



## JACKSONVILLE CITY COUNCIL

### TRUE COMMISSION PERFORMANCE COMMITTEE MEETING MINUTES May 3, 2012 3:00p.m.

City Council Conference Room B  
Suite 425, City Hall  
117 W. Duval Street

**Attendance:** Committee Members Ted Wendler (Chair), Joe Andrews, Diane Brown, Marcella Lowe, Tom Martin, Gamal Lyons, Patti Anania

**Also:** John Kabat and Cynthia Nixon – Jacksonville Children’s Commission; Dave Roman – Mayor’s Office; Jeff Clements – Council Research Division; Tony Bates – Concerned Taxpayers of Duval County

The meeting was called to order at 3:02 p.m. by Chairman Wendler who turned the meeting over to Commissioner Brown to lead the discussion of the Jacksonville Children’s Commission review.

Commissioner Brown noted that the committee had received a tremendous amount of valuable information from the Children’s Commission and has had several good discussions with the commission staff. The question now is where does the committee wish to go from here? What would be a useful and valuable product or process?

Commissioner Martin was of the opinion that the JCC seems to be doing very good work against steep challenges in the communities it serves. Commissioner Andrews felt that it was difficult to find the time and resources to devote to the JCC study given the number and frequency of meetings on other important City issues, including the courthouse project, the economic development reorganization and the impending start of the budget process.

**Motion** (Andrews): that the Performance Committee end its study of the Jacksonville Children’s Commission and turn its attention to the City budget process – **approved 6-1** (Wendler opposed).

Commissioner Wendler expressed concern about the JCC’s summer camp programs, particularly the lack of financial qualifications for camp participants and the probability that summer camp feeding programs are providing food for children whose families already receive food assistance through other means (AFDC or WIC). Cynthia Nixon stated that the JCC budgets \$795,000 for 5 weeks of summer camps, and the camps are intended to meet several objectives: crime prevention, academic learning retention through summer, and extension of TEAM UP programs through part of the summer. The group discussed the measure of costs vs. benefits and whether the summer camps produce demonstrable positive results. John Kabat stated that the Jacksonville Journey Oversight Committee determined that the City government needed to fill the gaps in service provision where the private sector and other existing programs don’t reach, and the Children’s Commission was chosen to be the lead implementing agency for these programs because of its demonstrated effectiveness. Dave Roman said that the Jacksonville

Journey has \$1 million in its current budget for summer camps and can show real juvenile crime reductions in the 5 weeks that those camps operate compared with the rest of the summer.

Tony Bates suggested that the best way to determine the real worth of JCC programs is to make site visits to the participating agencies and do some real fact finding. A narrowed focus and real time and effort will be required to make that effort successful. Commissioner Lowe stated that audits have shown that the JCC is doing a good job of managing its programs and seems well run.

**Motion** (Lowe): that the Performance Committee revisit the Jacksonville Children’s Commission in 6 months after the City budget process concludes with a sharper focus on particular programs/issues – **approved unanimously.**

Chairman Wendler distributed copies of the Mayor’s just-released tentative FY12-13 budget, noting that the Children’s Commission budget is proposed to be reduced by \$419,000 and the Jacksonville Journey to be reduced by \$959,000. Mr. Wendler also distributed copies of charts showing the results of the latest annual reports of the unfunded actuarial liabilities of the General Employees’ Pension Plan (GEPP) and Correctional Officers’ Pension Plan (COPP). The Police and Fire Pension Fund (PFPP) still has not released its annual report from the year ended September 30, 2011, which Mr. Wendler believes is attributable to the fact that the unfunded liability figure will be alarmingly large. He noted that the GEPP’s rate of return for the last 7 years has averaged 3.93%. The state now requires use of a rate not to exceed 7.75%, while the City is currently using an unrealistic rate of 8.5%.

Mr. Wendler also distributed copies of letters he has received from the Florida Attorney General’s Office and the Florida Public Employee Relations Commission (PERC) relating to his questions about the legality of the City’s 30 year contract with the Police and Fire Pension Fund board regarding pension benefits which exceeds the state law limitation of 3 years on collective bargaining contracts. The Attorney General’s Office said that it did not provide legal opinions to private citizens, only to governmental officials, and referred the letter to the PERC. PERC responded that its jurisdiction is limited to adjudicating employment disputes between public employers and employees and bargaining units, not intervening in city pension matters. Thus it appears the only way that any action be taken by anyone at the state level is for the City government (i.e. the Mayor) to file a case or officially ask for a definitive ruling. Mr. Wendler will propose a resolution to the TRUE Commission asking the Mayor to take the issue of the 30 year contract to PERC for a ruling. The Office of General Counsel (via a memorandum from Deputy General Counsel Steve Rohan) has already opined that the 30 year agreement is not legal. Commissioner Brown felt that it would be helpful by way of background to have a history or timeline of the 30 year contract – who the parties are, who agreed to what and when, who has challenged the validity of the contract and how, what rulings and opinions have been issued about contract’s validity, etc. It would provide a uniform baseline of knowledge from which to work.

The committee scheduled its next meeting for June 7<sup>th</sup>.

There being no further business, the meeting was adjourned at 3:55 p.m.

Jeff Clements, Chief  
Council Research Division  
630-1405

Posted 5.9.12  
11:00 a.m.