

Mayor Lenny Curry seeks resignations of five remaining JEA board of directors

By Nate Monroe

Posted Oct 12, 2015 at 7:31 PM

Mayor Lenny Curry is seeking a clean sweep of the JEA board of directors, telling the remaining members in separate letters sent Monday evening that he is troubled by recent Times-Union reports about potential Sunshine Law violations and governance issues and is asking for their resignations “to be effective only if and when I accept them.”

Curry invited the five board members to reapply if they are interested in being reappointed. Kerri Stewart, Curry’s chief of staff, said Monday evening there is “absolutely” a chance the five members could be reappointed and that Curry has made “no immediate decisions about any of the five” and is asking them to continue to serve until final decisions are made.

“The mayor felt it necessary to communicate with the five remaining board members given the recent admonishment by the general counsel of the city of Jacksonville and further revelations by the Times-Union of purported dysfunction of the board,” Stewart said.

“However, asking for immediate resignations of the remaining five board members would have left the JEA without a functioning board in the very near term,” Stewart added.

The board has its regularly monthly meeting Oct. 20. Stewart said Curry plans to make final decisions on the board “very quickly.”

Curry’s letters to the board members make clear his strong concern about the way the board has done business.

“Over the past several weeks, teams from our Policy department and the Office of General Counsel led a comprehensive review of hundreds of emails and documents in an effort to determine if the reported violations were credible,” he wrote in the letters, which are substantially identical. “The findings from their review reveal strong concerns about the behaviors and practices exhibited by JEA board members.”

Although “there was no information produced or discoveries made that demonstrate any deliberate intent to skirt Sunshine laws,” Curry said he “must consider the information presented and concerns expressed and accept full responsibility for JEA’s success.”

Allowing board members to reapply, his letters to board members say, “empowers us both to reflect on our interests, priorities, and experiences that best contribute to the effectiveness of our city.”

Curry is also prepared to name replacements, depending upon how the situation unfolds in the coming days.

“Through the course of this review of the JEA board, of course the mayor has identified and talked with potential replacements,” Stewart said.

JEA is a \$2 billion city-owned public electric and water utility, one of the largest municipal agencies of its kind in the nation. The heightened and recently unprecedented scrutiny comes at a critical time for JEA. The agency is facing industry-wide declines in electric and water sales, future federal regulations that target the kind of coal-reliant power infrastructure JEA relies upon and a debt load in excess of \$5 billion. In addition, the utility is in the middle of a tricky negotiation with a special City Council committee to determine how much money JEA must contribute each year to the city’s general fund - an important source of City Hall revenue in excess of \$100 million.

Two members of the seven-member governing board of directors had already resigned after refusing to meet with Curry to discuss the Sunshine Law issues and other concerns. One of those former board members - Lisa Strange Weatherby - accused Curry of injecting partisan politics into an otherwise highly effective and engaged board, and she blamed a “complicit media” for turning the controversy into a “political dog-fight.”

The remaining five board members all agreed to sit-down meetings with Curry two weeks ago.

“The fact that JEA is a multi-billion dollar city asset is not lost on either of us,” Curry wrote. “The integral role you play in contributing to its effectiveness as an independent authority isn’t either.”

Curry’s meetings were prompted by a Sept. 20 Times-Union article that described a JEA practice of putting scripted talking points in documents given to board members prior to their meetings. Curry reacted to the article by telling his staff there are “serious governance and legal issues here ... we need to confirm facts and act.”

A follow-up story made reference to the summer of 2013, when the utility hired a business psychologist to help smooth over behind-the-scenes tension among board members. In the two years since that session with the psychologist, some of the board membership has changed. Curry's Monday letters to the current board members - some of whom were not part of that session - nonetheless made note of the episode, erroneously referring to it as having occurred last summer.

"Your participation in my meeting as well as the day-long board retreat held last summer with a business psychologist demonstrate your commitment to efforts that promote a 'cohesive' environment," he wrote.

Curry also wrote that he's requested the city's Office of Ethics Compliance and Oversight to strengthen its Sunshine Law trainings for members on all boards and commissions.

Nate Monroe: (904) 359-4289