every  
9           part of this community has some type of  
10          representation.

11                   And I don't know if we go down the road of  
12          defining minority access -- I mean, my goodness,  
13          we have had enough issues with that in trying to  
14          define what is a small business with the Small  
15          Business Act for the city, which supplanted, as  
16          you know, the minority set-aside requirements.  
17          That was years -- years -- of debate and  
18          litigation that the City was involved in and  
19          wasn't constitutional.

20                   So we really need, I think -- I would  
21          encourage something that relies on the current  
22          system. And the -- the census -- the district  
23          determination process is a very open and public  
24          process and full of debate, as Mr. Rohan is  
25          probably familiar with, and that's -- once the

1 census is in, then the City will undertake the  
2 district -- redistricting process, and it's  
3 really no fun, but it's a lot of public meetings  
4 and public drawings of district boundaries.  
5 Once those boundaries are set, then we rely on  
6 the existing Charter and the existing rules  
7 which say it's a combination of existing City  
8 Council districts.

9 I just think it's better and it's easier  
10 and it most likely will withstand any legal  
11 challenge if we rely on a system that's already  
12 proven.

13 And my other suggestion on Section 3 --  
14 this may be a little bit late. I don't know if  
15 it was your intention or if it was just an  
16 omission, but you have "without pay" in items 1  
17 and 2, and I just would suggest "without pay" in  
18 item 3 as well just for consistency.

19 THE CHAIRMAN: Well, we can address that  
20 issue in a minute in a separate amendment.

21 I'm going to withdraw my amendment. These  
22 are excellent arguments that have been made, and  
23 I don't want to needlessly complicate this  
24 process. So if there are -- if there's a  
25 different solution that somebody would like to

1 propose, I'm happy to hear it. I think  
2 Commissioner Miller makes an excellent argument  
3 about relying on existing processes that are  
4 already having to be followed in terms of  
5 districting and redistricting and apportionment  
6 that have withstood court challenge, so I'm  
7 withdrawing my amendment.

8 Commissioner Thompson.

9 MR. THOMPSON: Yes, Mr. Chairman.

10 I was concerned looking at the mayor --  
11 the appointing seven at the pleasure of the  
12 mayor. Are we talking four years or eight  
13 years? What would be the time limit or the term  
14 limit on that?

15 THE CHAIRMAN: In other words, what would  
16 the term limit be on the mayoral appointees?

17 MR. THOMPSON: Yes.

18 THE CHAIRMAN: Right. My inclusion of the  
19 language "to serve at the pleasure of the mayor"  
20 really is designed to make it clear that the  
21 mayor can replace that person without Council  
22 confirmation. In other words, the Council will  
23 have to confirm them as an appointee, but if the  
24 mayor wants to remove them, the mayor does not  
25 need to get Council approval to do that. That's

1           what I'm trying to get at when I put in "serve  
2           at the pleasure of the mayor."

3           So in terms of setting the terms, that I  
4           would leave to Council, and they can have terms  
5           and maybe there should be a provision in there  
6           for subsequent coming back to the Council for  
7           reconfirmation for a second term. I'm happy  
8           with that.

9           I just -- since my objective here is to  
10          make one person accountable and to pinpoint that  
11          accountability, I think the mayor should be able  
12          to fire this person if they feel like they're  
13          not getting the job done without having to get  
14          ten votes at Council to do it.

15          MR. THOMPSON: Thank you.

16          THE CHAIRMAN: Sure.

17          Okay. Commissioners, I have nobody else in  
18          the queue.

19          I withdraw my amendment.

20          Does anybody want to propose any additional  
21          language before we address Commissioner Miller's  
22          comment about pay?

23          Commissioner Miller.

24          MS. MILLER: Would you like me to propose  
25          some suggested language either in 2 or 3

1           addressing the -- I think what we have here "as  
2           determined" -- I'm just addressing the  
3           districting issue. It says, "As determined by  
4           the City Council," -- or "as currently defined"  
5           is what I would suggest because as those  
6           districts are defined now, you know, they're  
7           going to change just as a result of  
8           redistricting, but the definition's probably  
9           going to remain the same.

10           It's two City Council districts. So one  
11           suggestion would be to say "as determined by the  
12           Council," comma, "or as currently defined in the  
13           Charter," you know, comma, just to put that in  
14           either section in Recommendation 2 or 3, just to  
15           say that we can use the existing school board  
16           district area.

17           That's just a suggestion in lieu of the --  
18           of your previous amendment.

19           THE CHAIRMAN: Is there a second?

20           MR. AUSTIN: Second.

21           THE CHAIRMAN: Okay. I have a motion and  
22           second on that.

23           Commissioner Austin, did you want to  
24           speak?

25           MR. AUSTIN: Yes. I just don't see any

1           reason to disturb the district. I don't think  
2           the district system is a problem. I think we  
3           could make sure that everybody in the community  
4           feels that they have got a voice for their  
5           area. I don't see why we would back off of  
6           that.

7           THE CHAIRMAN: Vice Chair O'Brien.

8           MS. O'BRIEN: I would just recommend "as  
9           currently defined by City Council or by law"  
10          because -- as opposed to "as currently defined"  
11          because the census is going to redefine that,  
12          and I don't want it to be stuck in 2010  
13          language.

14          THE CHAIRMAN: Commissioner Miller, do you  
15          treat that as a friendly amendment?

16          MS. MILLER: Yes.

17          THE CHAIRMAN: Okay. So can you read for  
18          me where you would like this language to go and  
19          what it would consist of?

20          MS. MILLER: Sure. Through the Chair, I  
21          have suggested that we put it in -- that we add  
22          it to item number 3, but we certainly can add it  
23          to the end of the third sentence in item 2.

24                  But for purposes of item 3, it would read,  
25          "Change the electoral composition of the school

1 board so that members are elected from at-large  
2 residency areas determined by City Council,"  
3 comma, "or as currently defined," I'd say, "by  
4 law," I think just leave it at that, comma,  
5 rather than "single-member districts." So we  
6 would just -- I would -- because "determined by  
7 Council" is one way, and -- or "as currently  
8 defined by law."

9 THE CHAIRMAN: How about "or as defined by  
10 law."

11 MS. MILLER: "Or as defined by law,"  
12 that's fine. "Or as defined by law," because  
13 the law will change -- or the districts will  
14 change. That's fine.

15 So "or as defined by law" would be the  
16 friendly amendment.

17 THE CHAIRMAN: And the same amendment to  
18 paragraph 2?

19 MS. MILLER: In paragraph 2, the end of the  
20 third sentence, the third sentence would then  
21 read, "Elected school board members shall be  
22 elected from at-large residency areas determined  
23 by City Council or as defined by law."

24 THE CHAIRMAN: Okay. Do we have a second  
25 on that?

1 MS. O'BRIEN: Second.

2 THE CHAIRMAN: So we have a motion and  
3 second on that amendment.

4 Any discussion?

5 COMMISSION MEMBERS: (No response.)

6 THE CHAIRMAN: All in favor, please raise  
7 your hand.

8 Commissioner Thompson, Commissioner Korman,  
9 Commissioner Flowers, Vice Chair O'Brien, the  
10 Chair, Commissioner Austin, Commissioner Deal,  
11 Commissioner Catlin, Commissioner Garvin,  
12 Commissioner Miller.

13 All opposed.

14 Commissioner Youngblood, Commissioner  
15 Eichner, Commissioner Catlett, Commissioner  
16 Oliveras.

17 That amendment passes.

18 All right. Commissioners, any there any  
19 other amendments?

20 Oh, the pay issue.

21 Commissioner Miller, the pay issue on item  
22 number 3, did you want to make an amendment?

23 MS. MILLER: Through the Chair, just for  
24 the sake of consistency throughout our  
25 recommendation, items 1 and 2 references the

1 school board; "that all school board members,  
2 whether appointed, hybrid, would be without  
3 pay." Item number 3, "change the electoral  
4 composition of the School Board so that members  
5 are elected from at-large residency areas  
6 determined by City Council or defined by law  
7 rather than single-member districts," and I  
8 would add at the end "and shall serve without  
9 pay."

10 THE CHAIRMAN: Is there a second?

11 MS. O'BRIEN: Second.

12 THE CHAIRMAN: Okay. Discussion.  
13 Commissioner Deal.

14 MS. DEAL: This is another question. Is  
15 there any reason why we wouldn't separate that  
16 out as a different number?

17 THE CHAIRMAN: No.

18 Commissioner Miller, do you want to revise  
19 your amendment?

20 MS. MILLER: Through the Chair, if I  
21 understand Commissioner Deal's suggestion, we  
22 would have a separate suggestion, item number 6,  
23 that any composition of the school board or any  
24 school board be without pay. We can work on  
25 some language on that, but would that be --

1 MS. DEAL: Yes. I just --

2 MS. MILLER: -- for all of these  
3 recommendations, that whatever the composition  
4 or however it's elected or appointed, that all  
5 school board members shall serve without pay?

6 MS. DEAL: I just think it merits separate  
7 discussion from the number that it's in.

8 THE CHAIRMAN: Okay. So you --

9 MS. MILLER: I can -- I will be happy to  
10 withdraw that, the amendment regarding item  
11 number 3, and --

12 THE CHAIRMAN: Okay. And propose a new one  
13 with a separate --

14 MS. MILLER: Propose a new item number 6,  
15 that all school board members shall serve  
16 without pay.

17 THE CHAIRMAN: Is there a second?

18 MS. GARVIN: Second.

19 THE CHAIRMAN: Okay. Commissioner Korman.

20 MS. KORMAN: Clarification now because now  
21 I got confused.

22 Is this all school board members currently  
23 elected or appointed would serve without  
24 compensation or is this just if any of these  
25 recommendations pass --

1           MS. MILLER: Well, through the Chair, since  
2           item number 5 -- I think what we're getting into  
3           is certainly a level of minutia that -- or in  
4           detail -- that we have obviously chosen to go  
5           there.

6           Item number 5, for example, could be  
7           applied to an elected or appointed or a hybrid  
8           board, right? So item number 6, as a  
9           recommendation to City Council, our  
10          recommendation is that all school board members,  
11          whatever they come up with or don't come up  
12          with, one of our recommendations is that all  
13          school board members should serve without pay.  
14          That may be as popular as all City Council  
15          members should serve without pay, but, you know,  
16          it's worth it to recommend it since we -- since  
17          that is another one of the themes that we have  
18          heard from some of the speakers.

19          So I guess the idea -- the intention, as I  
20          understand item number 5, and the intention  
21          certainly of a separate item -- and Commissioner  
22          Deal can speak to this about her intent better  
23          than I can -- is that regardless of -- whatever  
24          comes out of this or doesn't come out of this,  
25          one of our recommendations is that all school

1 board members should serve without pay.

2 THE CHAIRMAN: Commissioner Korman, does  
3 that answer your question?

4 MS. KORMAN: Yes.

5 THE CHAIRMAN: Commission Youngblood.

6 MR. YOUNGBLOOD: You know my disagreement  
7 and opposition to the appointed over elected.

8 But to speak to the issue of pay and say  
9 that we don't want to pay someone for a  
10 position -- I know we are in an appointed  
11 position, we don't get paid for what we do, and  
12 it's a public service.

13 I've been an employer for 15 years, and  
14 I've never received an exemplary employee and  
15 not paid him. I've never been able to entice  
16 someone to come to work in my organization and  
17 not offer them some pay structure.

18 So what do you expect to receive for free?  
19 It doesn't sound like it would be the best, and  
20 that's purely on the pay issue and pay  
21 structure.

22 THE CHAIRMAN: Commissioner Catlett.

23 MR. CATLETT: I'm not sure how paying them  
24 a dollar, no pay, or \$100,000 reflects in their  
25 decision-making, which is what you put them

1           there for.  If they're going to be elected or  
2           appointed, you're putting them there to make  
3           quality decisions, and theoretically either the  
4           voters or the mayor would have quality  
5           decision-makers in those positions.

6                    So would somebody tell me what cutting  
7           their pay to zero does to improve the quality of  
8           the decision-maker because that's really my only  
9           question.

10                   THE CHAIRMAN:  Commissioner Austin.

11                   MR. AUSTIN:  From the original Charter,  
12           from the original blueprint for the  
13           consolidation, those folks that made the  
14           conclusions thought that -- concluded that the  
15           non-salary would attract people that were  
16           morally altruistic, more -- less motivated by  
17           getting elected and more motivated about running  
18           the system.

19                   This is a general observation, and I'm sure  
20           there's some exceptions to it, but down through  
21           the years you've had an Electric Authority, all  
22           appointed.  You've had an Airport Authority, all  
23           appointed.  You've had a Port Authority, all  
24           appointed.  You've had a Transportation  
25           Authority, all appointed.

1           I think down through the years that the  
2           overall operations of those boards has been  
3           superior to the operation of the salaried school  
4           board, and they're non-salaried. That's a  
5           personal judgment, may be prejudiced, but it's  
6           an observation.

7           And it is the conclusion of those folks  
8           that I keep referring to that were very, very  
9           effective, studied it a long time, went  
10          national, had a good staff, and they came back  
11          with that conclusion. They conceded to the  
12          elected, but they made it non-salaried, and they  
13          took -- it got away right -- very quickly into  
14          being salaried, and so we never tested that --  
15          their theory.

16          THE CHAIRMAN: Commissioner Korman.

17          MS. KORMAN: To go back on one of  
18          Commissioner Youngblood's statements, I think we  
19          are doing a pretty damn good job and we're not  
20          getting paid, so -- for eight months of our  
21          time -- so I have to say that I disagree about  
22          being paid necessarily on both issues.

23          But as far as the -- I'm completely  
24          supportive of not paying appointed, to follow-up  
25          on Commissioner -- or Mayor Austin's points

1 about JEA, JTA, JPA, or the governor's appointed  
2 boards.

3 I'm concerned right now to bring the  
4 elected issue -- because we haven't talked about  
5 pay for elected officials, or elected school  
6 board, until now, and I'm a little concerned  
7 about bringing that part because we really  
8 haven't vetted that process out.

9 So I would suggest that we would stick  
10 with -- personally, just supporting no pay for  
11 an appointed school board and leaving the  
12 elected -- leaving the elected board alone as  
13 far as compensation right now because we are  
14 opening a can of worms concerning City Council  
15 and everything else.

16 I really think we have good momentum going  
17 about the appointed school board and everything  
18 else, and I think we should stick that way.

19 That's just my personal opinion.

20 THE CHAIRMAN: Vice Chair O'Brien.

21 MS. O'BRIEN: During our presentations, we  
22 had primarily four school board members speak  
23 out, and I believe all four of those had said  
24 specifically either they don't do it for the  
25 money or they wouldn't require to be paid to do

1 the job, and I believe that's very true of those  
2 individuals. I don't think that paying should  
3 be a requirement of the position, but more  
4 importantly I do believe that we should keep  
5 within our specific recommendations one, two,  
6 three, and four.

7 If we want them to be "shall serve without  
8 pay," that we keep them within those numbered  
9 recommendations, whether or not we add a number  
10 six, and the reason being is, as we have  
11 discussed, we are giving them a priority ranking  
12 of what we wish for them to adopt and to take  
13 action on. I would not want to -- personally, I  
14 wouldn't want them to choose one that doesn't  
15 address it and then, you know, to choose --  
16 like, let's just say, for example, number two  
17 and then not adopt number six and then, you  
18 know, have that be silent on the issue "with or  
19 without pay."

20 So I would recommend, personally, that we  
21 go back and add "without pay" to number three so  
22 that it's consistent with number one and number  
23 two, and it is reflected in number three whether  
24 or not we add an amendment or a recommendation  
25 number six.

1 THE CHAIRMAN: Commissioner Deal.

2 MS. DEAL: I just had a couple of  
3 follow-ups as it relates to -- I don't know what  
4 the exact pay should be, and I don't know that  
5 it's up to this group to decide that.

6 I do know that, whether appointed or  
7 elected, we want to encourage these individuals  
8 to get out into the community, to understand the  
9 districts, the citywide schools that they  
10 represent, whatever the case may be. And I  
11 think that to specifically state that you're not  
12 going to pay them -- I do believe that if we  
13 want to encourage them to get out within the  
14 district that, at a minimum, we should reimburse  
15 their expenses, traveling expenses, and so  
16 forth.

17 So I don't know how to delve into that type  
18 of detail without -- I don't think we should go  
19 there, but I'm going to oppose saying that we do  
20 not believe that they should be paid at all  
21 because I think that their -- because we don't  
22 want to go talking about specific dollar amounts  
23 that we think they should be paid, so I will  
24 oppose that.

25 THE CHAIRMAN: Commissioner Miller.

1           MS. MILLER: Through the Chair, as far as  
2           the suggestion, what we have heard repeatedly --  
3           again getting back to common themes and maybe  
4           this is more appropriate in findings -- again,  
5           is that -- and Commissioner Youngblood is  
6           exactly right. When you're hiring someone to do  
7           a particular job, it's hard to hire them if  
8           you're not going to pay them because their  
9           primary concern is earning a living to support  
10          their family.

11          But when you're running for office, you're  
12          running to serve the public, and what we have  
13          heard from the school board members is that  
14          they're not running to earn a living. Yet, we  
15          know that some of them, in fact, do earn a  
16          living. Now that they're not term limited, as  
17          has been decided, they earn pensions, they're  
18          lifers.

19          So where is the accountability back?  
20          Again, I think it is -- it encourages and  
21          ensures that individuals are not beholden to  
22          make decisions that will inure to their personal  
23          gain by ensuring that there's enough money left  
24          in the coffers of the school district to pay  
25          their salaries.

1           So when it comes to reimbursement for  
2           travel, et cetera, sure. Training, absolutely.  
3           But when we get into a system where we are --  
4           where the same individuals are making decisions  
5           about budgets that inure to their personal gain  
6           and pensions and the like, I -- I think there's  
7           a fundamental problem.

8           And, yes, the argument can be made for any  
9           elected official. But in this particular case,  
10          they're not in this, apparently -- or allegedly  
11          to support their -- to support their family.  
12          They're in this to serve the public, and it's  
13          not without expense. And if there are  
14          out-of-pocket costs, it should be reimbursed,  
15          absolutely.

16          We have heard from Peter Rummell. We've  
17          heard from several, several of the speakers  
18          that -- again, it gets into this ability of the  
19          school board members to have the courage to make  
20          the right decisions without having to be  
21          beholden or even the appearance of being  
22          beholden to one group or another.

23          So that would be the argument, and so maybe  
24          the proposal -- if it is a proposal, and it may  
25          not be -- is to maintain it within Sections 1

1 and 2, not reference it in Section 3.

2 It really doesn't matter to me. I think we  
3 have heard about it at this point, and I just  
4 wanted to, for the sake of consistency in our  
5 recommendations again, recommend to the City  
6 Council that what we have heard is that -- in  
7 order to ensure that the right people serve for  
8 the right reasons, that they serve without a  
9 salary and all of the benefits that come along  
10 with that, particularly where there's no term  
11 limits.

12 THE CHAIRMAN: Commissioner Catlett.

13 MR. CATLETT: I'd like to endorse  
14 Commissioner Korman's suggestion that they serve  
15 without compensation if they're appointed. As  
16 Mayor Austin pointed out, that -- when he was  
17 mayor and the other mayors have gotten quality  
18 people to serve as appointed officials. But if  
19 somebody runs for office, one of the things they  
20 have to do is to be out in the community almost  
21 daily.

22 City Council people have district meetings  
23 all the time, and school board people are out in  
24 the community all the time. Appointed officials  
25 are not out in the community daily. Some are,

1 but for the most part, they get together for  
2 committee meetings and, you know, board meetings  
3 and that's it. Their staffs do a lot more work  
4 for them and make recommendations to them that  
5 are on the board.

6 So I think Commissioner Korman's right on  
7 target that if it's appointed by the mayor that  
8 they serve without compensation, and if it is  
9 elected, that we leave it like it is.

10 THE CHAIRMAN: Commissioner Oliveras.

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

12 Well, we've swerved off headlong into the  
13 tall grass here. Having said that, I'll say I'm  
14 opposed to the idea of not compensating -- not  
15 paying a salary to an elected official.

16 Logically, it just doesn't -- it doesn't  
17 hold water because you have to run this line of  
18 logic out to the next step, which would be our  
19 City Council representatives. You have to. You  
20 can't just say, "Well, we have heard from people  
21 that have said non-compensated school board  
22 members work." Well then, you obviously can say  
23 the same thing about City Council members  
24 because most, if not all, have other employment  
25 or jobs.

1           Again, to what Commissioner Catlett said,  
2           they're out in the community all the time. They  
3           don't have much personal time. This is a bad  
4           idea for a couple of other reasons. I think it  
5           invites a sense of elitism into this process  
6           because the people that could afford to do  
7           this -- whether you agree it's a part-time job  
8           with full-time requirements or it's a full-time  
9           job, it's a huge time requirement, and the  
10          person that's going to be able to afford to do  
11          that in an uncompensated fashion is going to be  
12          the person who is financially well off.

13          So as Jim Horne mentioned to us, you're  
14          going to eliminate a serious class of  
15          individuals -- of citizens, of community-minded  
16          people who will not be able to take that burden  
17          on because -- and I'm speaking from personal --  
18          a personal standpoint here. If I win this very  
19          speculative school board race that I'm involved  
20          in, two things will occur: I will immediately  
21          lose my profession, I will have to resign from  
22          the sheriff's office, and I will also take a  
23          very serious cut in pay. So I just -- I think  
24          it's a bad idea to go down this road.

25          Whether somebody has their own business or

1 works for another company and is doing this,  
2 they're doing a lot of work. They're out in the  
3 community all the time, and I just think this is  
4 a bad idea. It's a bad road to travel. If it's  
5 the will of the Commission that the appointed  
6 model is uncompensated, so be it, but I think if  
7 somebody goes through this process of running  
8 for a public office, which is quite a process by  
9 the way, and they're willing to commit to this,  
10 then I think it should be as it stands now. And  
11 I think we should just steer away from this.

12 THE CHAIRMAN: Commissioner Korman.

13 MS. KORMAN: I just want to clarify, I'm  
14 not saying that I am opposed to not exploring  
15 the idea of not paying elected positions because  
16 I think that you could have very talented people  
17 regardless of pay out there in the community  
18 getting involved -- (inaudible) type of person,  
19 that he or she -- as the mayor picks, but I just  
20 think that we haven't dedicated enough time to  
21 explore the pros and cons, and I wish we had  
22 more time to explore the issue. I am just not  
23 sure what to do about that.

24 But I would propose an amendment to -- I  
25 don't know -- clarify the language to basically

1 say, you know, "appointed" -- I don't know how  
2 to read it, but maybe Commissioner -- or General  
3 Counsel Rohan could help us, but about having  
4 only appointed school boards, not compensated,  
5 and elected to maintain their compensation at  
6 this point.

7 MS. MILLER: And through the chairman, I  
8 will withdraw based on -- I agree with  
9 Commissioner Korman that we haven't had time,  
10 and in the interest of moving forward, I'll  
11 withdraw my motion.

12 THE CHAIRMAN: Thank you,  
13 Commissioner Miller.

14 Commissioner Catlin and  
15 Commissioner Thompson are both in the queue.

16 Were you going to speak? Do you still want  
17 to speak, or was that on the pay issue?

18 Commissioner Catlin was actually next.

19 MR. CATLIN: I'm kind of with  
20 Commissioner Oliveras on this one. And by no  
21 means is our job done when we finish here on the  
22 28th. City Council is still going to call us  
23 and say, "Educate us more on what you heard," in  
24 my philosophy.

25 Councilman Fussell, when he first spoke to

1 us, asked us to take a 50,000-foot look at this,  
2 and I think we're getting down to the  
3 microscopes. I think we're -- and I like the  
4 simpleness of what we're sending the school  
5 board -- I mean, to the -- to Council. If we  
6 keep on going with the microscope, it's just --  
7 it's going to get so tedious and so -- that's  
8 not our challenge by any means.

9 So I think the more simple the better from  
10 what we are saying. I think if we keep on  
11 delving into different language, it's just going  
12 to complicate things.

13 That's all I have to say.

14 THE CHAIRMAN: Commissioner Thompson.

15 MR. THOMPSON: Thank you, Mr. Chairman.

16 The only thing that I want to comment about  
17 is that when you have two people doing the same  
18 job and one is getting paid and the other one is  
19 not getting paid -- now, I come out of the  
20 industry, and that's a major problem. The  
21 problem we're trying to deal with right now is  
22 to improve the quality of our schools, and if we  
23 want to improve it, if you're going to pay one,  
24 you ought to pay the other.

25 THE CHAIRMAN: Thank you.

1           Okay. Commissioner Miller has withdrawn  
2 her proposed amendment.

3           MR. AUSTIN: What did you say?

4           THE CHAIRMAN: Commissioner Miller withdrew  
5 her proposed amendment addressing the pay issue  
6 for current school board members.

7           Are there any other amendments to this --  
8 to the language?

9           Commissioner Korman.

10          MS. KORMAN: Clarification for  
11 Commissioner Miller, so based on this  
12 document --

13          THE CHAIRMAN: We're going back to this  
14 language.

15          MS. KORMAN: Right. So -- but it currently  
16 says, "All school board members, whether elected  
17 or appointed, shall serve without pay." I would  
18 propose to say, "All appointed school board  
19 members that are appointed shall serve without  
20 pay."

21          THE CHAIRMAN: That's in paragraph 2.

22          MS. KORMAN: That's what I would  
23 recommend. And I respect Commissioner  
24 Thompson's point that we have tons of appointed  
25 people currently that serve without pay, and I

1 would stick with that.

2 THE CHAIRMAN: So you are proposing an  
3 amendment that would --

4 MS. KORMAN: Where it says, "All appointed  
5 school board members shall serve without pay" --

6 THE CHAIRMAN: Okay.

7 MS. KORMAN: -- that would be my amendment.

8 THE CHAIRMAN: Is there a second?

9 Commissioner Eichner.

10 MS. EICHNER: She answered my question.

11 MR. AUSTIN: I have a question.

12 THE CHAIRMAN: Commissioner Austin.

13 MR. AUSTIN: Beforehand, do we need -- may  
14 I ask the question?

15 THE CHAIRMAN: Yes.

16 MR. AUSTIN: Okay. Do we need language  
17 which says, "without pay, but may be compensated  
18 for -- reimbursed for expenses"? Do we need to  
19 put that in?

20 THE CHAIRMAN: Commissioner Austin, before  
21 Mr. Rohan answers, I was going to propose  
22 revising this to "without salary," which, I  
23 think, would clarify that it's without salary  
24 compensation but would cover reimbursement for  
25 expenses.

1           MR. ROHAN: The Chairman is correct, but it  
2 would be implied that they could recover for  
3 costs -- reasonable costs and expenses as  
4 determined by state law or the board.

5           MR. AUSTIN: That's what I'm saying.

6           MR. ROHAN: So you both are correct.

7           THE CHAIRMAN: Vice Chair O'Brien.

8           MS. O'BRIEN: Through the Chair to  
9 Commissioner Korman, are you proposing a  
10 recommendation number six or are you amending  
11 one of the existing recommendations?

12           MS. KORMAN: Since I don't have six in  
13 front of me, it's just based on what you said,  
14 I'm looking at number two. But if you want to  
15 do a separate one, I'm fine with that.

16           With the pleasure of the Commission, I have  
17 no -- you know, I really don't have an opinion  
18 on that. So if you would rather spread it out  
19 and do it as a separate one, that's fine. If  
20 you want to keep it contained in number two,  
21 like it was before, I'm fine with that too.

22           MS. O'BRIEN: So for clarification  
23 purposes, your amendment would be: "Elected  
24 school board members shall be salaried.  
25 Appointed school board members shall serve

1 without pay"; is that correct?

2 MS. KORMAN: Well, through the Chair, I  
3 would just say, "All appointed school board  
4 members shall not receive salary." I mean, I  
5 wouldn't -- I don't think we need to reinstate  
6 the elected issue because we all know currently  
7 the way the structure is they receive a salary.

8 MS. O'BRIEN: Okay. All within number  
9 two?

10 MS. KORMAN: Sure, or unless someone has --  
11 wants to keep it separately as a six, that's  
12 fine too.

13 THE CHAIRMAN: Commissioner Deal.

14 MS. DEAL: Just a question for  
15 clarification. We are just going to say the  
16 last sentence of number two, "All school board  
17 members" -- excuse me -- "appointed school board  
18 members shall serve without pay." We're  
19 removing "elected," correct?

20 MS. KORMAN: Yes --

21 MS. DEAL: Okay.

22 MS. KORMAN: -- but it would be without  
23 salary, so you can get reimbursed for expenses.

24 MS. DEAL: Okay.

25 THE CHAIRMAN: Any further discussion?

1 MR. AUSTIN: Mr. Chairman, may I ask one  
2 more question?

3 THE CHAIRMAN: Yes.

4 MR. AUSTIN: Now, we are -- we've made some  
5 amendments to two and so forth, but we are  
6 voting -- or when we vote on this issue, we will  
7 be voting that number one is our first  
8 recommendation prioritized; is that right?

9 THE CHAIRMAN: That's correct.

10 MR. AUSTIN: Okay.

11 THE CHAIRMAN: So, Commissioners, this  
12 latest issue with reform in number one -- in  
13 item number one, the last sentence would  
14 read, "The board shall serve at the pleasure of  
15 the mayor and without salary," instead of "pay."

16 And then in item number two, the last  
17 sentence would read, "All appointed school board  
18 members shall serve without salary."

19 Commissioner Garvin.

20 MS. GARVIN: Just for clarification, are --  
21 in two, then, we would have elected members  
22 serving with pay and appointed members on the  
23 same board serving without pay. That is the  
24 recommendation?

25 THE CHAIRMAN: That's the proposed

1 language, yes.

2 MS. GARVIN: Thank you.

3 THE CHAIRMAN: Okay. Commissioners, I have  
4 nobody else in the queue on this issue. I do  
5 want to speak about it.

6 I agree that we should not attempt to  
7 recommend any change to the salary of the  
8 current elected school board members, and our  
9 slate of options should not address that issue.

10 I think item number two, if the Council  
11 puts this hybrid approach into law, it's a new  
12 structure; it's a new paradigm. I think it's  
13 reasonable to expect the elected school board  
14 members to serve without pay under the new  
15 structure.

16 I agree we should not recommend taking away  
17 the pay of the current elected school board. If  
18 they go to the hybrid, there's going to be a  
19 change in law anyway to make it -- to put it  
20 into effect. And if the appointed members of  
21 the board are serving without pay, I don't think  
22 it is unreasonable to have the elected members  
23 serve without pay.

24 MR. AUSTIN: But it's not a remedy.

25 THE CHAIRMAN: Well, I suppose it would

1           have to be a new -- somebody else would have to  
2           ask the question: Are they term limited under  
3           that new hybrid model? But I don't think we  
4           should worry about that today. I think it's too  
5           speculative.

6           So that's my two cents. My personal  
7           preference for item number two is that we go  
8           with the language as drafted, but --

9           Commissioner Miller.

10          MS. MILLER: I support your language as  
11          drafted for the reasons stated by  
12          Mr. Thompson -- Commissioner Thompson and by  
13          yourself.

14          If -- there should be a level playing  
15          field. There's a new paradigm, and it's  
16          completely inconsistent if you have the same  
17          expectations of one board, whether they're in  
18          the community or not. So if you have both  
19          elected and appointed, it should be the same,  
20          and I think it should be without pay.

21          THE CHAIRMAN: Okay.

22          MS. MILLER: So I support your language as  
23          drafted.

24          THE CHAIRMAN: Commissioner Korman is  
25          indicating, I believe, that she's withdrawing

1 her amendment.

2 MS. KORMAN: Yeah, I'll withdraw.

3 My only statement is going to be -- is --  
4 it's going to be a harder sell regardless, and  
5 that's fine. I'm fine with that, but -- I think  
6 that because City Council will take it  
7 personally and they'll look at it as they're  
8 elected, but I am fine with withdrawing the  
9 amendment.

10 THE CHAIRMAN: Okay. Commissioner Deal.

11 MS. DEAL: I don't know if this is going to  
12 go anywhere, but I would like to make the  
13 amendment to break out the pay salary issue into  
14 a separate number. And if we're worried about  
15 the order of priority or so forth, then maybe we  
16 should strike that language.

17 I don't mean for it to not be a priority or  
18 be lower on the list than the next issue on  
19 here, but I just think that -- I think that it  
20 would better -- I just think it's a separate  
21 issue. There's two issues in two, and I think  
22 it's pay and I think it's structure. So I  
23 would -- I would make the amendment that we  
24 separate it out.

25 MR. CATLETT: Second.

1           THE CHAIRMAN: Okay. Commissioner Catlett  
2 has seconded that.

3           Any discussion?

4           Commissioner Oliveras.

5           MR. OLIVERAS: Just for information, if you  
6 have a non-compensated, elected school board  
7 member, they will, in fact, incur costs to  
8 become elected as opposed to the appointed  
9 member who the mayor will nominate and get  
10 confirmed by -- I assume by City Council.  
11 Sixteen hundred dollars is the filing fee, or  
12 you can, in my case, get 850 confirmed ballot  
13 petitions signed to get placed on the ballot.

14           So there's an awful lot of legwork and/or  
15 personal cost incurred if somebody is going to  
16 run for the elected position. There seems to be  
17 a fundamental inequity there.

18           THE CHAIRMAN: Commissioner Austin.

19           MR. AUSTIN: I would respectfully submit  
20 that in all of this discussion, if we're really  
21 thinking about the welfare of these children out  
22 there, the two most important words in this  
23 paper that we have before us are "appointed"  
24 and "non-salary." So those are the two most  
25 important things. If you want to get a quality

1 school board to do the job, those two things are  
2 the most important things in there.

3 Thank you.

4 THE CHAIRMAN: Okay. I have nobody else in  
5 the queue. We're going to be voting on -- since  
6 I'm the author of this language, I'm just going  
7 to go ahead and change "without pay" to "without  
8 salary" so we don't have to vote on that issue.  
9 So in item number one and item number two, it  
10 will say "serve without salary" instead  
11 of "serve without pay."

12 So the motion that we're voting on is to --  
13 it is Commissioner Deal's motion to essentially  
14 revise this language in item number two so that  
15 it is silent as to pay.

16 Commissioner Deal.

17 MS. DEAL: My amendment is to separate out  
18 the pay issue from the structural issue that is  
19 within this paragraph. That is --

20 THE CHAIRMAN: So we'd have to take the  
21 reference to salary out of item number two.

22 MS. DEAL: Yes, because I think that is a  
23 separate discussion, and I think it merits its  
24 own -- I think it merits a separate discussion.  
25 And I think you can be okay with the proposal of

1 the structure but disagree on whether or not  
2 they should be paid or not paid or salaried or  
3 not salaried.

4 THE CHAIRMAN: Any further discussion?

5 COMMISSION MEMBERS: (No response.)

6 THE CHAIRMAN: All in favor raise your  
7 hand.

8 Commissioner Catlett, Commissioner Deal,  
9 Commissioner Korman.

10 MS. EICHNER: To remove it as a separate  
11 issue?

12 THE CHAIRMAN: Right. Treat it as a  
13 separate issue.

14 Commissioner Eichner.

15 All opposed.

16 Commissioner Thompson, Commissioner  
17 Flowers, Vice Chair O'Brien,  
18 Commissioner Austin, Commissioner Catlin,  
19 Commissioner Garvin, Commissioner Herrington,  
20 Commissioner Miller, Commissioner Youngblood.

21 That motion fails.

22 MR. CATLETT: I call the question.

23 THE CHAIRMAN: Okay. We're now going to  
24 vote on this language, this slate as amended.

25 Commissioner Catlett has called the question.

1           It's nondebatable.

2           All in favor of calling the question.

3           COMMISSION MEMBERS: (Indicating.)

4           THE CHAIRMAN: Okay. That motion passes.

5           All in favor of this slate as we've amended  
6 here today, please raise your hands.

7           Commissioner Thompson, Commissioner Korman,  
8 Vice Chair O'Brien, the Chair,  
9 Commissioner Austin, Commissioner Catlin,  
10 Commissioner Garvin, Commissioner Herrington,  
11 Commissioner Miller.

12           How many votes was that, Mr. Clements?

13           Okay. Raise your hands again, please.

14           One, two, three, four, five, six, seven,  
15 eight, nine.

16           Okay. Thank you.

17           All opposed.

18           Commissioner Oliveras,  
19 Commissioner Flowers, Commissioner Eichner,  
20 Commissioner Catlett, Commissioner Deal,  
21 Commissioner Youngblood.

22           That motion passes.

23           Thank you.

24           We will now move into Pastor Gundy's  
25 presentation. Yes, Commissioners, Pastor Gundy

1 will be speaking to us for 15 minutes.

2 (Pastor Gundy approaches the podium.)

3 PASTOR GUNDY: I regret that I miscounted  
4 one of you, but if there is some way I could get  
5 this document to the Chair and start this way  
6 and work your way around, I would certainly  
7 appreciate it.

8 Thank you.

9 THE CHAIRMAN: Thank you.

10 Pastor, if you would give your name and  
11 address for the record.

12 PASTOR GUNDY: Yes. My name is Pastor  
13 R.L. Gundy, and my address is 2783 Armsdale  
14 Road.

15 And this document I set before you is a  
16 collaboration of various community leaders,  
17 coalitions, and organizations of Jacksonville.  
18 As they come around, though not all, there are  
19 many. I am not unique in this process but  
20 humbled as a chosen voice of this moment, not to  
21 render a complaint, but recommended solutions.

22 I am a graduate of the Duval County School  
23 System from Englewood High School, a product of  
24 bus movement for equity in the schools. I am a  
25 former employee of the FBI in Washington, D.C.,

1 Department of Justice; a 20-year veteran of the  
2 United States Army during Vietnam, Panama,  
3 Granada, and Desert Storm era, who taught at the  
4 United States Army Administration School,  
5 infantry drill sergeant, United States Army  
6 Infantry Center where I taught advanced  
7 noncommissioned officers, officer candidates,  
8 officer basic and advance courses, and officers  
9 from around the world.

10 I was awarded during my career with  
11 meritorious service medals, three oak leaf  
12 clusters, Army commendation medals, five oak  
13 leaf clusters, Army achievement medals, Army  
14 service medals, Vietnam era medals, NCO  
15 professional development medals, and many  
16 others.

17 I finished my BS while I was in the  
18 military, and as a result of that, I have two  
19 Masters degrees. I have completed Leadership  
20 Jacksonville course, direct action and  
21 reconciliation training in Miami, Florida.

22 I've been honored to have served in the  
23 capacity of the chairman of the board of the  
24 Jacksonville Network for Strengthening Families;  
25 trained under Franklin Covey, certified trainer;

1 community organizer for the Neighborhood Watch  
2 Program in College Gardens; chairman of the  
3 Jacksonville Leadership Coalition; past --

4 THE CHAIRMAN: Pastor Gundy --

5 PASTOR GUNDY: Yes, sir.

6 THE CHAIRMAN: -- I need you to speak just a  
7 little bit more slowly so our court reporter can  
8 get your testimony down.

9 PASTOR GUNDY: All right.

10 THE CHAIRMAN: Thank you.

11 PASTOR GUNDY: -- past member of the  
12 Jacksonville branch -- executive branch board of  
13 the NAACP; past president and current vice  
14 president of the Southern Christian Leadership  
15 Conference of Jacksonville; past chairman of the  
16 Disproportionate Minority Contact [sic]  
17 Committee of Jacksonville, Florida --.

18 Too fast for you, huh? It's because I'm a  
19 pastor, and I do -- I will give you a written  
20 document, and then --

21 -- past president of the Southern  
22 Christian Leadership Conference and current vice  
23 president; past chairman of the Disproportionate  
24 Minority Contact [sic] of the Jacksonville  
25 Comprehensive Strategy Board of Jacksonville,

1 Florida, appointed by the mayor's office; and  
2 State of Florida Juvenile Justice Advocate;  
3 chairman of the Community Resource Education  
4 Development Institute; community activist; and  
5 currently the pastor of Mt. Sinai Missionary  
6 Baptist Church of Jacksonville.

7 I'm the recipient of Southeast Regional  
8 Benjamin Hook's Leadership Award and the Martin  
9 Luther King Leadership Award from the Baptist  
10 Ministers Conference of Duval and adjacent  
11 counties.

12 These backgrounds are my reasons for  
13 standing here before you today, not to  
14 criticize, unless constructively, but to offer  
15 solutions from those we have gathered facts and  
16 information from over the years in light of the  
17 facts in which we as a community are facing  
18 today. This document before you is submitted  
19 for inclusion in your report to the consolidated  
20 government and City Council of Jacksonville as  
21 concerned citizens, community organizations, and  
22 leaders.

23 It is our request that the chairman of this  
24 Charter Review Board/Commission and make this an  
25 official part of the record for -- if not now,

1           for future consideration for the next Charter  
2           Review Board.

3                     Therefore, be it resolved that this is an  
4           official community request that the Charter  
5           Review Board/Commission, which was sanctioned by  
6           the authorities of the City government to look  
7           at our City Charter and make recommendations to  
8           change and/or enhance our City government that  
9           this document before you be submitted as an  
10          official record.

11                    Be it further resolved that the community  
12          leaders and organizations who worked on this  
13          document ask that you strongly consider  
14          requesting that the Charter Review Board  
15          Commission convene in five years and every five  
16          years thereafter for the next 20 years.

17                    And be it further resolved that the review  
18          would have 12 months to look at each aspect of  
19          government as they deem necessary to ensure  
20          comprehensive review of all the facets of our  
21          City government to prevent waste, fraud, abuse,  
22          corruption, and restore confidence in our  
23          government to the people.

24                    The reason for this resolution before you  
25          as this commission has -- who has the authority

1 to allow this document to be inclusive in your  
2 report does not bind you or the City to  
3 anything, but allows community input to the  
4 recommended solutions to our collective  
5 community problems that every citizen,  
6 organization, corporation, and government entity  
7 must take responsibility for oneself.

8 Galatians 6 and 5 tells us that we must  
9 take responsibility for our own actions. This  
10 is a marriage, and in a marriage, love must  
11 abound the more. It must be patient. It must  
12 be kind, humble, and forgiving. Our problem is  
13 that we bring the ills of the past to the  
14 future, and we have yet to take time to resolve  
15 them. Yes, we are opposites. We are many parts  
16 with many cultures and ideologies. That is what  
17 makes us unique in our differences. However,  
18 each of us want food, clothing, shelter,  
19 security, health, prosperity, and spiritual  
20 empowerment.

21 The compelling problem is that former  
22 State Attorney Harry Shorstein was correct when  
23 he said, "We have the Tale of Two Cities." Not  
24 only did he say this, but Mother Davette Turk  
25 asked a question, "Why is it so different in a

1 Christian city? Until the Northside and the  
2 Southside looks like the same side, the work  
3 will never be done in our city.

4 Thomas Edison once said, "The opportunity  
5 is missed by most people because it is dressed  
6 up in overalls and looks like work." We have  
7 much work to do in our City collectively, and  
8 ten years is too long to wait. Now is the  
9 time. Now is the moment. And we must seize it  
10 by looking beyond partisan issues, greedy  
11 ambitions, and a lack of compassion for others.

12 We are at a crisis state in Jacksonville.  
13 We have an IV in our arm, and we are in  
14 intensive care in our communities, in our  
15 businesses, in our river, on our toxic grounds,  
16 in our educational system, and in our  
17 government.

18 John F. Kennedy stated, "Four things, come  
19 not back the spoken word, the speed arrow, the  
20 past life, and the neglected opportunity." When  
21 written in Chinese, the word "crisis" is  
22 composed of two characters. One represents  
23 danger, and the other represents opportunity.

24 We are surrounded by an insurmountable  
25 opportunity to make our City the best in the

1 country. However, being patient for change is  
2 no longer an option. We have to act and act  
3 now. We have to confess our past sins as a  
4 community, in our government, the history of our  
5 blind and racist city fathers, forgive each  
6 other, and move to achieve success in every  
7 aspect of our city. It will cost money,  
8 sacrifices, change, and confrontations, but it  
9 must begin now with you and no one else. We  
10 must face our problems head-on. You cannot deal  
11 with all of them, but you had a great start.

12 However, the next commission must include a  
13 commission that is inclusive of our cultural  
14 population. It must include the business,  
15 faith, medical, legal, young, middle age, and  
16 elders. It must be empirical and practically  
17 based for conclusions. Some things are just  
18 common sense. But unless you have walked in my  
19 shoes, felt my pain, and understand my plights,  
20 it is hard for you to properly resolve my issues  
21 without my input. No one is seeking a handout.

22 James Brown once says [sic], "Just open the  
23 door and let me in, and I can get it for  
24 myself." Too many doors in Jacksonville,  
25 Florida have been shut and much of it has been

1 driven by -- and I quote the federal government  
2 investigation, "On the judicial system of  
3 Jacksonville is biased in its application of law  
4 in relationship to black males in particular."  
5 That's why the first handout I gave you on the  
6 very front of that talked about Search and  
7 Destroy. You must read that book. You must  
8 look at it and see how it applies.

9 This means they do not stand a chance of  
10 survival in the criminal justice system that  
11 targets, profile, and destroy their future.

12 To paraphrase Jacques Barzun, as Jerome  
13 Miller did, "When one is moved by a rich cluster  
14 of feelings, experiences, and ideas, one comes  
15 to see reality as a series of postulates with  
16 history as a Court of Appeals."

17 The reality of Jacksonville is that the  
18 history has proven and the present reveals that  
19 we have a crisis on our hands socially,  
20 economically, educationally, politically, and  
21 spiritually.

22 Thomas Paine wrote a critical document at a  
23 critical moment in history during a crisis  
24 called "The Rights of Man." In the process of  
25 his writing -- I paraphrase, It is better to

1 obey a bad law than to seek to disobey it, but  
2 rather change it through the course of process  
3 to ensure the rights of all.

4 But Thomas Paine made a very compelling  
5 statement that we should never forget, "The  
6 nearer any disease" -- and we have the diseases  
7 of disparities in prenatal deaths, AIDS, STDs,  
8 diabetes, heart attacks, strokes, high blood  
9 pressure, mental health problems, educational  
10 problems, dropout problems, murder problems,  
11 crime problems, criminal justice system  
12 problems, felony problems, economic problems,  
13 City contract problems, political boundaries and  
14 disenfranchisement of voter problems, greed  
15 problems, fraud problems, corruption problems,  
16 abuse problems, abuse of power problems, racial  
17 relation problems, water problems, drug  
18 problems, and overall equality of life problems  
19 in our city right now -- "approaches to a crisis  
20 the nearer it is to cure danger and deliverance  
21 make their advantages together."

22 It is only in the last push that one or the  
23 other takes the lead. We either take the lead  
24 and solve it, or we're headed down a destructive  
25 course. We must choose the deliverance and

1 overcome these dangerous diseases.

2 Henry Kissinger made it plain, "There  
3 cannot be a crisis next week. My schedule is  
4 really full." My Fellow Citizens and  
5 Commissioners, we cannot wait ten years later,  
6 and really five is too long. Our place is full,  
7 and our cup runneth over with reality. It is  
8 what it is. Now, what are we going to do about  
9 it?

10 In closing, I present these documents full  
11 of recommended solutions. The Bible tells  
12 us, "It is a badge of honor to accept valid  
13 criticism." I want to make a point here by  
14 saying that.

15 Unfortunately, or fortunately, yesterday  
16 when the newspaper came out with this Non-Group  
17 stuff and we went back and connected the dots --  
18 and you will have further testimony a little bit  
19 later -- every one of you -- the majority of  
20 you, some kind of way has some connection with  
21 somebody that was part of that Non-Group.

22 Now, I'm not criticizing you because I  
23 truly believe that you are here to make a  
24 difference for this community, but you have to  
25 question from a community standpoint because of

1 all the suspicions we've had in our community  
2 whether you should be making some of the  
3 decisions or whether you should recuse yourself  
4 from making some of the decisions as it relates  
5 to this process and educational system.

6 You will get your share, but do the right  
7 thing normally and ethically. I believe you  
8 love this community just as I do. Be not swayed  
9 by special interests. Don't be swayed by power,  
10 money, or friends, but be swayed by truth and  
11 reality that requires a change.

12 Our change should be a model for the  
13 world. We blew it in the election of 2000 in a  
14 free country. We corrected it in 2004 with  
15 debate, law, and commitment to doing that which  
16 was right.

17 Now, in 2010, we have the opportunity to  
18 tell the rest of the world that America is the  
19 best in the world. We must do what we must do  
20 as a community by any means necessary to secure  
21 our future and provide justice for all through  
22 legal, political, economical, education, and  
23 religious means with love and without violence,  
24 with debate and dialogue without hate and also  
25 have forgiveness.

1           This Manifesto of Jacksonville -- keep in  
2           mind, Martin Luther King said, "Freedom is never  
3           given by the oppressor. It is always demanded  
4           by the oppressed." He also said, "A lie cannot  
5           live." We have been living a lie in  
6           Jacksonville too long. And at the same time,  
7           for the truth to prevail, will you be genuine  
8           leaders on this board and search for consensus  
9           or become the model of the consensus as a  
10          genuine leader?

11           Dr. Martin Luther King said, "All progress  
12          is precarious, and the solution of one problem  
13          brings face-to-face with another problem." The  
14          question we all must ponder is this: If we are  
15          the men and women of God who we say we are, if  
16          we love God as we say we do, how can we say we  
17          love God whom we have never seen and cannot --  
18          and I paraphrase -- have compassion for the  
19          poor? Make the right decisions and stand on the  
20          truth.

21           When I -- God bless you and keep you is my  
22          prayer and may the peace of God benefit you that  
23          you may prosper in your health, wealth, and  
24          spirit along with all the citizens of  
25          Jacksonville.

1           The document before you has many  
2           recommendations for solutions for our problems.  
3           We hope you will read them, consider them, and  
4           as we move forward, apply them to our  
5           community. Your immediate issue will be your  
6           recommendations to the City Council.

7           But the initial consensus in our community  
8           is that they will not want to vote our  
9           leadership across the board -- vote out  
10          leadership across the board. In other words,  
11          they are saying in the community now, they do  
12          not want an appointed school board. You need to  
13          know that. So that is going to be an uphill  
14          battle for you. They do not want to have an  
15          elitist school board system. That's going be an  
16          uphill battle for you, just letting you know.

17          In addition to that, I want to throw  
18          something on the table for you that you did not  
19          think about, and I will close.

20                 THE CHAIRMAN: Thank you.

21                 PASTOR GUNDY: The mayor -- if you want to  
22                 have an appointed school board system, rather  
23                 than doing that, have a national search for your  
24                 school board superintendent. Give the mayor the  
25                 authority to look for it in the City Council.

1           It can be rewritten. And let him have the  
2           authority over the school board superintendent,  
3           keep your elected school board as it is. And if  
4           you do that, you would force the school board  
5           and the superintendent to talk and make  
6           decisions as it relates to our kids in the  
7           school system. Now, it's in here.

8           The last thing that I was asked to tell you  
9           was this: As it relates to the consolidated  
10          government -- and I mentioned this to you the  
11          last time, Mr. Rohan -- the best practices  
12          program with all the success that changed the  
13          schools and the problems and things that we have  
14          in here, it's in here. I heard you at the last  
15          meeting, so we went back and we pulled the  
16          data.

17          There is going to be a challenge for the  
18          election as it relates to this consolidated  
19          government and the school and people at the  
20          beach having authorization to vote for us. We  
21          need to move that election to the fall. We need  
22          to move it. But in this thing -- and it has  
23          been checked by the federal government now --  
24          there is a problem with consolidated government  
25          and the way we vote, and it's got to be fixed

1 before we have this next election.

2 Mr. Duggan, I really appreciate it, and  
3 I -- some of you are running for office and some  
4 of you are aligned with mayoral candidates as we  
5 all are. And I just encourage you, when you're  
6 making your decisions now, do it based on that  
7 which is the truth and not based on where you  
8 stand with other people that are running for  
9 office.

10 God bless you and thank you.

11 THE CHAIRMAN: Thank you, Pastor. Thank  
12 you for coming down, and thank you for taking  
13 the time to put this presentation together.

14 Yes, for our court reporter, I do have a  
15 verbatim text of his remarks that I can give to  
16 you so that you can get that on the record.

17 And, Pastor Gundy, I will include this in  
18 our supporting data and analysis in our final  
19 report?

20 PASTOR GUNDY: Thank you, sir.

21 THE CHAIRMAN: Commissioners, I now want to  
22 move on to the issue of what we -- what gifts we  
23 give to the next Charter Revision Commission  
24 suckers -- I mean, members.

25 The issues that I want to raise are: Is

1           ten years too long? Is eight months too short?  
2           Should we have the ability to put items directly  
3           on the ballot?

4                   Commissioner Eichner.

5                   MS. EICHNER: I'm in favor of extending the  
6           length of time. I don't necessarily know that  
7           eight months is long enough to delve into the  
8           issues. I mean, we spent a great deal of our  
9           time on education, and in doing that, did not  
10          look at some of the other issues. So I would be  
11          in favor of extending the term at least maybe to  
12          12 months.

13                   But I like the idea of it being every ten  
14          years because I think that -- in part, it takes  
15          it out of election cycles, politics, you know,  
16          those kinds of things where it can. I  
17          understand it plays a role in it at some point,  
18          but I think ten years is enough time.

19                   THE CHAIRMAN: Commissioner Oliveras.

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

21                   I would respectfully disagree with my  
22          fellow commissioner that ten years is enough  
23          time. It's just a little too much time in some  
24          cases. I can't tell you five years would be the  
25          right number, seven years, eight years.

1           I would be comfortable with seeing the  
2 Charter Revision Commission convene a bit more  
3 frequently because things do come along, and the  
4 education reform issue is a prime example. If  
5 it's adopted and it works and things  
6 dramatically improve, that's fantastic. If the  
7 mayor can't find people to serve on his  
8 appointed board, there's going to be a new  
9 crisis, and the commission is going to have --  
10 the next commission is going to have to fix it.  
11 So just as an example, not picking, but anything  
12 can come along, and ten years really is a long  
13 time.

14           I think that we do need to relay to the  
15 Council that the next commission should meet for  
16 a year because -- and you did the right thing by  
17 having us meet weekly. We wouldn't have gotten  
18 through this material had we met biweekly. But  
19 what would be helpful, I think, for the next  
20 commission would be for them to have the  
21 opportunity to discuss an item and then go back  
22 and hear from their people, do their research,  
23 come back, talk about something a little more,  
24 and be able to develop an idea, have time to  
25 develop an idea. I think that's a good thing,

1 so I would support that.

2 THE CHAIRMAN: Commissioner Youngblood.

3 MR. YOUNGBLOOD: I would also echo the  
4 comments from Commissioner -- I'm sorry --  
5 Eichner. I feel that every ten years is  
6 sufficient because it is our constitution for  
7 the city of Jacksonville, and we don't want to  
8 continue to touch it and manipulate it and move  
9 it. I think it should be something very rigid  
10 and a very strong structure.

11 I do know we need much more time than we've  
12 been afforded. And I also agree with  
13 Commissioner Oliveras that if you had not moved  
14 it to a every week cycle, there's no way we  
15 would have been able to accomplish where we're  
16 at right now. If we were to do it where we come  
17 out overwhelmingly and say, yes, we meet every  
18 week or the next Charter Revision Commission  
19 meets each week for a 12-month period, I think  
20 it would be sufficient to cover.

21 But there needs to be a workshop at the  
22 outset that everyone could be on the same sheet  
23 of music right out of the gate and understand  
24 what the document is they're about to start  
25 changing. That research was done by most of us

1 on our own. There was not a workshop or  
2 anything to help us understand or get our feet  
3 underneath us. I think some of the attorneys  
4 may be more savvy in that field, and so they  
5 were able to be more prepared.

6 Also, I feel that -- I would respectfully  
7 disagree that we don't want to put it on -- make  
8 recommendations immediately to a referendum,  
9 that we use the current process in place through  
10 our City Council as our legislators to approve  
11 our findings.

12 Not to make light of the issues that we've  
13 dealt with, but Commissioner Korman brought up  
14 the aspect of not hearing from appointed versus  
15 elected sheriffs, other than our own sheriff,  
16 and then the formerly appointed and elected  
17 Sheriff Demings from Orange County. There  
18 wasn't enough information. That's for sure.  
19 But if you have three competing issues, then we  
20 need to hear the opposing views.

21 If we talk about charter schools, then  
22 let's discuss also openly the private schools,  
23 public schools, or other options of possible --  
24 the term that's used, I apologize, it escapes  
25 me. The term that's used -- vouchers.

1           Currently, it is unconstitutional and I know  
2           that, but it's something that should be on  
3           table, I believe, for at least discussion  
4           because we are making a change to our  
5           constitution.

6           So those are my feelings on it: Twelve  
7           months, meeting every week, and having some sort  
8           of program at the outset so we are on the same  
9           sheet of music. And if we have three competing  
10          views, we need to hear from the opposing side to  
11          be heard from so it's not a one-sided program.

12          Thank you, Mr. Chairman.

13          THE CHAIRMAN: Commissioner Austin.

14          MR. AUSTIN: Yes, I don't know about the  
15          meeting. You could entertain a thought of  
16          convening every ten years or at the discretion  
17          of the mayor and the Council as they deem  
18          appropriate, or you could do it every five  
19          years, however.

20          But I have a couple of other considerations  
21          since we are discussing the Council -- the  
22          Commission. I would recommend that we --  
23          recommend that the way that the commission is  
24          appointed be changed and that the chief judge  
25          perhaps and the mayor be -- and the City Council

1           be given five appointments each since it  
2           represents all three branches -- we're doing all  
3           three branches of government.

4           I would disqualify from service any public  
5           official or former public official or any public  
6           employee or retired public employee and  
7           recommend that the commission be elected --  
8           appointed at-large from the leadership of the  
9           community.

10          I think this has been a good commission,  
11          but I think we could improve on the process if  
12          we broadened it -- broadening (inaudible)  
13          authorities, and we've got some of our special  
14          interests, like me, off of the thing.

15          THE CHAIRMAN: Vice Chair O'Brien.

16          MS. O'BRIEN: I would echo the sentiment of  
17          Mayor Austin in regards to keeping it a ten-year  
18          confirmed time to get together, and then at the  
19          discretion of the mayor and City Council that if  
20          a special Charter Review Commission needs to be  
21          convened, to give them the power as opposed to  
22          designating it every five years, every seven  
23          years, every eight years because I don't  
24          believe -- ours are only currently  
25          recommendations to the City Council.

1           I believe the City Council has the power,  
2           with the correct number of votes, to change the  
3           Charter at any time. It's not that if we get  
4           into a situation, there has to be a convened  
5           Charter Review Commission in order to change the  
6           Charter. So I believe that power is there if we  
7           come into a crisis situation or just a very  
8           needed situation. And I know it costs the City  
9           time and money to do this as exhibited by the  
10          staff that's supporting us.

11          I would not want to get into the minutia of  
12          requiring weekly meetings or biweekly meetings.  
13          I think that's at the discretion and the  
14          consensus of the appointed CRC at that time.

15          And I do echo the fellow -- Commissioner  
16          Austin's comments about maybe having a broader  
17          pool of appointees.

18          THE CHAIRMAN: Any other comments? There  
19          is nobody else in the queue.

20          Commissioner Miller.

21          MS. MILLER: Through the Chair, throughout  
22          this process, I have thought about kind of the  
23          role of this commission, and when we think about  
24          the role of the commission, the purpose of the  
25          commission, it's helped inform my opinions about

1           how frequently we should meet. And I don't have  
2           an opinion as to the length of the  
3           deliberations.

4           I do think there should be a finite term  
5           for deliberations. I don't know if eight months  
6           is the right answer or twelve months, but maybe  
7           up to one year, you know, sort of an outside  
8           maximum to give the commission the time it  
9           needs. It could -- you know, some -- one  
10          commission could decide to meet every day for a  
11          month, I don't know, but at night. I mean, who  
12          knows.

13          But, again, maybe we could recommend  
14          something that is up to twelve months because if  
15          it is composed of working professionals and  
16          others, then there are going to be time  
17          constraints. So what I would suggest is terms  
18          of length of deliberations up to twelve months  
19          without any minimum or getting into the way they  
20          might meet.

21          As to the frequency, you know, we've kind  
22          of gone back and forth about this, but as we  
23          have mentioned, you know, we're -- and as we  
24          have seen and experienced in this process, this  
25          commission has had an opportunity to raise the

1 level of public debate about issues of great  
2 public importance in this community, and it's  
3 the kind of debate that for whatever reason  
4 public elected officials right now are unwilling  
5 or unable to discuss.

6 So it is an opportunity to take -- and take  
7 a look at all aspects of our consolidated  
8 government and look at whether it's the sheriff  
9 and criminal justice so that it relates to other  
10 aspects of the -- and raise that debate, or if  
11 it's public education as it relates to the City  
12 and (inaudible) of the mayor, bring that debate  
13 up.

14 And so if our role -- if one of our  
15 roles -- and I think one of our roles is to  
16 raise the level of debate or at least bring  
17 matters of public importance to the forefront,  
18 then I don't know how meeting more frequently  
19 can hurt that. And what I mean to say in that  
20 regard is, you know, maybe it is that there is  
21 an option to appointing a Charter Revision  
22 Commission every five years. It doesn't mean  
23 they have to take it. It doesn't mean they have  
24 to exercise it, but there is the option to  
25 appoint it every five years to examine matters

1 of -- pressing matters of public importance  
2 affecting the consolidated government.

3 Frankly, we don't know what's going to  
4 happen with our tax structure, the Save Our  
5 Homes Amendment. There's a lot of things coming  
6 down the pike, the Hometown Democracy issue.  
7 All of those matters affect our consolidated  
8 government. And as we know through this  
9 exercise, we may have more authority than other  
10 city/county governments and consolidated  
11 governments in the state.

12 So we may have an opportunity to address  
13 those issues more frequently. It doesn't mean  
14 the Council can't do it. They can or -- through  
15 the Duval Delegation. But when you have an  
16 appointed body who has the ability, and in a way  
17 the luxury of studying issues without -- and  
18 raising the level of public debate, I think it  
19 may be worth it to suggest every five years at  
20 their option, at least every ten years, but  
21 suggest every five years as a way to continue or  
22 to raise public awareness on issues or to make  
23 recommendations.

24 Say Hometown Democracy passes and say we as  
25 a city or a county consolidated government don't

1           want that, we might have an opportunity to  
2           address that. Now, the City Council can address  
3           it, but the Charter Revision Commission might be  
4           a forum to do that.

5                     So I guess my point is I wouldn't want to  
6           limit it just to ten years if there is a matter  
7           of public concern, and maybe a recommendation or  
8           a guideline is every five years or as needed,  
9           and I just would throw that out there.

10                    As to being able to recommend directly to  
11           referendum, one concern that -- I can see both  
12           sides of that issue and concern, but I do think  
13           for the same reasons that I just stated, this  
14           commission has the ability to make  
15           recommendations, to study ideas and thoughts and  
16           matters of public concern that for whatever  
17           reason elected officials are unable or unwilling  
18           to do right now and, I think, throughout our  
19           consolidated government.

20                    So it -- I think it may be helpful and it  
21           might be helpful to the elected officials if we  
22           do -- if we have the ability to make a  
23           recommendation directly to the referendum. But  
24           my suggestion in that is if this commission were  
25           empowered to do that, then it should be with a

1 two-thirds vote so that if this commission as  
2 it's convened in the future, in order to go  
3 directly to referendum, it would have to be by a  
4 two-thirds vote of the commission just in order  
5 to ensure that if it is going, then it would  
6 have to go.

7 And, again, it would have to satisfy all of  
8 the requirements for a referendum, and I would  
9 not limit it just to a public referendum but  
10 also to make recommendations directly to the  
11 Duval Delegation because the Duval Delegation  
12 carries bills to the legislature that can amend  
13 the charter.

14 So it would be -- what our recommendation  
15 should have -- we should have the ability to  
16 make recommendations, I guess, in broad terms to  
17 the City Council, to the mayor, to any part of a  
18 consolidated government, and to referendum and  
19 the Duval Delegation. So I think it might be to  
20 expand our ability and authority if I were  
21 drafting this to make recommendations to all  
22 aspects. If we're making a recommendation to  
23 the Duval Delegation or to referendum, then we  
24 might consider a two-thirds vote of membership  
25 in order to make that recommendation.

1           I agree with Commissioner Youngblood's  
2           recommendation on requesting or suggesting an  
3           initial workshop for all commission members  
4           because the Charter is difficult, and it's, I  
5           think, the background. We have learned through  
6           the process of an exchange of letters, right,  
7           and legal opinions about these -- about the  
8           authority and about the history and about why we  
9           are different in the authority, and I think that  
10          would have been helpful up front and the various  
11          ways to change the Charter, which we have  
12          learned through -- again, through legal opinions  
13          of the General Counsel's Office.

14                 But a half-day workshop or what have you on  
15          the Charter, how it was established, how it can  
16          be amended through -- would probably be  
17          helpful. We have had some of that, but I think  
18          we can have more of that.

19                 In terms of the appointment process, I also  
20          agree with Commissioner Austin that the  
21          appointments should be -- should come broadly --  
22          more broadly from the mayor, the Council, the  
23          chief judge, whatever, or the mayor, the  
24          Council, and each one of the constitutional  
25          officers might have an appointee. I don't

1 know. But maybe to expand that appointment  
2 process so that more members of the consolidated  
3 government have an opportunity to make  
4 recommendations.

5 So those are just my thoughts.

6 THE CHAIRMAN: I have nobody else in the  
7 queue. Anybody want to make a motion?

8 Commissioner Youngblood.

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

10 If we could put to a motion -- I make the  
11 formal motion to extend it for twelve months  
12 with -- on the outset a training class, seminar,  
13 or some sort of setting that would encourage a  
14 better understanding of the Charter, and that it  
15 meets every ten years as it does currently. And  
16 I think that would hit the three most unique  
17 topics: the length, the service, how often its  
18 frequency, and the educational process at the  
19 outset.

20 MS. DEAL: Second.

21 THE CHAIRMAN: We have a motion and second  
22 on the motion to propose a 12-month term with an  
23 initial workshop at the beginning and a  
24 frequency of every ten years.

25 Discussion.

1 Commissioner Oliveras.

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

3 I was wondering if the author of the motion  
4 would be interested in a friendly amendment to  
5 allow for every ten years or earlier at the  
6 request of City Council and mayor should the  
7 need arise.

8 MR. YOUNGBLOOD: Well, here we go. We have  
9 a question right out of the shoot, then, because  
10 I believe, as Commissioner O'Brien brought to  
11 our attention, that if there needs to be a  
12 change in the midst of a ten-year period that  
13 our current legislators can do that. Is that  
14 truly the case?

15 Steve Rohan.

16 MR. ROHAN: Through the Chair, yes.

17 The Council has the power to waive the code  
18 and to make whatever amendments to the code it  
19 needs to do at any time. The Charter Revision  
20 Commission is in the ordinance code. So if the  
21 Council and the mayor wanted another commission  
22 set up, they could certainly do that at their  
23 pleasure with ten votes.

24 MR. OLIVERAS: Then, with respect, I would  
25 just withdraw the idea.

1 THE CHAIRMAN: Any further discussion on  
2 Commissioner Youngblood's motion?

3 Vice Chair O'Brien.

4 MS. O'BRIEN: I just -- I would be  
5 interested in hearing some other people's  
6 opinions, you know, good and bad, the pros and  
7 cons of the idea of a two-thirds or a super  
8 majority requirement to put an idea as a direct  
9 referendum. I can see some negatives,  
10 personally, with that. I can also see some  
11 positives. I can see it as a means of getting a  
12 subject out there that may not -- that we as a  
13 commission, obviously, by either super  
14 majority -- what is the difference between a  
15 super majority and a two-thirds vote? Is  
16 there?

17 It's the same. Okay.

18 MR. ROHAN: Right.

19 THE CHAIRMAN: Mr. Rohan.

20 MR. ROHAN: Through the Chair, the super  
21 majority is whatever you make it to be. You  
22 would not use the term "super majority". You  
23 would use the term "two-thirds,"  
24 "three-quarters," or whatever number you wanted.

25 MS. O'BRIEN: Okay. You know, I think if

1           there's a two-thirds vote, which reflects the  
2           vast majority of the Commission, to put an issue  
3           out there directly, are we in any way helping --  
4           helping our community, helping our City Council,  
5           or are we hurting?

6           I just -- I need some additional feedback.  
7           I don't necessarily think -- I see both sides,  
8           and I didn't know if anybody else could help me  
9           with their personal opinions to make a  
10          determination whether it's good or bad for the  
11          community.

12          THE CHAIRMAN: Commissioner Korman.

13          MS. KORMAN: I don't know if I vetted it  
14          completely through, but I do think, personally,  
15          if you -- if we had the ability to directly put  
16          something in the referendum, it takes away from  
17          the citizens involvement and also can lead to  
18          more failure. As we have seen when things go to  
19          a referendum vote, there needs to be a campaign  
20          of some sort a majority of the time. And that  
21          puts us, I would think, possibly as a  
22          responsible party to do that if we directly did,  
23          and that's not our job. I mean, that's mixing  
24          the politics. So I would be a little wary,  
25          personally, of that.

1 THE CHAIRMAN: Commissioner Eichner.

2 MS. EICHNER: She said exactly what I was  
3 going to say.

4 THE CHAIRMAN: Commissioner Catlett.

5 MR. CATLETT: Mr. Rohan, can you tell me  
6 what procedurally we would have to do to be able  
7 to take things and put them on the ballot  
8 directly?

9 MR. ROHAN: Through the Chair, my advice to  
10 you would -- it would be an amendment to  
11 Article 18, the procedure by which referendums  
12 are established, and so --

13 MR. CATLETT: Is that the City ordinance  
14 code?

15 MR. ROHAN: -- we'd give you that either  
16 in -- well, we'd either -- no. It would be in  
17 the charter.

18 You'd amend the charter either in Article 3  
19 or Article 18, or both, to make them --  
20 symmetry, and that would grant the authority of  
21 the Commission to put something on the ballot  
22 that would otherwise require petition or City  
23 Council action.

24 MR. CATLETT: Thank you.

25 THE CHAIRMAN: Commissioner Eichner.

1 MS. EICHNER: Can a citizens group then  
2 collect enough signatures to also put a  
3 referendum on the ballot?

4 I'm just concerned that, as Commissioner  
5 Korman said, we may be putting ourselves in an  
6 awkward position. Or could we be considered a  
7 citizens group? If we did nothing, could we  
8 then still -- can any CRC still be able to  
9 collect enough signatures on an issue that  
10 didn't make it past Council that we -- we  
11 perceived should be on the ballot?

12 MR. ROHAN: Through the Chair,  
13 Commissioner, this would be supplemental to all  
14 existing methods of amending the Charter.

15 THE CHAIRMAN: Commissioner Oliveras.

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

17 I just wonder how this would be received by  
18 Council, them having to agree to allow us to  
19 circumvent their process. I don't think it  
20 would be very well received, and I -- I think  
21 that the process is there. Something -- some  
22 things we would like to have recommendations  
23 passed, and they may see it differently. I  
24 would just be -- I think that might be a  
25 problem, getting the majority of Council members

1 to vote to allow them to be circumvented in the  
2 process.

3 THE CHAIRMAN: Commissioner Austin.

4 MR. AUSTIN: Well, I think with advisory  
5 and -- I mean, that's the nature of -- the  
6 composition of the animal. I don't think we  
7 should try to extend our reach beyond the  
8 offices of the mayor and the Council.

9 I do think -- I was thinking that you could  
10 have a mayor and a Council that are very  
11 forward-looking, but they couldn't seek your  
12 counsel and advice of this group for a period of  
13 eight years when their term limit is out.

14 I do think that they should have the  
15 discretion to impanel a Charter Revision  
16 Commission at their discretion for a set period  
17 of time perhaps to consider specific issues,  
18 maybe -- maybe define the issues or a series of  
19 defined issues, and you could meet every ten  
20 years with that caveat.

21 I think if you are advisory, you should be  
22 available if they need you, and I'd make that  
23 recommendation. I don't know whether it's a  
24 motion or what it is, but they would meet every  
25 ten years -- is there a motion on the floor? Am

1 I out of order?

2 THE CHAIRMAN: Well, there's a motion --  
3 yes, there's a motion on the floor for the term  
4 of the commission to be extended to twelve  
5 months instead of eight with an initial workshop  
6 on the Charter at the beginning of the tenure of  
7 that commission.

8 And essentially the motion is that we meet  
9 every ten years. Essentially, there's --  
10 Mr. Youngblood's motion is that we make no  
11 change to the frequency. Right now the  
12 ordinance code provides every ten years.

13 MR. AUSTIN: So would you consider it an  
14 amendment?

15 THE CHAIRMAN: Well, that's --  
16 Mr. Youngblood, would you consider an amendment  
17 along the lines that Commissioner Austin has  
18 outlined?

19 MR. YOUNGBLOOD: Could he restate the  
20 modification that he recommends?

21 MR. AUSTIN: That the City Council -- the  
22 mayor and the City Council, at their discretion,  
23 may impanel the Commission for a period not to  
24 exceed a year to consider specific definable  
25 issues.

1 MR. YOUNGBLOOD: I don't see any difficulty  
2 with that modification to my motion.

3 MR. CATLETT: Second.

4 THE CHAIRMAN: Okay. So  
5 Commissioner Youngblood's motion would be that  
6 we continue to meet -- that the Commission  
7 continue to be appointed every ten years as a  
8 matter of course, no matter what, but that at  
9 the discretion -- at the request of the mayor  
10 and Council -- so they would have to concur,  
11 Commissioner Austin?

12 MR. AUSTIN: I think that's normal  
13 procedure, yeah.

14 THE CHAIRMAN: At the request of the mayor  
15 and the Council, the Commission could be called  
16 into existence sooner than ten years and be  
17 given a defined set of issues to review.

18 That's correct, right?

19 MR. AUSTIN: (Nods head.)

20 THE CHAIRMAN: So unlike the regular tenure  
21 where our -- it's our discretion as to what we  
22 look at --

23 MR. AUSTIN: Maybe not to exceed a year.

24 THE CHAIRMAN: Yeah. And so under those  
25 circumstances, it would be to address specific

1 issues given to us -- given to the Commission by  
2 the mayor and the Council. Is that --

3 MR. YOUNGBLOOD: Is that something that  
4 needs to be done through the Charter Revision  
5 Commission which meets every ten years, or is  
6 that really kind of a different topic, a  
7 different matter altogether? Because I think  
8 the City Council currently can already do that  
9 and essentially establish a committee to do  
10 research on their behalf for a particular  
11 topic. I don't know that it's something that we  
12 need to put within the scope of the Charter  
13 Revision Commission.

14 THE CHAIRMAN: Mr. Rohan, your thoughts on  
15 that.

16 MR. YOUNGBLOOD: Steve.

17 MR. ROHAN: Sure. Through the Chair, while  
18 it may not be absolutely necessary, because the  
19 Council already has the authority, there is  
20 certainly nothing wrong with including this in  
21 the ordinance.

22 And your request, as I understand it, is a  
23 request for an ordinance amendment, not to put  
24 this in the Charter, but a request simply to  
25 change the ordinance to specify that and allow

1 for that, and that's totally appropriate. You  
2 may do that. And that would be part of your --  
3 certainly part of your work would be to  
4 recommend changes in the methodology in which  
5 you are operating and the existent statutory  
6 structure.

7 MR. YOUNGBLOOD: Not to change my motion,  
8 but accepting his as a modification to the  
9 motion that I made if it's okay, and he says it  
10 is, so that's fine with me to keep that in  
11 there.

12 Something that came to mind as others were  
13 speaking, I saw that we had several that had to  
14 attempt to remove themselves from the voting  
15 process because of conflict of interest. Is it  
16 something that we should look into where there's  
17 a potential conflict of interest because of  
18 registered lobbyists?

19 And I know that affects even our chairman,  
20 as he brought up at the last meeting that it was  
21 a potential conflict of interest that the public  
22 brought up.

23 Currently, I think the Charter Revision  
24 Commission is one of the only appointed boards  
25 where you can serve as a lobbyist and also to

1           serve on the Charter Revision Commission.  
2           There's a potential conflict of interest because  
3           you've -- we have seen here that we've had to  
4           remove particular commissioners from the ability  
5           to vote because of the appearance of a conflict  
6           of interest, whether there is one or not.

7                     And I think in hearing from Pastor Gundy  
8           today with this Times-Union article that came  
9           out, I think there are relationships that we  
10          have here, and what can we do to better protect  
11          the citizenry that there was not an elitist  
12          mind-set behind this commission. I'm not saying  
13          that we are, but the potential for that elite  
14          mind-set to have a reach into this charter and  
15          to be able to manipulate it for their own  
16          purposes and own cause.

17                    So I think for the public's purpose, is  
18          there something that we can put in? And I'm  
19          asking for suggestions. Should we say no  
20          lobbyists? Should we say -- how do you have a  
21          good cross-section of society that hits all  
22          aspects of society: race, creed, and color?  
23          What can we better do to precisely meet a  
24          cross-section of society? And that's in a  
25          question because I could say, "Okay. No

1           lobbyists." But is that really the best thing?  
2           You know, no attorneys, is that the best thing?  
3                        I'm not recommending that, again, but  
4           looking for a suggestion so that to the public,  
5           it doesn't appear to be a biased setting of --  
6           which -- an elite group that seeks to gain,  
7           make, and control the law. So that's a  
8           question. Again, not modifying my motion, my  
9           emotion still stands, but a question to the  
10          balance of the commissioners, should we look  
11          into that?

12                    THE CHAIRMAN: Commissioner Austin.

13                    MR. AUSTIN: May I ask a question of  
14          Mr. Rohan?

15                    THE CHAIRMAN: Yes.

16                    MR. AUSTIN: Mr. Rohan, did I understand  
17          you to say that the Council or mayor could  
18          convene at any time they wanted to anyway?

19                    MR. ROHAN: That's correct.

20                    MR. AUSTIN: I'll withdraw my amendment.

21                    THE CHAIRMAN: Okay. Commissioner Catlett.

22                    MR. CATLETT: Yes, sir.

23                    I think the reason that Councilman Fussell  
24          did put some lobbyists on this commission was  
25          because they were very familiar with the

1 day-to-day operations of government. And beyond  
2 that, there's no reason for it at all. I mean,  
3 my lobbying is pretty much limited to a couple  
4 of not-for-profit charities right now in the  
5 city. And although Wyman has an extensive list,  
6 I have got one more I've got to add. Our  
7 knowledge of government probably is not a  
8 detriment to this group. I don't think that  
9 that is relevant anymore than saying, "First, we  
10 shoot all the lawyers." I mean, you know,  
11 what's -- this is a pretty good cross-section of  
12 the community.

13 MR. AUSTIN: We could debate that.

14 MR. CATLETT: Well, there's some truth to  
15 that, Mayor. We shoot all the mayors next.

16 I mean, I understand what you're saying,  
17 but this is a pretty diverse group. I don't see  
18 that this is an elitist group. I mean, I'm from  
19 Brentwood. That's not really a very elite  
20 area. I'm trying to figure out what you're  
21 getting at there. I really am. I'm listening  
22 hard.

23 MR. YOUNGBLOOD: Commissioner, if I could,  
24 through the Chair, it's not targeted at this  
25 group, but the comments have been raised from

1 the public and from the Times-Union and from  
2 obvious articles that that is a question. So to  
3 answer the question of the public is the reason  
4 we're here, and the Charter directly affects  
5 them, not us, but the incoming Charter Revision  
6 Commission, should we put some -- currently, you  
7 may be an outstanding lobbyist, and you  
8 represent a diverse group of people. What  
9 happens in the event that there's someone that  
10 you may disagree with that is a lobbyist that  
11 you completely feel that they should not be in  
12 that capacity? So should we open it up and say,  
13 "Lobbyists, it's okay," or they're not okay?

14 As Pastor Gundy made the statement,  
15 cross-section, medical, financial, which would  
16 be including your banking, and then businessmen,  
17 young, old, retired, and currently employed, a  
18 good cross-section. I think we have that  
19 cross-section now, but going -- I think we have  
20 that, but the future Charter Revision  
21 Commission, only because of the public and  
22 what's been said in the Times-Union and what's  
23 been said even on the news, that brings into  
24 question should we have greater transparency to  
25 better serve the people.

1 THE CHAIRMAN: Commissioner Korman.

2 MS. KORMAN: I have to say I think we have  
3 a very, very currently diverse group. I think  
4 we -- once again, when you place that vote for  
5 your City Councilperson, you are putting it in  
6 their hands -- they are the City Council  
7 president during those ten years -- to make  
8 those decisions, and I trust -- because we all  
9 got to vote on this individual. Oh, we didn't  
10 get to vote. You have the ability to vote.

11 But I think that if you look at everybody  
12 on here, I think everybody probably has a  
13 conflict somewhere. I think that -- I think  
14 it's impossible. I think everybody in the room  
15 probably has a conflict somewhere. But I do  
16 think that -- I don't think we should put any  
17 limitations; lobbyists, business people,  
18 retired, white, black, purple, yellow. I think  
19 it's the process, and I think the process does a  
20 great job. And I think it has in the past, and  
21 we need to continue to let it do its job and not  
22 put any restrictions or limitations on who gets  
23 to serve or who doesn't unless it's in the  
24 ethics or there's an issue that's -- was  
25 raised.

1           But I don't think at all. I think that  
2           this discussion really doesn't need to go much  
3           further than we had it because I think that we  
4           should not eliminate anybody from this  
5           commission now or in the future.

6           THE CHAIRMAN: Commissioners, the request  
7           has been made by Commissioner Youngblood to get  
8           a photograph of all of us. Commissioner Catlett  
9           has to leave. Commissioner Deal will not be  
10          here next week. Does anybody mind if we take a  
11          one-minute break, take a photograph, and then  
12          come back, and then finish up if that's the  
13          sense of the commission?

14          MS. O'BRIEN: (Inaudible.)

15          THE CHAIRMAN: Well, there's more people in  
16          the queue. We're going to have public comment.  
17          Anybody mind if we do that?

18          COMMISSION MEMBERS: (No response.)

19          THE CHAIRMAN: Okay. Let's just meet in  
20          front right here in front of the podium.

21          Mr. Clements, Mr. Rohan, and Ms. Tropia,  
22          please join us.

23          (Brief pause in the proceedings.)

24          MR. YOUNGBLOOD: Thank you, everyone, for  
25          humoring me for my class photo.

1           THE CHAIRMAN: Thank you for suggesting  
2           that. I know I'll be glad to have that  
3           photograph in years to come.

4           So we are on Commissioner Youngblood's  
5           motion. The only point I would make is,  
6           Commissioner Youngblood, to get at your  
7           suggestion of -- about making sure there is  
8           equal access, if you will, or a broader  
9           perspective cross-section, I do think  
10          Commissioner Austin's suggestion to divvy up the  
11          slot -- the appointment of the slots among more  
12          than just the council president might be a way  
13          to get at that. If you give some to the mayor,  
14          some to the council, some to the chief judge, or  
15          any other, I know that's what you suggested, but  
16          it could be other players.

17          But I think it helps address some of that  
18          issue that you're talking about of making sure  
19          that it's not all City Hall insiders, to  
20          shorthand it.

21          MR. YOUNGBLOOD: Through the Chair,  
22          Mr. Chairman, I agree slightly, but disagree  
23          when it comes to the judicial aspect or the  
24          executive level aspect because I think I need to  
25          deal with the legislators only. And so maybe a

1 broader section where it's not just the City  
2 Council president but multiple councilmen,  
3 possibly where it's not truly an executive level  
4 appointment or a judicial level appointment, but  
5 from the legislative side since this is the  
6 legislative document of which we operate within,  
7 the framework, so within that level of  
8 governance.

9 THE CHAIRMAN: Commissioner Catlin.

10 MR. CATLIN: Might I go back on my  
11 statements about the elected sheriff; if it  
12 ain't broke, don't fix it. I don't think it is  
13 broke, and I think that they publicly asked for  
14 people to submit their paperwork to be on this  
15 commission. I don't think it's broken. I think  
16 we should just keep it where it is, in all due  
17 respect.

18 THE CHAIRMAN: Commissioners, I have nobody  
19 else in the queue.

20 Any further discussion on Commissioner  
21 Youngblood's motion which would be to extend the  
22 term of future Charter Revision Commissions to  
23 12 months with an initial workshop and to keep  
24 the frequency at every ten years?

25 Commissioner Austin withdrew his motion to

1           make it sooner than that. So essentially we'd  
2           be leaving it as is, ten years as is. And this  
3           would be a recommendation to the Council to  
4           change the ordinance code, not to put it in the  
5           Charter, as I understand the motion. I just  
6           want to make sure everybody understands what  
7           they're voting on. If somebody feels like it  
8           should be in the Charter, let me know.

9           COMMISSION MEMBERS: (No response.)

10          THE CHAIRMAN: Okay. Any further  
11          discussion?

12          COMMISSION MEMBERS: (No response.)

13          THE CHAIRMAN: All in favor, raise your  
14          hand.

15          COMMISSION MEMBERS: (Indicating.)

16          THE CHAIRMAN: That's unanimous. We'll  
17          avoid the roll call.

18          Note for the record that Commissioner  
19          Catlett had left. So that's 14 in favor.

20          Okay. So I wanted to address, shall we  
21          meet for longer than a year, and we -- or for  
22          eight months, and we voted on that. The  
23          consensus is to keep it every ten years.

24          There's no motion on the table as to --

25          MR. AUSTIN: (Inaudible.)

1 THE CHAIRMAN: Okay. Commissioner Austin.

2 MR. AUSTIN: I'd like to move that we  
3 recommend that -- to change the composition of  
4 the Commission to have five people appointed by  
5 the Council, five people appointed by the mayor,  
6 and I guess the chief judge -- yeah, the chief  
7 judge, and that the -- public officials, former  
8 public officials, public employees, and retired  
9 public employees would be disqualified.

10 Sometimes if you wait for things to break,  
11 you have an awful mess on your hands. Sometimes  
12 it pays to fix them in advance.

13 Thank you.

14 THE CHAIRMAN: Is there a second?

15 MR. AUSTIN: As a matter of fact, you spend  
16 most of your time trying to keep it from  
17 breaking.

18 THE CHAIRMAN: Is there a second?

19 COMMISSION MEMBERS: (No response.)

20 THE CHAIRMAN: I'll second it for purposes  
21 of discussion.

22 Commissioner Oliveras.

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

24 I'd have to echo Commissioner Catlin's  
25 point on this. He's right on point. Each of us

1 here submitted a pretty lengthy application and  
2 the council members -- council president  
3 reviewed it. They investigated. I know they  
4 investigated me because I got some phone calls.  
5 Somebody called me wanting to know, what is this  
6 Charter Revision Commission?

7 So I think that the council president  
8 should do his or her due diligence in this  
9 process, and I would think they would all do  
10 that. I don't see where changing this process  
11 by prohibiting participation improves the  
12 process. I think that a council president  
13 should have broad discretion at who he or she  
14 sees in those packet of applications and says,  
15 that's going to be a good person, that's going  
16 to -- or they can say, that could be a problem  
17 and decide against an application. So I think  
18 the system, as it stands today, works.

19 THE CHAIRMAN: Okay. Commissioners, I have  
20 nobody else in the queue on this.

21 Okay. We're going to vote on Commissioner  
22 Austin's motion, which would be to appoint five  
23 from the mayor, five from City Council, and five  
24 from the chief judge, with no current or former  
25 public officials or retirees eligible.

1 Does that accurately state your motion?

2 MR. AUSTIN: (Nods head.)

3 THE CHAIRMAN: Commissioner Korman, do you  
4 have a question?

5 MS. KORMAN: So, like, Mayor Austin  
6 couldn't be on this?

7 THE CHAIRMAN: Yes.

8 MS. KORMAN: Well, that stinks.

9 MR. AUSTIN: What did she say?

10 THE CHAIRMAN: She's a big fan. She would  
11 not want you to not be able to serve.

12 MS. KORMAN: Well, for discussion purposes,  
13 Mr. Chair, I mean, I think that -- I think --  
14 I'll be honest with you, at first I was very  
15 unsure about a former mayor being on it, but I  
16 think he's provided a lot of insight that we  
17 wouldn't have been able to -- to know about, to  
18 understand.

19 So I apologize, Mayor Austin. I can't  
20 agree with your retired public officials comment  
21 because you provided a lot for the table.

22 MR. AUSTIN: I was just trying to sweeten  
23 the pot a little bit, but the whole concept of  
24 not having the equal branches of government  
25 participating, whether we should amend it or

1 not, the Charter, is beyond me. I don't  
2 understand why that's vested in one branch of  
3 government. They may have an entirely  
4 prejudiced idea of how it should control  
5 things. I mean, that's what this thing is, is  
6 separation of powers; the mayor, the City  
7 Council, and the judiciary, and I think we  
8 should be appointed accordingly.

9 Now, I -- who is -- if you do it that way,  
10 who's on it wouldn't really make that much  
11 difference. I was just trying to get this labor  
12 gal over here and me and -- make sure that we  
13 didn't have -- I think we should really have  
14 it -- this thing should be objective and we  
15 should be looking at the Charter and not our  
16 jobs -- or our Charter and not our special  
17 interests, and the Charter and the people. And  
18 anything that gets in the way of that is wrong.

19 And we should do it because it's the right  
20 thing to do, not because it would affect  
21 something that we do. And I think you have a  
22 better chance of getting that if you diversify  
23 it and eliminate at least -- appear to be  
24 directing them how to appoint a fairer group.

25 That was my objective, and I put myself in

1           it because I thought if I was going to put  
2           somebody else in it, I should be in it too.

3           THE CHAIRMAN: I have nobody else in the  
4           queue on Commissioner Austin's motion.

5           All in favor say aye -- raise your hands,  
6           please. All in favor of Commissioner Austin's  
7           motion.

8           COMMISSION MEMBERS: (No response.)

9           MR. AUSTIN: This is the result I expected.

10          THE CHAIRMAN: Commissioner Austin, for the  
11          record, you voted in favor for your motion?

12          MR. AUSTIN: Yes, I'll vote in favor.

13          How did we vote if nobody seconded it?

14          THE CHAIRMAN: We did. I seconded it --

15          MR. AUSTIN: Oh, you seconded it.

16          THE CHAIRMAN: -- for purposes of  
17          discussion.

18          MR. AUSTIN: (Inaudible.)

19          THE CHAIRMAN: Well, I wanted it to be a  
20          full hearing of your idea.

21          MR. AUSTIN: I accept your judgment. I  
22          think you're wrong.

23          THE CHAIRMAN: Okay. Commissioners, we  
24          have -- is there anybody else who would like to  
25          raise any other issues?

1 Vice Chair O'Brien.

2 MS. O'BRIEN: Within our first three months  
3 of meeting, we had asked Mr. Rohan to prepare a  
4 document to outline any of the issues in the  
5 charter that are now illegal based on state law,  
6 that are nonrepresentatives, that are  
7 counterproductive or whatever. I would ask that  
8 that get redistributed to all the commissioners,  
9 please, through Mr. Clements, and be  
10 incorporated into our recommendations to amend  
11 the Charter appropriately.

12 THE CHAIRMAN: Any objections to that  
13 request?

14 COMMISSION MEMBERS: (No response.)

15 THE CHAIRMAN: Okay. Commissioners, I will  
16 stay for public comment. If you need to leave,  
17 please feel free to do so.

18 Just as a reminder, I will be circulating a  
19 draft for review and discussion at our next  
20 meeting, our last meeting. And if you have any  
21 other questions or comments, feel free;  
22 otherwise, we'll move into public comment.

23 COMMISSION MEMBERS: (No response.)

24 THE CHAIRMAN: Okay. Thank you.

25 Our first speaker is Martha Shirko.

1 (Audience member approaches the podium.)

2 AUDIENCE MEMBER: Good afternoon.

3 Martha Shirko, 3739 Tully Court,

4 Jacksonville, 32207.

5 I'd like to give you my personal view on  
6 the Charter Revision Commission. I believe that  
7 the Charter Review Commission is the people's  
8 commission because there's too much politics  
9 between City Hall, City Council, and the mayor's  
10 office, and I include the chief judge in that.  
11 And my whole basis for saying that is the  
12 courthouse fiasco.

13 I believe that the legislature, state and  
14 local, is trying to do everything in their means  
15 to keep little people like myself from getting  
16 referendums and/or amendments on the ballot to  
17 be voted for. They make it very difficult.

18 I think that Ronnie Fussell should be  
19 commended for his very diverse appointment of  
20 each and every one of you. I have to say I -- I  
21 am so sorry I wasn't well enough to be here  
22 since the beginning. I've enjoyed every meeting  
23 I've attended. I like the diversity on here. I  
24 like that you're from every discipline of the --  
25 just about, as represented here, so we get all

1 views.

2 I think it would be a disservice to take  
3 away elect- -- prior elected officials, although  
4 many of them know that I disagree with  
5 everything they stand for, but I do respect  
6 their right for standing for it and I hope that  
7 they also respect my right for disagreement  
8 without being disagreeable.

9 I think that the only -- I think the  
10 Charter Revision Commission must have, without  
11 any City Council and/or mayor recommendation,  
12 the ability to put things directly on the ballot  
13 or else they will never get on the ballot. And  
14 I believe that you-all do your due diligence  
15 and -- and all your topics you've -- and the  
16 people you come and have speak -- like I say,  
17 I -- I just can't commend you enough for what  
18 you've done, and please don't forget the little  
19 people.

20 I want all the ethics -- you could never  
21 have too many ethics as far as I'm concerned.  
22 And transparency, we want that above all. And  
23 great integrity.

24 And I appreciate the opportunity for being  
25 able to speak.

1 Thank you.

2 THE CHAIRMAN: Thank you, Ms. Shirko.  
3 Ernest Griffin.

4 (Audience member approaches the podium.)

5 AUDIENCE MEMBER: To the Chair and to the  
6 honorable commissioners, my name is Ernest  
7 Griffin. I've given you that information  
8 previously, but for the record I'll restate it  
9 if necessary.

10 I'm Ernest Griffin, pastor, Shalom  
11 Missionary Baptist Church. I reside at 2030  
12 Dean A. Avenue, Jacksonville, Florida 32208.

13 I'm also the first vice president of the  
14 Jacksonville Branch NAACP, and I'm here to  
15 present a prepared statement to the  
16 commissioners from the NAACP. And I have a copy  
17 that I would like to leave with you.

18 It reads as follows: "The National  
19 Association for the Advancement of Colored  
20 People, Jacksonville Branch, 5422 Soutel Drive,  
21 Jacksonville, Florida 32219."

22 Our president is Isaiah Rumlin. Dated  
23 February the 16th, 2010.

24 "To the Charter Review Commission,  
25 Attention: Wyman Duggan, 117 West Duval Street,

Diane M. Tropia, P.O. Box 2375, Jacksonville, FL 32203

1 Suite 425, Jacksonville, Florida 32202.

2 "Dear Honorable Commissioners, the  
3 15th Amendment of the constitution granted  
4 African-American men the right to vote by  
5 declaring the right citizens" -- "the right of  
6 citizens of the United States to vote" -- "shall  
7 not be denied or abridged by the United States  
8 or any state on account of race, color, or  
9 previous condition of servitude. Although  
10 ratified on February 3rd, 1870, the promise of  
11 the 15th Amendment would not be fully realized  
12 [sic] almost a century.

13 "Though [sic] the use of the poll taxes,  
14 literacy tests and other means, southern states  
15 were able to effectively disenfranchise our  
16 African-Americans. It would take a passage of  
17 the Voting Right [sic] Act of 1965 before the  
18 majority of African-Americans in the south were  
19 registered to vote. This historical fact has a  
20 definite impact on the position that the  
21 Jacksonville branch of the NAACP stands for.

22 "Why should we relinquish our right to vote  
23 at this time, in this place, for school board  
24 members? Why should we turn over our  
25 hard-fought rights to a mayor who may or may not

1           be fair, who may or may not be race conscience  
2           [sic], who may or may not be able to listen to  
3           our opinions, to appoint persons who he or she  
4           thinks may do a good job as a school board  
5           member?

6                     "There's much work to be done to strengthen  
7           and improve the educational system in Duval  
8           County. This improvement must occur with strong  
9           leadership and the opportunity for citizens to  
10          elect their representatives.

11                    "Based on prior history, we, the  
12          Jacksonville branch of the National Association  
13          of the Advancement of Colored People, known as  
14          the NAACP, support an elected school board.

15                    "Sincerely, Isaiah Rumlin, president,  
16          Jacksonville, Florida, NAACP. Adora Obi Nweze,  
17          president of the Florida State NAACP."

18                    That's the end of the reading of the  
19          printed letter.

20                    THE CHAIRMAN: Thank you, Mr. Griffin.

21                    You can just give a copy to our staff --

22                    MR. GRIFFIN: I have some recommendations,  
23          if I might read those.

24                    THE CHAIRMAN: I'm sorry, sir. Your time  
25          is up. We've got other speakers. We're already

1 over time.

2 MR. GRIFFIN: All right.

3 THE CHAIRMAN: You can -- but leave the  
4 recommendations, if you can. We will --

5 MR. GRIFFIN: Maybe I should have talked  
6 fast like Pastor Gundy. I was trying to respect  
7 the recorder.

8 Thank you.

9 THE CHAIRMAN: Thank you.

10 Dr. Gene Youngblood.

11 (Audience member approaches the podium.)

12 AUDIENCE MEMBER: I'm Dr. Gene Youngblood,  
13 the president of Conservative Theological  
14 University. I reside at 12021 Old St. Augustine  
15 Road, Jacksonville, Florida 32258.

16 As a result of 40-plus years in academics  
17 and in pastoral ministries with three earned,  
18 certified, accredited degrees, I feel that I  
19 have the wherewithal to speak to the issue in  
20 relationship to much that you've discussed and  
21 relative to education.

22 May I submit to us -- and most of you've  
23 already articulated that well and perhaps better  
24 than I will in these few moments. I'm trying to  
25 beat the clock.

1           But something has been said about the  
2           system being broken. There's no question about  
3           the system -- academic system being broken. May  
4           I suggest to you that if we have an appointed  
5           leadership rather than elected leadership, it  
6           will be more difficult to fix or attempt to fix  
7           that which is broken.

8           Something that's already been articulated  
9           two or three times in relationship to  
10          surrendering the right to vote I'm opposed to.  
11          I believe every citizen has the right to vote,  
12          they have the right to vote, and if we don't  
13          like the ones we put in office, vote them out.  
14          That's our responsibility under our  
15          constitution, and I believe we need to adhere to  
16          that.

17          We have for years in the Duval County  
18          system poured more and more into the educational  
19          system and yet we have a higher and higher  
20          dropout rate and a system that's producing  
21          uneducated students.

22          Back in 1980, the decision was made that  
23          our educational system ought to be accredited.  
24          We spent for years 125- to \$135,00 every four  
25          years for that little gold seal that says the

1 system is credited [sic], but yet you can go  
2 back to that point in time and find a constant  
3 decline. So you have to ask the question, what  
4 has taken place?

5 Go back to the Jimmy Carter administration,  
6 the U.S. Department of Education that mandates  
7 the State Department of Education that then  
8 mandates the local Department of Education what  
9 we can and can't teach.

10 I say that there ought to be some  
11 pedagogical ethics in it; that is, teacher  
12 ethics where, as one of the commissioners -- I  
13 believe Miller -- made the statement that we  
14 need to release the teachers and let the  
15 teachers teach, and that's what we need to do.

16 It's not to be fixed, it cannot be fixed by  
17 appointing school board members rather than  
18 having them elected. May I suggest to us also  
19 that we need not surrender that right. Our  
20 citizens cannot afford, the City cannot afford,  
21 Duval County cannot afford to have an elitist  
22 group appointed to make the decision over [sic]  
23 educational process. And for anybody that  
24 thinks that it would not be an elitist group  
25 that will be appointed for that, then simply we

1           have our heads buried in an ostrich in the  
2           sand. That's the approach that it would be  
3           taken by an elitist group making the  
4           determination.

5           I'd rather see those that have gone out and  
6           worked hard to be elected based on the fact that  
7           they have a passion for [sic] educational system  
8           that will empower our teachers to teach, but we  
9           have a system that's mandated from the U.S.  
10          Department of Education, the State Department of  
11          Education to pass out proper sex kits in our  
12          classrooms where we've abandoned God, abandoned  
13          all ethics, abandoned all morals, and then think  
14          that we're going to teach academics.

15          We do, in our school system, in our private  
16          school, some fundamental tutelage for students  
17          in the public school for the summer. When we  
18          have students that are in the AP classes that  
19          come in to summer school that cannot read,  
20          cannot write, know nothing about (inaudible),  
21          they know nothing about English grammar, and yet  
22          they are in our system, that's proof positive we  
23          have a broken system.

24          And my axe is not to grind to say we need  
25          students in our school. That's not -- not the

1 point and purpose of my speaking. I'm speaking  
2 to the issue because you have done a super job  
3 and I'm thankful for each of you and the labors  
4 that you put forth, but don't you dare ask --  
5 and it's perhaps a moot quest- -- moot question  
6 now -- our citizens to tolerate an elitist group  
7 that will be hand picked and appointed to lead  
8 our educational system. We need to elect it.

9 By the way, just one final little point,  
10 change is good sometimes. Right now we have  
11 change in Washington. As a result of that  
12 change, we have 74 czars that's been appointed.  
13 Those czars are socialists, Marxists for the  
14 most part, and most of us would agree that we  
15 didn't need that kind of change. We don't need  
16 to go in that direction on a local level for our  
17 Board of Education and our education system.

18 Thank you and God bless you.

19 THE CHAIRMAN: Thank you.

20 Billie Bussard.

21 (Audience member approaches the podium.)

22 AUDIENCE MEMBER: Hi. My name is Billie  
23 Bussard, 16 Hobson Road, Jacksonville Beach,  
24 Florida.

25 First I want to commend the Commission for

1           agreeing to extend the 12 -- the period of  
2           examination for future charter commissions to  
3           12 months. It gives me some hope that maybe  
4           some of you have a conscience here about the  
5           kind of examination that has been given to both  
6           sides of the issue of charter schools and  
7           mayoral control of schools.

8                     It is my opinion you've not done your  
9           homework. I have been studying issues on  
10          education for more than a decade. It has been  
11          my passion and my hobby, and I am writing a book  
12          to that extent.

13                    As I said in the beginning, I only had  
14          intended to come here to comment on  
15          W.C. Gentry's wonderful op ed about the origins  
16          of the problems in our school system, but when I  
17          finally did have a chance to read the  
18          transcripts of previous meetings and then attend  
19          subsequent meetings, I was infuriated by the  
20          one-sided presentations in favor of mayoral  
21          control and charter schools.

22                    The fact that no outside experts were  
23          brought in to give testimony on the other side  
24          of this story made it obvious to me that on the  
25          issue of education, the deck on this commission

1 had been stacked to recommend ending democratic  
2 control of schools.

3 Could it be the reason this commission has  
4 not demanded better information and balanced  
5 presentations is because so many of you have  
6 ties to people who are pushing for charter  
7 schools for their own money-motivated reason?

8 Surely the question you are left with when  
9 you look at your backgrounds raises that  
10 question, and I have looked at all of your  
11 backgrounds. Some of you are tied to or have  
12 been tied to land developers and housing  
13 developers, people who see establishing charter  
14 schools as a mean to attract buyers to their  
15 subdivisions or circumvent integrating public  
16 schools in less desirable neighborhoods.

17 Some of you or your family members are tied  
18 to KIPP charter schools, yet there was never  
19 testimony here about the nightmarish incidents  
20 in some of these charter schools nor a  
21 discussion of the studies that show charter  
22 schools in general segregate by race, economic  
23 and ethnic group, yet you are poised to  
24 recommend making ours a charter school system.

25 Some of you have ties to the power elite

1           that have -- has more from the secretive  
2           Non-Group to the new Jacksonville Civic  
3           Council. Members of these -- of this group are  
4           pioneers in charter school construction and  
5           operations that serve developments around this  
6           country. These same people have funded the  
7           political campaigns of the elected Jacksonville  
8           officials who have failed to provide the safe  
9           and prosperous neighborhoods that are essential  
10          to a good environment for learning and becoming  
11          good citizens.

12                 Some of you have ambitions to run for  
13          public office one day and you are part of an  
14          elite group in the inaugural class at  
15          Jacksonville University of a Chamber of Commerce  
16          program to groom future leaders of this  
17          community. The seed money for that program, by  
18          the way, came from a Non-Group member who is a  
19          pioneer in charter schools.

20                 I can only say God help this community if  
21          this kind of inquiry that has been conducted on  
22          the issue of an elected versus appointed school  
23          board is any indicator of the kind of leadership  
24          you offer in the future.

25                 THE CHAIRMAN: Thank you, Ms. Bussard.

1           Mr. Bermudez.

2           (Audience member approaches the podium.)

3           AUDIENCE MEMBER:   Derek Bermudez, 7990

4           Baymeadows Road East.

5           I don't really have much in my background.

6           Only thing in my background is I'm a convicted  
7           felon and, you know, whatever they use to call  
8           me to take away my voting rights and do all that  
9           stuff that everybody's fought for and shed their  
10          blood for.  So I'm just coming up here as a  
11          regular constituent or citizen, whatever the  
12          correct terminology is, but I just want to echo  
13          these words to the Jacksonville charter, and I  
14          think -- I know that people from the NAACP have  
15          spoke.  I looked back and checked out that  
16          organization and read a little bit about Marcus  
17          Garvey and when he had his movement going on and  
18          just to see A. Philip Randolph, W.E. Du Bois,  
19          and how the system pressured them to kind of set  
20          up Marcus Garvey.

21          So I don't really get into all that, you  
22          know, civil rights and all this.  Yeah, that's  
23          all good, but basically in reality, man, the  
24          people in these communities are dying from  
25          diseases, they being [sic] dying from drugs,

1           they in prison, we convicted felons, whatever it  
2           is, the label we put on them, and it just, you  
3           know, kind of hurts me that -- like I stated  
4           last time, I've never burned any church down.  
5           I've never lynched anybody, never held on to any  
6           type of stuff that -- I'm just a God-fearing  
7           Christian, man. I don't care about the SCNC or  
8           none of that.

9           Reading about Martin Luther King, when he  
10          was trying to come to Jacksonville, a lot of the  
11          black leaders and NAACP and pastors or whatever,  
12          you know, boycotted him from not coming here.  
13          So, you know, just from me going around and --  
14          and being in these communities, I -- I kind of  
15          get a lot of heat from a lot of this,  
16          quote-unquote, leaders or whatever it is, you  
17          know, if I don't fit under their political  
18          agenda or they kind of pimp me in any kind of  
19          way. They don't want nothing to do with me,  
20          but, like I say, I mean, I done went before God  
21          and turned my life over to him, so it ain't  
22          anybody could give me a pardon or -- my  
23          paperwork is in the governor's office trying to  
24          get clemency and all that, but I already got  
25          plans and all that stuff.

1           So I just want to echo these words: Until  
2           the philosophy which hold one race superior and  
3           another one inferior, it's finally and  
4           permanently discredited and abundant.

5           We going to always be fighting like a bunch  
6           of warmongers and a bunch of racist people down  
7           in this city, and that's what's going on in this  
8           city.

9           I know that some people on this charter  
10          commission had met me one time before and they  
11          went upstairs and said, look out for this guy,  
12          look out for this guy. He ain't really looking  
13          at me right now. I want to call his name out,  
14          but he know who I'm talking about.

15          So other members up here was accredited for  
16          building the legal community in the city of  
17          Jacksonville. You know, looking back 40,  
18          50 years, like I said, the conditions continue  
19          to get worse and worse.

20          I don't know what the last ten-year  
21          meeting -- what the charter commission  
22          recommended, but I'd like to, you know, read a  
23          little bit of that documentation and see what  
24          the last meeting recommended and see where we at  
25          right now. I could almost bet my life that, you

1 know, conditions just continue to get worse.

2 So, you know, I'm trying to brush up on my  
3 skills, you know, my legal philosophies and  
4 different things like that. And I know that  
5 different people in this city who I've -- my  
6 children need to come in contact -- that they --  
7 one of them, Jim Suber, the president of  
8 Part One, he didn't get it right of due process  
9 or --

10 I know Ms. Miller, she talked about due  
11 process and following the rules of law, but for  
12 some strange reason maybe y'all want to adopt  
13 me. I got some paperwork and some different  
14 things that I've been going through with this  
15 city that I think might could be beneficial to  
16 y'all to help y'all out in trying to make  
17 Jacksonville a better city for every citizen in  
18 the United States of America, not just the --  
19 you know, the elite or the powerful or the plan,  
20 you know -- what it's called? Chair jumping or  
21 whatever. That's basically what is going on.  
22 One person in this seat over here, the next  
23 person over here, the next person or lobbyist or  
24 whatever.

25 So we just really need to go before God,

1           like I said, man, and just know that we are all  
2           human beings at the end of the day, man, and put  
3           down this stuff about, you know, the KKK schools  
4           and, you know, Andrew Jackson and all. And he  
5           didn't win those awards by his'self. He pimped  
6           slaves. He promised them liberty, man. You  
7           know --

8           THE CHAIRMAN: Mr. Bermudez, I need you to  
9           wrap it up.

10          MR. BERMUDEZ: All right.

11          Well, I appreciate you giving me some  
12          comment, man. And, just like I said, man, I'm  
13          standing on the side with God, man. I just hope  
14          y'all could find in y'all hearts to really put  
15          some pressure on the City Council because what's  
16          going on, man, is -- it's really sickening, man.

17          So thank you and have a great day.

18          THE CHAIRMAN: Thank you.

19          Pastor Gundy, I have a speaker card here  
20          for you that says "for the record only." You do  
21          not wish to speak; is that correct?

22          PASTOR GUNDY: Yes, sir.

23          THE CHAIRMAN: Okay. Thank you.

24          Commissioners, I have no other speakers.

25          Any other comments, questions?



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

C E R T I F I C A T E

STATE OF FLORIDA:

COUNTY OF DUVAL :

I, Diane M. Tropa, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

Dated this 22nd day of February, 2010.

Diane M. Tropa