

Daniel Bean, Esq.  
[dbean@abljax.com](mailto:dbean@abljax.com)

## VIA ELECTRONIC MAIL

February 22, 2023

The Honorable Rory Diamond  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[rdiamond@coj.net](mailto:rdiamond@coj.net)

The Honorable Nick Howland  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[nhowland@coj.net](mailto:nhowland@coj.net)

The Honorable Sam Newby  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[snewby@coj.net](mailto:snewby@coj.net)

The Honorable Michael Boylan  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[mboylan@coj.net](mailto:mboylan@coj.net)

**Re: Special Investigatory Committee on JEA Matters**

Gentlemen,

Yesterday afternoon I received a copy of the materials that Ms. Erin Isaac, current Campaign Communications Director for the Daniel Davis Campaign, provided the Special Investigatory Committee on JEA Matters (“SIC”) earlier in the day. There was no explanation provided as to why these communications, the vast majority of which are from 2019, were being conveniently disclosed weeks before an election by the Daniel Davis Campaign’s communications director working against my client.

It is ironic that the individual running Daniel Davis’ campaign was the one receiving payment for efforts to privatize JEA while Mr. Husein Cumber was receiving no pay to keep JEA publicly owned. It was Mr. Cumber who resigned from the JEA Board because of the ongoing chicanery. Mr. Cumber’s limited communications with JEA Public Power Partners, LLC were an effort to: (1) keep JEA publicly owned; (2) keep JEA employees publicly employed; and (3) protect the unions. It was Mr. Cumber who was assisting both the FBI and the initial Chair of the SIC in order to help reveal the wrongdoing occurring at JEA. It is Mr. Cumber who will testify as a key witness for the United States in the upcoming criminal trial against former senior JEA officials, one of whom attended the infamous Atlanta Braves baseball game with Daniel Davis’ chief campaign consultant.

**ABL Law, P.A.**

100 North Laura Street, Suite 501  
Jacksonville, FL 32202  
Phone: 904.944.4100

Assertions made by Daniel Davis' communications director on the pension vote and outside counsel vote are incorrect and easily refutable. Council Member Cumber clearly stated her position on protecting JEA pensions as part of a 16-3 vote on September 24, 2019. Further, in a public meeting on September 17, 2019, Council Member Cumber clearly articulated her position on protecting pensions a week ahead of the aforementioned vote. Council Member Cumber has always been – and will always be – in full support of protecting JEA union employees.

The second charge leveled by Daniel Davis' communications director was regarding an outside counsel. She averred Council Member Cumber opposed the hiring of outside counsel to aid the PPP bid; however, both the public and the media record thoroughly refute this assertion as Council Member Cumber stated the firm hired was not qualified to do the work, and therefore she opposed on those grounds. This was borne out, when ultimately the outside counsel hired attorneys with the required expertise.

Third, the public notice assertion is false on its face in that this is a meeting that never happened. But please do not let the facts get in the way of a good story.

Indeed, at the initial reconstituted SIC meeting, Council Members Diamond, Howland, and Newby stated that this SIC was about finding the truth. In reality, this is more about politics than the truth. Because of the SIC members' connections to Daniel Davis, any "findings" will be seen as politically motivated and illegitimate. This matter should have been referred to an independent entity or agency, as Council Member Boylan recommended but that would not have allowed this charade to proceed as choreographed.

Instead, it was decided to intentionally influence an ongoing election to aid a rival candidate. Apparently, it was not enough for the Chair of this august SIC to recently host a fundraiser for Mr. Davis; he had to be assigned to chair this SIC too. What knowledge, if any, did the SIC members have about the choreographed release of the commercial and mailer highlighting this narrative immediately upon the announcement of the reconstituted SIC (see enclosures)? And now, right on cue, we have Daniel Davis' Campaign Communications Director providing documents complete with a biased summary for the media to regurgitate. While some cannot wait for this week's fictional episode from the SIC/Daniel Davis Campaign, Council Member Cumber will maintain her focus on solving the real issues confronting her fellow citizens.

To reiterate, for the reasons stated in our correspondence dated February 7, 2023, a copy of which is enclosed, Council Member Cumber will neither update her accurate voluntary disclosure nor attend the Special Investigatory Committee on JEA Matters ("SIC") meeting on February 23, 2023. Council Member Cumber maintains her request that you recuse yourselves. Council Member Cumber continues to reserve all legal rights.

Very respectfully,

**ABL LAW, P.A.**



Daniel K. Bean, Esquire

Enclosures

cc: The Honorable Joyce Morgan (w/ enclosures)  
The Honorable Al Ferraro (w/ enclosures)  
The Honorable Aaron Bowman (w/ enclosures)  
The Honorable Kevin Carrico (w/ enclosures)  
The Honorable Reggie Gaffney, Jr. (w/ enclosures)  
The Honorable Ju'Coby Pittman (w/ enclosures)  
The Honorable Tyrona Clark-Murray (w/ enclosures)  
The Honorable Brenda Priestly Jackson (w/ enclosures)  
The Honorable Danny Becton (w/ enclosures)  
The Honorable Randy White (w/ enclosures)  
The Honorable Randy DeFoor (w/ enclosures)  
The Honorable Terrance Freeman (w/ enclosures)  
The Honorable Ronald Salem (w/ enclosures)  
The Honorable Matt Carlucci (w/ enclosures)  
Jason Teal, Esquire (w/ enclosures)  
Jon Phillips, Esquire (w/ enclosures)



Trial Attorneys • Problem Solvers • Counselors

Daniel Bean, Esq.  
[dbean@abljax.com](mailto:dbean@abljax.com)

**VIA ELECTRONIC MAIL**

February 7, 2023

The Honorable Rory Diamond  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[rdiamond@coj.net](mailto:rdiamond@coj.net)

The Honorable Nick Howland  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[nhowland@coj.net](mailto:nhowland@coj.net)

The Honorable Sam Newby  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[snewby@coj.net](mailto:snewby@coj.net)

The Honorable Michael Boylan  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[mboylan@coj.net](mailto:mboylan@coj.net)

**Re: Special Investigatory Committee on JEA Matters**

Gentlemen,

Please accept this correspondence on behalf of our client, the Honorable LeAnna Cumber, who will not be present at any meeting of the Special Investigatory Committee on JEA Matters for the reasons delineated herein.

First, Council Member Cumber's March 2, 2021, voluntary disclosure was accurate. When she submitted the disclosure, unlike a fellow Council Member who simultaneously served as a senior member of the Jacksonville Chamber's leadership team, it was with the knowledge that the Federal Bureau of Investigation requested that her husband's substantial and ongoing assistance with the JEA criminal investigation not be disclosed. Moreover, unlike others, neither Council Member Cumber nor her Family has ever been positioned to financially gain from the attempted privatization of the JEA. Accordingly, Council Member Cumber will not amend her accurate voluntary disclosure.

Second, City Council President is not vested with the express authority to convene a committee to prosecute a Council Member or her family members. On March 14, 2018, the Office of General Counsel issued a formal opinion to the Chair of the Special Committee on the Potential Sale of JEA regarding the Jacksonville City Council's investigatory authority and limitations. A copy of the OGC's opinion is enclosed for your reference.

**ABL Law, P.A.**

100 North Laura Street, Suite 501  
Jacksonville, FL 32202  
Phone: 904.944.4100



As you know, Section 5.09 of the City’s Charter vests the City Council with **limited** investigatory authority into the operations and functions of the consolidated government. Specifically, it authorizes the Council or any duly appointed committee of the Council to “make investigations into the affairs of the consolidated government and the conduct of **any department, office, or agency of the consolidated government.**” (emphasis added). None of these terms describe an individual nor do they encompass the Council itself. Rather, it describes branches or sectors of the consolidated government. Moreover, the inquiry must be: (1) within the Council President’s directive (and purpose) to the committee; and (2) within the scope of inquiry permitted for the legislative branch.

Administering oaths and issuing subpoenas, particularly to employees and officers, is a power which the Council has very rarely used in the past for policy related matters. As expressed by the previous General Counsel to City Council in the enclosed formal opinion, this power should be thoughtfully utilized and judiciously exercised. This authority is intended to be invoked within the legislative body’s “investigative” role with a specified scope that is commensurate with the identified purpose. That “investigative” role and purpose is limited to subjects on which legislation can be had. The power of administering an oath is usually reserved for purposes of obtaining or preserving evidence for potential judicial proceedings. For example, administering an oath to witnesses is routinely used in quasi-judicial hearings such as appeals of orders from the Planning Commission to the City Council, or in zoning matters that are before either body. As the enclosed General Counsel’s formal opinion stated:

The boundary of inquiry is marked by the boundary of the power to legislate. The City Council does not possess the power of making inquiry into the private affairs of the witness; the inquiry ends where the jurisdiction of the body ends.

Notwithstanding this sound legal guidance from the OGC, City Council President Terrance Freeman reinstated the previous JEA SIC to investigate matters—albeit without appointing certain original members for unknown reasons—and also narrowed the scope of investigation to specific targets, Council Member Cumber and her husband, as follows:

- 1. Investigate whether the Committee was deceived or misled by Council Member Cumber or JEA Public Power Partners responding to subpoenas or making disclosures;**
- 2. Ascertain whether Council Member Cumber attempted to use her official position to influence the ITN process for personal gain; and**
- 3. Propose legislation to ensure that such deceptions, if any, do not impede the work of any future investigatory committee.**

Pursuant to the plain reading of Section 5.09 of the City Charter, a City Council President is not vested with the power to direct a committee to prosecute another sitting Council Member or Council Member’s spouse or their purported actions or inactions with respect to a voluntary disclosure “request” that had no legal or ethical authority. As the City Charter delineates a separation of powers, much like our federal government, the City Council’s power is circumscribed to legislative functions.

See § 4.01, City Charter (“The powers of the consolidated government shall be divided among the legislative, executive, and judicial branches of the consolidated government. No power belonging to one branch of the government shall be exercised by either of the other branches, except as expressly provided in this charter.”). As you certainly know, it is outside the purview of a legislative body to investigate for the sake of exposure or to punish those being investigated. See Watkins v. United States, 354 U.S. 178, 187 (1957).

Third, there is good reason why the City Council President is not vested with unbridled investigatory authority and that is because he or she may abuse it by weaponizing a government body. Handpicking a group of individuals to prosecute a rival opponent sets a dangerous precedent for the future of our City—Council Member Cumber will have no part of it. The Council President’s and your own individual histories with the Jacksonville Chamber, the Chamber’s President, his political consultants, and for a few of you, your past inappropriate allegations of misconduct against Council Member Cumber, call into question your own bias, which respectfully make you unfit to sit on this Committee. You should recuse yourselves.

Next, each of you should also consider the potential negative impact your actions will have on the pending criminal case United States of America v. Aaron Zahn and Ryan Wannemacher, Case No. 3:22-cr-23-J-BJD-MCR. Motions to transfer venue for pretrial publicity and dismissing the case in its entirety for being compelled to provide sworn statements to City Hall attorneys remain pending before the Court. Additional JEA investigations certainly would not be helpful to the United States Attorney’s case, but may help the criminal defendants. Surely the City Council President did not intend such a result in forming this Committee.

Finally, by reconstituting the Special Investigatory Committee on JEA Matters to investigate an individual Councilmember, the City Council President is creating an unprecedented expansion of the City Council’s power beyond that authorized by the City Charter or the Constitution of the United States. Council Member Cumber reserves all legal rights and please consider this correspondence as notice to preserve all communications regarding this Committee.

Very respectfully,

**ABL LAW, P.A.**



Daniel K. Bean, Esquire

Enclosure

cc: Jason Teal, Esquire (w/ enclosure)



**DANIEL  
DAVIS**

Jacksonville Grown. Ready to Lead.

EVENT HOSTS

RORY DIAMOND  
STEVE DIEBENOW  
CORY NICHOLS

INVITE YOU TO A MEET & GREET  
WITH SPECIAL GUEST

*Daniel Davis*

REPUBLICAN CANDIDATE FOR JACKSONVILLE MAYOR

THURSDAY, FEBRUARY 9TH

6:00 PM

177 4TH AVENUE NORTH  
JACKSONVILLE BEACH, FL 32250

PLEASE MAKE CHECKS PAYABLE TO  
**DANIEL DAVIS CAMPAIGN**  
OR DONATE ONLINE HERE:  
**DANIEL DAVIS CAMPAIGN**

TO RSVP, PLEASE CONTACT KEVIN HOFMANN  
AT [RSVP@THEARCHMANNGROUP.COM](mailto:RSVP@THEARCHMANNGROUP.COM)

THE MAXIMUM CONTRIBUTION TO DANIEL DAVIS CAMPAIGN IS \$100 PER PERSON OR PER BUSINESS IN AN ELECTION CYCLE.  
CONTRIBUTIONS TO DANIEL DAVIS CAMPAIGN ARE NOT DEDUCTIBLE AS CHARITABLE DONATIONS FOR FEDERAL INCOME TAX PURPOSES.  
STATE LAW REQUIRES US TO REPORT THE NAME, MAILING ADDRESS, AND OCCUPATION OF INDIVIDUALS OR BUSINESSES WHOSE CONTRIBUTIONS EXCEED \$100 IN AN ELECTION CYCLE.

PAID FOR BY DANIEL DAVIS, REPUBLICAN FOR MAYOR





**DANIEL  
DAVIS**

Jacksonville Grown. Ready to Lead.

PLEASE JOIN COMMUNITY LEADERS  
FOR A MEET & GREET WITH  
SPECIAL GUEST

*Daniel Davis*

REPUBLICAN CANDIDATE FOR JACKSONVILLE MAYOR

AT THE NEWLY RENOVATED ROOFTOP  
OF THE BEAUTIFUL  
J. JOHNSON GALLERY

LOCATED AT

177 4TH AVENUE NORTH  
JACKSONVILLE BEACH, FL 32250

THURSDAY, FEBRUARY 9TH

6:00 PM

SUGGESTED ATTIRE - BEACH BUSINESS

---

TO RSVP, PLEASE CONTACT KEVIN HOFMANN  
AT [RSVP@THEARCHMANNGROUP.COM](mailto:RSVP@THEARCHMANNGROUP.COM)

---

THE MAXIMUM CONTRIBUTION TO DANIEL DAVIS CAMPAIGN IS \$1,000 PER PERSON OR PER BUSINESS IN AN ELECTION CYCLE.  
CONTRIBUTIONS TO DANIEL DAVIS CAMPAIGN ARE NOT DEDUCTIBLE AS CHARITABLE DONATIONS FOR FEDERAL INCOME TAX PURPOSES.  
STATE LAW REQUIRES US TO REPORT THE NAME, MAILING ADDRESS AND OCCUPATION OF INDIVIDUALS OR BUSINESSES WHOSE CONTRIBUTIONS EXCEED \$100 IN AN ELECTION CYCLE.

PAID FOR BY DANIEL DAVIS, REPUBLICAN FOR MAYOR

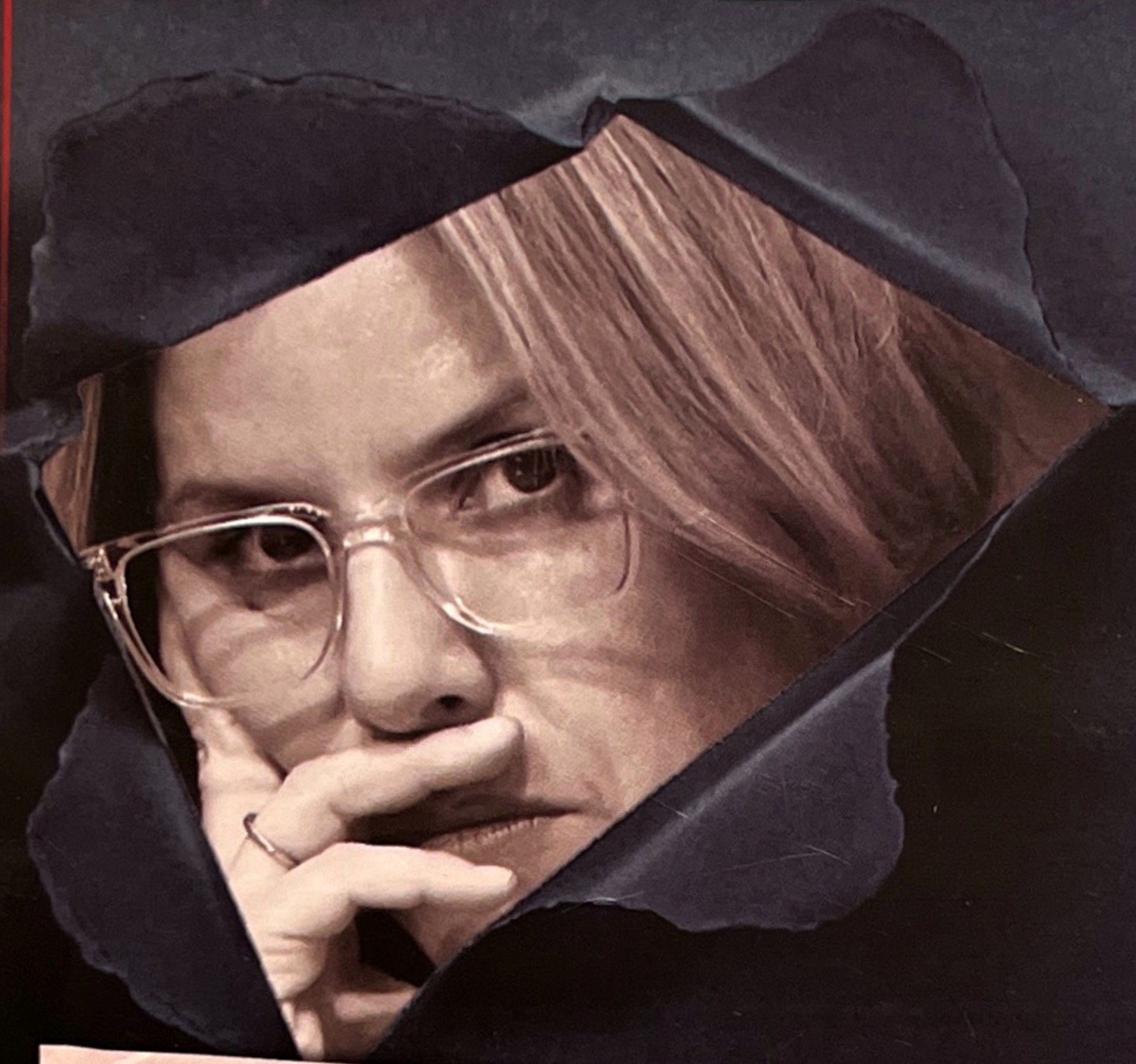
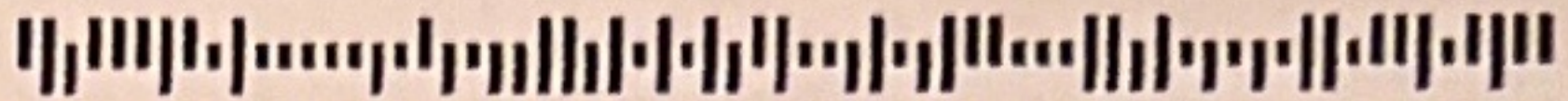


Sponsored by Building A Better Economy  
7749 Normandy Blvd, NUM 121-805  
Jacksonville, FL 32221

PRSR STD  
US POSTAGE  
PAID  
AMS

# THE TRUTH

ECRLOT\*\*C010 000001 000593  
THE JONES HOUSEHOLD  
430 OCEAN FRONT  
NEPTUNE BEACH, FL 32266-6104



# LEANNA CUMBER IS TRYING TO

# HIDE

JAX  TDY

FEBRUARY 1, 2023<sup>1</sup>

**COUNCILWOMAN LEANNA CUMBER UNDER INVESTIGATION REGARDING JEA SALE**

**THAT'S NOT LEADERSHIP...IT'S CORRUPT & JACKSONVILLE DESERVES BETTER!**



# The TRUTH is out

## DID LEANNA CUMBER TRY TO

# PROFIT FROM THE SALE OF JEA?

### FLAPOL

Jax City Council members call for probe of LeAnna Cumber over ties to JEA sale push

1/30/23<sup>2</sup>

CBS 47 FOX 30  
ACTION NEWS JAX

Emails raise JEA conflict of interest questions about mayoral candidate Councilmember LeAnna Cumber

January 27, 2023<sup>3</sup>



LeAnna's husband advised a potential JEA buyer, while **she was the seller!**

To Make Matters Worse — **She tried to hide this information in her run for Mayor!**

## IT'S A FACT

# WE JUST **CAN'T TRUST LEANNA CUMBER**

### SOURCES:

1 <https://jaxtoday.org/2023/02/01/councilwoman-leanna-cumber-under-investigation-regarding-jea-sale/>

2 <https://floridapolitics.com/archives/584811-cumber-jea-probe/>

3 <https://www.actionnewsjax.com/news/local/emails-raise-jea-conflict-of-interest-questions-about-mayoral-candidate-councilmember-leanna-cumber/T2XRXWNSWBFIVPJGFEMLOKS7A/>





Jacqueline M. Arango

Akerman LLP  
Three Brickell City Centre  
98 Southeast Seventh Street  
Suite 1100  
Miami, FL 33131

T: 305 374 5600  
F: 305 374 5095  
DirF: 305 349 4655

June 1, 2020

VIA EMAIL

Christopher M. Garrett ([garrettc@coj.net](mailto:garrettc@coj.net))  
Assistant General Counsel  
City Hall, St. James Building  
117 West Duval Street, Suite 480  
Jacksonville, Florida 32202

Re: Subpoena Duces Tecum directed to JEA Public Power Partners

Dear Chris:

First, thank you for approving JEA Public Power Partners' ("JEA PPP") request for a two-week extension of time to respond to the above referenced subpoena ("Subpoena").

JEA PPP responds to the Subpoena's two requests as follows:

**(1) A list of all lobbyists, attorneys, and consultants employed by you in connection with the JEA ITN.**

Enclosed in this production is an excerpt, at pages 23-24, of JEA PPP's Revised Reply to the ITN, dated November 26, 2019 which provides an Advisor/Contact List, containing the following attorneys and consultants:

Legal Advisors

Kirkland & Ellis LLP  
Gardner, Bist, Bosden, Bush, Dee, Lavia & Wright, P.A.  
Brunini Firm  
Kutak Rock  
Orrick Herrington & Sutcliffe  
Fishman Haygood LLP  
Osler, Hoskin & Harcourt LLP  
Jones Day

Consultants

Rocklyn Capital  
Emergent Method  
Michael B. Weinstein

Although not responsive to the Subpoena, but in an effort of full disclosure, and without waiving any rights, the below list includes lobbyists and consultants which were engaged by an affiliate of a JEA PPP consortium member in connection with the JEA ITN, but prior to JEA's issuance of the "Cone of Silence" under Addendum 3 to the JEA ITN. Upon issuance of the Cone of Silence, these persons and entities were instructed by JEA PPP to refrain from ex parte communications with the Jacksonville Mayor, the Jacksonville City Council Members or JEA Board members or other representatives as such communications were strictly prohibited by the Cone of Silence.

Lobbyists

Gilmore Hagan Partners

Legal Advisors

Akerman LLP - not engaged, but inquiries made  
Jones Walker LLP  
Windels Marx Lane & Mittendorf, LLP

Consultants

Jody Brooks  
Erin Isaac, Isaac Communications  
JACE Advisors, LLC

Please note that an affiliate of a JEA PPP consortium member performed due diligence on potentially retaining Husein Cumber as a consultant but did not do so as there was a perceived or actual conflict.

**(2) Any document showing that you were or were not given an opportunity to physically inspect JEA Assets at any time after January 1, 2018.**

Enclosed are Updated Revised Reply Instructions for the JEA ITN dated December 17, 2019, which states at page 5:

"Ongoing due diligence: 1. For those Respondents with whom JEA elects to continue negotiations after submission of updated Revised Replies, site visits will be made available during the week of January 20, 2020."

We believe this may be the first mention to JEA PPP of when "site visits" (physical inspection, facility inspection, asset inspection) might occur. It should be noted that the JEA ITN process was




stopped December 24, 2019, approximately a week after these Revised Reply Instructions were issued and well before the potential site visit time frame.

Also enclosed are JEA PPP's internal "Call Notes" from a "Negotiation Session" teleconference organized by JEA with JEA PPP and held on December 4, 2019, which notes were prepared by JEA PPP's consultant, Emergent Method, and which notes reflect "Confirmatory due diligence to occur during the month of January" and a "Signed transaction document by end of January." These references could be interpreted to include time frames for potential site visits. JEA should have a transcript of that call. In this regard, I refer you to the Public Records Document Repository on JEA's website (<https://www.jea.com/microsite/promise/promise.html>) which hosts, among other things, transcripts and recordings of negotiation sessions and presentations involving all respondents, including JEA PPP.

JEA PPP does not believe it is in possession of any emails or calendar entries referencing potential site visits.

Please do not hesitate to contact me if you would like to discuss these matters further. My cellphone number is (786) 564-9075.

Sincerely,

  
Jacqueline M. Arango

Enclosures (Bate Stamp #JEA-PPP 000238-000247)

Daniel Bean, Esq.  
[dbean@abljax.com](mailto:dbean@abljax.com)

## VIA ELECTRONIC MAIL

February 20, 2023

The Honorable Rory Diamond  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[rdiamond@coj.net](mailto:rdiamond@coj.net)

The Honorable Nick Howland  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[nhowland@coj.net](mailto:nhowland@coj.net)

The Honorable Sam Newby  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[snewby@coj.net](mailto:snewby@coj.net)

The Honorable Michael Boylan  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[mboylan@coj.net](mailto:mboylan@coj.net)

**Re: Special Investigative Committee on JEA Matters**

Gentlemen,

For the reasons stated in our correspondence dated February 7, 2023, a copy of which is enclosed, Council Member Cumber will neither update her accurate voluntary disclosure nor attend the Special Investigative Committee on JEA Matters (“SIC”) meeting on February 23, 2023.

We do enclose further evidence of the dangers of handpicking a group of individuals to prosecute a rival opponent as we note the following concerning items:

- (1) The Chair of this august SIC was originally listed as the primary host for a fundraiser for the Jacksonville Chamber President until someone realized the optics were poor and modified the flyer to remove his name (see the before and after flyers enclosed);
- (2) The commercial [MAYOR\\_FL\\_BABEPC\\_LYING\\_AGAIN \(kantarmediana.com\)](http://kantarmediana.com) immediately commenced to running after the SIC was announced – incredible coincidence or is the SIC and commercial carefully choreographed?; and

**ABL Law, P.A.**

100 North Laura Street, Suite 501  
Jacksonville, FL 32202  
Phone: 904.944.4100

(3) For those that do not watch television, the enclosed Investigation Mailer was conveniently released immediately after the SIC was announced as well.

All of the aforementioned items are further evidence of the inherent bias the SIC possesses and the dangers of weaponizing government that no one should condone, much less be a willing participant. Council Member Cumber maintains her request that you recuse yourselves. Council Member Cumber continues to reserve all legal rights.

Lastly, please note my email listed on your February 10, 2023, correspondence is incorrect. The email address listed on my February 7, 2023, correspondence, as well as this one, is correct.

Very respectfully,

**ABL LAW, P.A.**

A handwritten signature in black ink, appearing to read "Daniel K. Bean", with a long horizontal flourish extending to the right.

Daniel K. Bean, Esquire

Enclosures

cc: The Honorable Joyce Morgan (w/ enclosures)  
The Honorable Al Ferraro (w/ enclosures)  
The Honorable Aaron Bowman (w/ enclosures)  
The Honorable Kevin Carrico (w/ enclosures)  
The Honorable Reggie Gaffney, Jr. (w/ enclosures)  
The Honorable Ju'Coby Pittman (w/ enclosures)  
The Honorable Tyrona Clark-Murray (w/ enclosures)  
The Honorable Brenda Priestly Jackson (w/ enclosures)  
The Honorable Danny Becton (w/ enclosures)  
The Honorable Randy White (w/ enclosures)  
The Honorable Randy DeFoor (w/ enclosures)  
The Honorable Terrance Freeman (w/ enclosures)  
The Honorable Ronald Salem (w/ enclosures)  
The Honorable Matt Carlucci (w/ enclosures)  
Jason Teal, Esquire (w/ enclosures)



Trial Attorneys • Problem Solvers • Counselors

Daniel Bean, Esq.  
[dbean@abljax.com](mailto:dbean@abljax.com)

**VIA ELECTRONIC MAIL**

February 7, 2023

The Honorable Rory Diamond  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[rdiamond@coj.net](mailto:rdiamond@coj.net)

The Honorable Nick Howland  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[nhowland@coj.net](mailto:nhowland@coj.net)

The Honorable Sam Newby  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[snewby@coj.net](mailto:snewby@coj.net)

The Honorable Michael Boylan  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[mboylan@coj.net](mailto:mboylan@coj.net)

**Re: Special Investigatory Committee on JEA Matters**

Gentlemen,

Please accept this correspondence on behalf of our client, the Honorable LeAnna Cumber, who will not be present at any meeting of the Special Investigatory Committee on JEA Matters for the reasons delineated herein.

First, Council Member Cumber's March 2, 2021, voluntary disclosure was accurate. When she submitted the disclosure, unlike a fellow Council Member who simultaneously served as a senior member of the Jacksonville Chamber's leadership team, it was with the knowledge that the Federal Bureau of Investigation requested that her husband's substantial and ongoing assistance with the JEA criminal investigation not be disclosed. Moreover, unlike others, neither Council Member Cumber nor her Family has ever been positioned to financially gain from the attempted privatization of the JEA. Accordingly, Council Member Cumber will not amend her accurate voluntary disclosure.

Second, City Council President is not vested with the express authority to convene a committee to prosecute a Council Member or her family members. On March 14, 2018, the Office of General Counsel issued a formal opinion to the Chair of the Special Committee on the Potential Sale of JEA regarding the Jacksonville City Council's investigatory authority and limitations. A copy of the OGC's opinion is enclosed for your reference.

**ABL Law, P.A.**

100 North Laura Street, Suite 501  
Jacksonville, FL 32202  
Phone: 904.944.4100

As you know, Section 5.09 of the City’s Charter vests the City Council with **limited** investigatory authority into the operations and functions of the consolidated government. Specifically, it authorizes the Council or any duly appointed committee of the Council to “make investigations into the affairs of the consolidated government and the conduct of **any department, office, or agency of the consolidated government.**” (emphasis added). None of these terms describe an individual nor do they encompass the Council itself. Rather, it describes branches or sectors of the consolidated government. Moreover, the inquiry must be: (1) within the Council President’s directive (and purpose) to the committee; and (2) within the scope of inquiry permitted for the legislative branch.

Administering oaths and issuing subpoenas, particularly to employees and officers, is a power which the Council has very rarely used in the past for policy related matters. As expressed by the previous General Counsel to City Council in the enclosed formal opinion, this power should be thoughtfully utilized and judiciously exercised. This authority is intended to be invoked within the legislative body’s “investigative” role with a specified scope that is commensurate with the identified purpose. That “investigative” role and purpose is limited to subjects on which legislation can be had. The power of administering an oath is usually reserved for purposes of obtaining or preserving evidence for potential judicial proceedings. For example, administering an oath to witnesses is routinely used in quasi-judicial hearings such as appeals of orders from the Planning Commission to the City Council, or in zoning matters that are before either body. As the enclosed General Counsel’s formal opinion stated:

The boundary of inquiry is marked by the boundary of the power to legislate. The City Council does not possess the power of making inquiry into the private affairs of the witness; the inquiry ends where the jurisdiction of the body ends.

Notwithstanding this sound legal guidance from the OGC, City Council President Terrance Freeman reinstated the previous JEA SIC to investigate matters—albeit without appointing certain original members for unknown reasons—and also narrowed the scope of investigation to specific targets, Council Member Cumber and her husband, as follows:

- 1. Investigate whether the Committee was deceived or misled by Council Member Cumber or JEA Public Power Partners responding to subpoenas or making disclosures;**
- 2. Ascertain whether Council Member Cumber attempted to use her official position to influence the ITN process for personal gain; and**
- 3. Propose legislation to ensure that such deceptions, if any, do not impede the work of any future investigatory committee.**

Pursuant to the plain reading of Section 5.09 of the City Charter, a City Council President is not vested with the power to direct a committee to prosecute another sitting Council Member or Council Member’s spouse or their purported actions or inactions with respect to a voluntary disclosure “request” that had no legal or ethical authority. As the City Charter delineates a separation of powers, much like our federal government, the City Council’s power is circumscribed to legislative functions.

See § 4.01, City Charter (“The powers of the consolidated government shall be divided among the legislative, executive, and judicial branches of the consolidated government. No power belonging to one branch of the government shall be exercised by either of the other branches, except as expressly provided in this charter.”). As you certainly know, it is outside the purview of a legislative body to investigate for the sake of exposure or to punish those being investigated. See Watkins v. United States, 354 U.S. 178, 187 (1957).

Third, there is good reason why the City Council President is not vested with unbridled investigatory authority and that is because he or she may abuse it by weaponizing a government body. Handpicking a group of individuals to prosecute a rival opponent sets a dangerous precedent for the future of our City—Council Member Cumber will have no part of it. The Council President’s and your own individual histories with the Jacksonville Chamber, the Chamber’s President, his political consultants, and for a few of you, your past inappropriate allegations of misconduct against Council Member Cumber, call into question your own bias, which respectfully make you unfit to sit on this Committee. You should recuse yourselves.

Next, each of you should also consider the potential negative impact your actions will have on the pending criminal case United States of America v. Aaron Zahn and Ryan Wannemacher, Case No. 3:22-cr-23-J-BJD-MCR. Motions to transfer venue for pretrial publicity and dismissing the case in its entirety for being compelled to provide sworn statements to City Hall attorneys remain pending before the Court. Additional JEA investigations certainly would not be helpful to the United States Attorney’s case, but may help the criminal defendants. Surely the City Council President did not intend such a result in forming this Committee.

Finally, by reconstituting the Special Investigatory Committee on JEA Matters to investigate an individual Councilmember, the City Council President is creating an unprecedented expansion of the City Council’s power beyond that authorized by the City Charter or the Constitution of the United States. Council Member Cumber reserves all legal rights and please consider this correspondence as notice to preserve all communications regarding this Committee.

Very respectfully,

**ABL LAW, P.A.**



Daniel K. Bean, Esquire

Enclosure

cc: Jason Teal, Esquire (w/ enclosure)





**DANIEL  
DAVIS**

Jacksonville Grown. Ready to Lead.

EVENT HOSTS

RORY DIAMOND  
STEVE DIEBENOW  
CORY NICHOLS

INVITE YOU TO A MEET & GREET  
WITH SPECIAL GUEST

*Daniel Davis*

REPUBLICAN CANDIDATE FOR JACKSONVILLE MAYOR

THURSDAY, FEBRUARY 9TH

6:00 PM

177 4TH AVENUE NORTH  
JACKSONVILLE BEACH, FL 32250

PLEASE MAKE CHECKS PAYABLE TO  
**DANIEL DAVIS CAMPAIGN**  
OR DONATE ONLINE HERE:  
**DANIEL DAVIS CAMPAIGN**

TO RSVP, PLEASE CONTACT KEVIN HOFMANN  
AT [RSVP@THEARCHMANNGROUP.COM](mailto:RSVP@THEARCHMANNGROUP.COM)

THE MAXIMUM CONTRIBUTION TO DANIEL DAVIS CAMPAIGN IS \$100 PER PERSON OR PER BUSINESS IN AN ELECTION CYCLE.  
CONTRIBUTIONS TO DANIEL DAVIS CAMPAIGN ARE NOT DEDUCTIBLE AS CHARITABLE DONATIONS FOR FEDERAL INCOME TAX PURPOSES.  
STATE LAW REQUIRES US TO REPORT THE NAME, MAILING ADDRESS, AND OCCUPATION OF INDIVIDUALS OR BUSINESSES WHOSE CONTRIBUTIONS EXCEED \$100 IN AN ELECTION CYCLE.

PAID FOR BY DANIEL DAVIS, REPUBLICAN FOR MAYOR





**DANIEL  
DAVIS**

Jacksonville Grown. Ready to Lead.

PLEASE JOIN COMMUNITY LEADERS  
FOR A MEET & GREET WITH  
SPECIAL GUEST

*Daniel Davis*

REPUBLICAN CANDIDATE FOR JACKSONVILLE MAYOR

AT THE NEWLY RENOVATED ROOFTOP  
OF THE BEAUTIFUL  
J. JOHNSON GALLERY

LOCATED AT

177 4TH AVENUE NORTH  
JACKSONVILLE BEACH, FL 32250

THURSDAY, FEBRUARY 9TH

6:00 PM

SUGGESTED ATTIRE - BEACH BUSINESS

---

TO RSVP, PLEASE CONTACT KEVIN HOFMANN  
AT [RSVP@THEARCHMANNGROUP.COM](mailto:RSVP@THEARCHMANNGROUP.COM)

---

THE MAXIMUM CONTRIBUTION TO DANIEL DAVIS CAMPAIGN IS \$1,000 PER PERSON OR PER BUSINESS IN AN ELECTION CYCLE.  
CONTRIBUTIONS TO DANIEL DAVIS CAMPAIGN ARE NOT DEDUCTIBLE AS CHARITABLE DONATIONS FOR FEDERAL INCOME TAX PURPOSES.  
STATE LAW REQUIRES US TO REPORT THE NAME, MAILING ADDRESS AND OCCUPATION OF INDIVIDUALS OR BUSINESSES WHOSE CONTRIBUTIONS EXCEED \$100 IN AN ELECTION CYCLE.

PAID FOR BY DANIEL DAVIS, REPUBLICAN FOR MAYOR

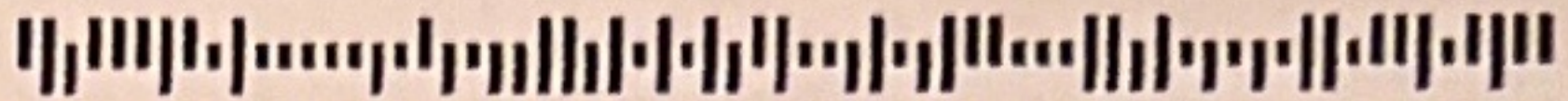


Sponsored by Building A Better Economy  
7749 Normandy Blvd, NUM 121-805  
Jacksonville, FL 32221

PRSRT STD  
US POSTAGE  
PAID  
AMS

# THE TRUTH

ECRLOT\*\*C010 000001 000593  
THE JONES HOUSEHOLD  
430 OCEAN FRONT  
NEPTUNE BEACH, FL 32266-6104



# LEANNA CUMBER IS TRYING TO

# HIDE

JAX  TDY

FEBRUARY 1, 2023<sup>1</sup>

**COUNCILWOMAN LEANNA CUMBER UNDER INVESTIGATION REGARDING JEA SALE**

**THAT'S NOT LEADERSHIP...IT'S CORRUPT & JACKSONVILLE DESERVES BETTER!**



# The TRUTH is out

## DID LEANNA CUMBER TRY TO

# PROFIT FROM THE SALE OF JEA?

### FLAPOL

Jax City Council members call for probe of LeAnna Cumber over ties to JEA sale push

1/30/23<sup>2</sup>

CBS 47 FOX 30  
ACTION NEWS JAX

Emails raise JEA conflict of interest questions about mayoral candidate Councilmember LeAnna Cumber

January 27, 2023<sup>3</sup>



LeAnna's husband advised a potential JEA buyer, while **she was the seller!**

To Make Matters Worse — **She tried to hide this information in her run for Mayor!**

## IT'S A FACT

# WE JUST **CAN'T TRUST LEANNA CUMBER**

### SOURCES:

1 <https://jaxtoday.org/2023/02/01/councilwoman-leanna-cumber-under-investigation-regarding-jea-sale/>

2 <https://floridapolitics.com/archives/584811-cumber-jea-probe/>

3 <https://www.actionnewsjax.com/news/local/emails-raise-jea-conflict-of-interest-questions-about-mayoral-candidate-councilmember-leanna-cumber/T2XRWNSWBFIVPJGFEMLOKS7A/>





Trial Attorneys • Problem Solvers • Counselors

Daniel Bean, Esq.  
[dbean@abljax.com](mailto:dbean@abljax.com)

**VIA ELECTRONIC MAIL**

February 7, 2023

The Honorable Rory Diamond  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[rdiamond@coj.net](mailto:rdiamond@coj.net)

The Honorable Nick Howland  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[nhowland@coj.net](mailto:nhowland@coj.net)

The Honorable Sam Newby  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[snewby@coj.net](mailto:snewby@coj.net)

The Honorable Michael Boylan  
Jacksonville City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32205  
[mboylan@coj.net](mailto:mboylan@coj.net)

**Re: Special Investigatory Committee on JEA Matters**

Gentlemen,

Please accept this correspondence on behalf of our client, the Honorable LeAnna Cumber, who will not be present at any meeting of the Special Investigatory Committee on JEA Matters for the reasons delineated herein.

First, Council Member Cumber's March 2, 2021, voluntary disclosure was accurate. When she submitted the disclosure, unlike a fellow Council Member who simultaneously served as a senior member of the Jacksonville Chamber's leadership team, it was with the knowledge that the Federal Bureau of Investigation requested that her husband's substantial and ongoing assistance with the JEA criminal investigation not be disclosed. Moreover, unlike others, neither Council Member Cumber nor her Family has ever been positioned to financially gain from the attempted privatization of the JEA. Accordingly, Council Member Cumber will not amend her accurate voluntary disclosure.

Second, City Council President is not vested with the express authority to convene a committee to prosecute a Council Member or her family members. On March 14, 2018, the Office of General Counsel issued a formal opinion to the Chair of the Special Committee on the Potential Sale of JEA regarding the Jacksonville City Council's investigatory authority and limitations. A copy of the OGC's opinion is enclosed for your reference.

**ABL Law, P.A.**

100 North Laura Street, Suite 501  
Jacksonville, FL 32202  
Phone: 904.944.4100

As you know, Section 5.09 of the City’s Charter vests the City Council with **limited** investigatory authority into the operations and functions of the consolidated government. Specifically, it authorizes the Council or any duly appointed committee of the Council to “make investigations into the affairs of the consolidated government and the conduct of **any department, office, or agency of the consolidated government.**” (emphasis added). None of these terms describe an individual nor do they encompass the Council itself. Rather, it describes branches or sectors of the consolidated government. Moreover, the inquiry must be: (1) within the Council President’s directive (and purpose) to the committee; and (2) within the scope of inquiry permitted for the legislative branch.

Administering oaths and issuing subpoenas, particularly to employees and officers, is a power which the Council has very rarely used in the past for policy related matters. As expressed by the previous General Counsel to City Council in the enclosed formal opinion, this power should be thoughtfully utilized and judiciously exercised. This authority is intended to be invoked within the legislative body’s “investigative” role with a specified scope that is commensurate with the identified purpose. That “investigative” role and purpose is limited to subjects on which legislation can be had. The power of administering an oath is usually reserved for purposes of obtaining or preserving evidence for potential judicial proceedings. For example, administering an oath to witnesses is routinely used in quasi-judicial hearings such as appeals of orders from the Planning Commission to the City Council, or in zoning matters that are before either body. As the enclosed General Counsel’s formal opinion stated:

The boundary of inquiry is marked by the boundary of the power to legislate. The City Council does not possess the power of making inquiry into the private affairs of the witness; the inquiry ends where the jurisdiction of the body ends.

Notwithstanding this sound legal guidance from the OGC, City Council President Terrance Freeman reinstated the previous JEA SIC to investigate matters—albeit without appointing certain original members for unknown reasons—and also narrowed the scope of investigation to specific targets, Council Member Cumber and her husband, as follows:

- 1. Investigate whether the Committee was deceived or misled by Council Member Cumber or JEA Public Power Partners responding to subpoenas or making disclosures;**
- 2. Ascertain whether Council Member Cumber attempted to use her official position to influence the ITN process for personal gain; and**
- 3. Propose legislation to ensure that such deceptions, if any, do not impede the work of any future investigatory committee.**

Pursuant to the plain reading of Section 5.09 of the City Charter, a City Council President is not vested with the power to direct a committee to prosecute another sitting Council Member or Council Member’s spouse or their purported actions or inactions with respect to a voluntary disclosure “request” that had no legal or ethical authority. As the City Charter delineates a separation of powers, much like our federal government, the City Council’s power is circumscribed to legislative functions.

See § 4.01, City Charter (“The powers of the consolidated government shall be divided among the legislative, executive, and judicial branches of the consolidated government. No power belonging to one branch of the government shall be exercised by either of the other branches, except as expressly provided in this charter.”). As you certainly know, it is outside the purview of a legislative body to investigate for the sake of exposure or to punish those being investigated. See Watkins v. United States, 354 U.S. 178, 187 (1957).

Third, there is good reason why the City Council President is not vested with unbridled investigatory authority and that is because he or she may abuse it by weaponizing a government body. Handpicking a group of individuals to prosecute a rival opponent sets a dangerous precedent for the future of our City—Council Member Cumber will have no part of it. The Council President’s and your own individual histories with the Jacksonville Chamber, the Chamber’s President, his political consultants, and for a few of you, your past inappropriate allegations of misconduct against Council Member Cumber, call into question your own bias, which respectfully make you unfit to sit on this Committee. You should recuse yourselves.

Next, each of you should also consider the potential negative impact your actions will have on the pending criminal case United States of America v. Aaron Zahn and Ryan Wannemacher, Case No. 3:22-cr-23-J-BJD-MCR. Motions to transfer venue for pretrial publicity and dismissing the case in its entirety for being compelled to provide sworn statements to City Hall attorneys remain pending before the Court. Additional JEA investigations certainly would not be helpful to the United States Attorney’s case, but may help the criminal defendants. Surely the City Council President did not intend such a result in forming this Committee.

Finally, by reconstituting the Special Investigatory Committee on JEA Matters to investigate an individual Councilmember, the City Council President is creating an unprecedented expansion of the City Council’s power beyond that authorized by the City Charter or the Constitution of the United States. Council Member Cumber reserves all legal rights and please consider this correspondence as notice to preserve all communications regarding this Committee.

Very respectfully,

**ABL LAW, P.A.**



Daniel K. Bean, Esquire

Enclosure

cc: Jason Teal, Esquire (w/ enclosure)



February 20, 2023

**VIA ELECTRONIC and U.S. MAIL**  
**(RDiamond@coj.net)**

The Honorable Councilman Rory Diamond  
Office of the City Council  
117 W. Duval St., Suite 425  
Jacksonville, FL 32202

Chairman of Special Investigatory Committee  
on JEA Matters  
Council Chamber  
117 W. Duval Street  
Jacksonville, FL, 32202

**Re: DISCLOSURE IN CONFIDENCE TO LOCAL OFFICIAL FOR  
REPORTING OR INVESTIGATING SUSPECTED VIOLATION OF LAW**

**Submittal of information to the Special Investigatory Committee on JEA  
Matters (“the Special Investigatory Committee”)**

Dear Councilman Diamond,

This law firm has been engaged by Erin Isaac and Isaac Communications, Inc. to facilitate a submittal of information provided by Ms. Isaac in response to the Special Investigatory Committee’s unanimously approved Motion inviting the submittal of information relevant to the charge of the Special Investigatory Committee no later than February 20, 2023. The meeting minutes from the Special Investigatory Committee are attached hereto as **Exhibit “A”** for context.

Enclosed herein are 85 pages of responsive documents that are bates labeled for ease of identification and attached hereto as **Composite Exhibit “B.”** Ms. Isaac has provided these documents as evidence of Mr. Husein Cumber’s depth of involvement and participation in JEA’s Invitation to Negotiate (“ITN”) on behalf of, or acting in concert with, JEA Public Power Partners, LLC. The documents further call into question the veracity and candor of Council Member Leanna Cumber’s disclosures declared on March 2, 2021<sup>1</sup>, attached hereto as **Exhibit “C.”** My clients believe this information is relevant to the Special Investigatory Committee’s responsibility of ascertaining the truth of about the ITN process and restoring the public’s confidence in the City of Jacksonville’s government.

As noted in City Council President Terrance Freeman’s Memorandum of February 2, 2023 to all Council Members renewing and recharging the Special Investigatory Committee on JEA Matters, attached hereto as **Exhibit “D,”** documents have come to light, including emails and text messages, that contradict subpoena responses given by JEA Public Power Partners, LLC and the disclosure provided by Council Member Cumber. My clients feel that the Chronology of Key Events attached hereto as **Exhibit “E,”** the complimentary visual aide attached hereto as **Exhibit “F,”** and the documents attached as Composite Exhibit “B” will serve to highlight some of those

---

<sup>1</sup> Council Member Cumber’s disclosures were rendered 204 days after the Special Investigatory Committee’s unanimous request for disclosures from each member of the City Council of Jacksonville, and over two months after the Report of the Special Investigatory Committee on JEA Matters in December 2020.

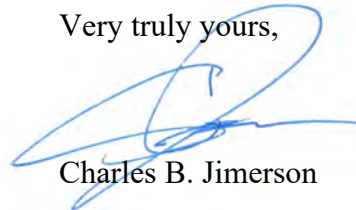
contradictions and provide information that may be useful to the Special Investigatory Committee as it fulfills its charge by Council President Freeman.

My clients feel duty bound to provide the documents submitted and chronology provided for the committee to evaluate the truthfulness of investigatory responses and disclosures rendered by Husein Cumber and Council Member Cumber, particularly in light of concerns that Mr. Cumber's efforts to acquire a financial stake in the operation of JEA via a concession model bid to the ITN commenced within a month of Council Member Cumber taking office, and were culminating at a time when Council Member Cumber was actively requesting the right to control the ITN process.

Praise is due to the City Council for taking proactive steps to investigate this issue, and my clients are willing to contribute to the process how you see fit. Our city has continued hope that through this investigation we can identify the root causes of corruption and cover up in Jacksonville, and work together to find solutions that will benefit all residents of our city.

Should you have any questions regarding the foregoing, please do not hesitate to contact the undersigned. Thank you for your time and attention to these matters of serious public concern.

Very truly yours,



Charles B. Jimerson

cc: The Honorable Nick Howland, Vice Chair ([NHowland@coj.net](mailto:NHowland@coj.net))  
The Honorable Sam Newby ([SNewby@coj.net](mailto:SNewby@coj.net))  
The Honorable Michael Boylan ([MBoylan@coj.net](mailto:MBoylan@coj.net))  
Special Committee Submission Email Account ([2023InvestigatoryofJEA@coj.net](mailto:2023InvestigatoryofJEA@coj.net))

Enclosures: Exhibit A- Special Investigatory Committee Meeting Minutes  
Exhibit B- EI000001-000085  
Exhibit C- Council Member Leanna Cumber  
Exhibit D- City Council President Terrance Freeman's Memorandum  
Exhibit E- Chronology of Key Events  
Exhibit F- Visual Aide



# Exhibit

“A”





**OFFICE OF THE CITY COUNCIL  
RESEARCH DIVISION**

117 WEST DUVAL STREET, SUITE 425  
4<sup>TH</sup> FLOOR, CITY HALL  
JACKSONVILLE, FLORIDA 32202  
904-255-5137

**CITY COUNCIL SPECIAL INVESTIGATORY COMMITTEE ON JEA  
MEETING MINUTES**

**February 8, 2023  
8:30 a.m.**

**Location:** City Council Chamber

**In attendance:** Council Members Rory Diamond (Chair), Nick Howland, Sam Newby, Michael Boylan

**Also:** Council Member Ron Salem; Jon Phillips and Mary Staffopoulos – Office of General Counsel; Phillip Peterson – Council Auditor’s Office; Merriane Lahmeur and Sharonda Davis – Legislative Services Division; Jeff Clements – Council Research Division; Eric Grantham and Steve Cassada – Public Information Division

**Meeting Convened:** 8:32 a.m.

Chairman Diamond convened the meeting and led the Pledge of Allegiance, and the attendees were introduced for the record. The chairman briefly reviewed the meeting agenda. He said that Council Member Howland will be assuming the chairmanship of the special committee in a few weeks when Mr. Diamond will be leaving for 3 months of military duty.

Chairman Diamond reviewed the history of the proposed JEA privatization process that led to the appointment of the Council’s Special Investigatory Committee on JEA Matters in 2019 and outlined the work of that committee in 2019-20. He noted that City Council members were asked in September of 2020 to submit disclosures of any conflicts of interest or personal connections they had with any of the parties involved in the JEA privatization process. Recent information has come to light that raises questions about whether Council Member Cumber’s disclosure, made in March 2021, was entirely accurate and truthful which has led to the reactivation of the special committee to investigate further. Council Member Howland said he believes the information recently disclosed in the media rises to the level of requiring an investigation into the circumstances of Ms. Cumber’s disclosure so that the full truth can be disclosed and that the City Council and the general public can have confidence in the transparency of the disclosure. Council Member Newby said that reaching the truth is the only goal of the special committee.

Council Member Boylan recounted his understanding of the proposed JEA privatization process and the history of the City Council's efforts to understand what was happening, first via a Special Committee on JEA Issues and then with the subsequent appointment of a Special Investigatory Committee on JEA. He expressed concern about the authority of this committee to undertake the task described in the committee charge and is also very concerned about the optics of council members investigating and judging other members in the context of ongoing current political campaigns.

Chairman Diamond asked Jon Phillips of the Office of General Counsel to explain the special committee's authority to undertake the task as charged by the Council President. Mr. Phillips said that the City Charter does authorize fairly broad authority for the Council to investigate matters relating to the affairs of the consolidated government, quoting Sec. 5.09 of the Charter as follows: "The council or any duly appointed committee of the council may make investigations into the affairs of the consolidated government and the conduct of any department, office, or agency of the consolidated government..." The Office of General Counsel found no issue with the work of the original Special Investigatory Committee and does not see anything in the extended charge of the reactivated committee that deviates substantially from the original committee's charge. The Council Rules (Rule 2.207) also authorize the Council to conduct investigations and to solicit information from parties relating to the affairs of the City government. In sum, the Council or a designated committee may legally conduct the investigation as proposed. Whether conducting such an investigation in the midst of political campaigns is a good idea is a policy call for the Council to make. When asked if the issuance of a subpoena to a council member is authorized, Mr. Phillips said that the Council Rules do not specifically address the authority of the Council or a committee to issue subpoenas to individual council members. That issue becomes very problematic for the General Counsel's Office because all council members and the council as a whole are clients of the OGC and that could present a conflict for the OGC and its staff. He suggested that hiring outside counsel might be preferable if that option is selected and the matter becomes seriously adversarial between the parties. He said that in his experience, a general rule is that it is always better to ask for cooperation first before seeking to compel action via a subpoena.

In response to a question from Council Member Boylan, Mr. Phillips said it's questionable whether Council has the power to investigate individuals in a stand-alone capacity, but since this is a matter relating to the affairs of the consolidated government then it would not be a legal prohibition against doing it. Mr. Boylan suggested that the Council's interest in the investigation should be aimed at determining what legislative action may be necessary to deal with the findings. In response to a question from Council Member Boylan, Mr. Phillips agreed that either the Ethics Commission or the City Inspector General are independent agencies that could conduct such an investigation and make findings of fact without having council members investigating the actions of other council members. Mr. Boylan said he hoped that the special committee's work could avoid the stigma of characterization that a council member is "under investigation" in the midst of a political campaign.

Chairman Diamond said the staff of the committee will be Jon Phillips and Mary Staffopoulos of the General Counsel's Office and the Council Auditor's Office to advise on financial matters that may be involved (i.e. finding resources to hire outside counsel if needed).

Chairman Diamond recommended that the committee interpret its charge narrowly to avoid the perception of "opening a can of worms" and suggested sending a letter to JEA Public Power Partners (a Louisiana corporation) requesting them to voluntarily update their response to the Special Committee's original subpoena.

**Motion** (Howland) – the Special Committee requests the Council Secretary and Office of General counsel to draft a letter JEA Public Power Partners and its various affiliated corporate entities requesting them to

voluntarily update their response to the Special Committee and provide further information as to why they responded in the way that they did.

In response to a question from Council Member Newby about the value of asking for an updated response from the company, Chairman Diamond said it would provide the company with an opportunity to voluntarily improve its response which it may wish to do to avoid any adverse publicity. Mr. Newby cautioned that the request might be seen by some as a “witch hunt” or as politically motivated, which it is not intended to be. Council Member Boylan said his preference would be for the response, if any, received from the company to be directed to the Ethics Commission or Inspector General rather than the Special Committee. He would prefer that the committee make a decision on how the investigation will proceed and by whom it will be conducted before taking action on other motions.

**The Howland motion was approved unanimously.**

Chairman Diamond asked for a motion to invite Council Member Cumber to clarify her disclosure form. Council Member Boylan said that the letter received from Ms. Cumber’s attorney seems to make very clear that she has no intention of offering further information. Chairman Diamond said that offering the opportunity is an important gesture.

**Motion** (Howland) – the Special Committee directs the Council Secretary to request of Council Member Cumber that she voluntarily update her 2021 JEA disclosure form and to appear before the committee to present any additional information.

Chairman Diamond suggested that the motion be amended to have the Special Committee, rather than the Council Secretary, make the request to Ms. Cumber to voluntarily update her disclosure and appear before the special committee to make any comments she may wish to make.

**Motion** (Howland) – amend the previous motion to provide that the Special Investigatory Committee, rather than the Council Secretary, will make the request – **approved unanimously.**

**The Howland motion as amended was approved unanimously.**

After brief discussion the committee determined that asking for production of documents by Ms. Cumber was not needed at this time.

**Motion** (Howland) – the Special Committee invites anyone with information relevant to the committee’s charge to submit comments via a dedicated email box available through the City Council website ([2023InvestigatoryofJEA@coj.net](mailto:2023InvestigatoryofJEA@coj.net)).

In response to a request for clarification of the special committee’s first motion from OGC attorney Mary Staffopoulos, Chairman Diamond stated that the intent of the motion was for the special committee rather than the Council Secretary to issue the letter requesting the voluntary update from JEA Public Power Partners.

Council Member Newby emphasized that submission of information by interested parties or the general public must be relevant to the work of the committee and not simply politicking related to the mayoral campaigns. Council Member Boylan noted that any email received by the City is a public record regardless of what the committee’s intent might be, but perhaps the responses could be filtered and only relevant responses presented to the special committee. Chairman Diamond asked if it’s possible for the

Office of General Counsel to review the email submissions as they are received and present only those deemed relevant to the work of the Special Committee. Mr. Phillips said the OGC may be able to perform that function, but he will need to consult with the General Counsel for his guidance. Chairman Diamond asked that Mr. Phillips consult with Mr. Teal and inform the committee of the result.

**Motion** (Boylan) – amend the previous motion to have the OGC provide a screening function of the email submissions received – **approved unanimously**.

Chairman Diamond suggested sending public records requests to the City and to JEA requesting any documents relating to Hussein Cumber and the JEA ITN (invitation to negotiate) process from the period of July 2019 through March 2021 that are relevant to the work of the special committee.

**Motion** (Howland) – the Special Committee will send public records requests to the City and to JEA requesting documents relating to Hussein Cumber and the JEA ITN (invitation to negotiate) process from the period of July 2019 through March 2021 that are relevant to the work of the special committee.

The **Howland motion was withdrawn** with approval of the committee members.

**Motion** (Howland) – the Special Committee will make public information requests to the City of Jacksonville and JEA requesting any new or additional documentation relevant to committee’s investigation from the period July 2019 to March 2021 - **unanimously approved**.

Referring to earlier comments by Council Member Boylan, Chairman Diamond said consideration should be given to the purpose and ultimate end goal of the committee so the public can be assured that it has a specific purpose. He suggested that possibilities include the special committee referring its findings to the State or City Ethics Commissions or to the City Inspector General’s Office. Council Member Boylan said the role of the special committee should be to propose legislation as necessary to ensure that a similar controversy does not arise in the future.

**Motion** (Boylan) – the Special Committee refers this investigation to the City Ethics Commission along with the actions already approved by committee vote today (requesting voluntary updating of disclosures by Council Member Cumber and JEA Public Power Partners, public records requests to the City and JEA, screening of email submissions from the public by the OGC for relevance) for the commission to pursue and report back to the special committee with any recommendations for legislative actions that need to be taken to address the findings of the investigation.

Council Member Howland said that reference of the investigation will likely be the end game after all information the special committee is requesting is received back and reviewed, after which a referral to another agency could be made as appropriate. The committee could choose to refer some portions of its charge to another agency and retain others. Council Member Newby agreed that referral to another agency may be a future step, but only after the special committee has done more work on its own.

**Motion** (Boylan) – amend the previous motion to say that if the special committee determines in the future that anything it has received indicates the need for further investigation, then that further investigation will be done by the Ethics Commission.

Chairman Diamond said the Boylan motion seems premature; the decision about referral to another investigatory agency can be made later if and when relevant information is received. Mr. Boylan said he prefers clarity in advance that any future investigation will be done by an appropriate entity other than a

council committee. Council Member Newby agreed that the final result will likely be a referral to the Ethics Commission, but argued against making that decision prematurely.

**Boylan amendment failed 1-3** (Boylan in favor).

**Boylan original motion failed 1-3** (Boylan in favor).

Council Members Newby, Howland and Diamond agreed that an end game for the resolution of the special committee's work needs to be decided, but it is not yet time to make that decision.

Mary Staffopoulos asked for clarification from the committee about a deadline for responses to the various inquiries to be submitted.

**Motion** (Howland) – establish a deadline of February 20 at close of business for submission of the requested documents– **approved unanimously**.

Council Member Boylan asked what the committee vote will need to be to take action at future meetings when Chairman Diamond is not present – will it be a majority of the members present (2 of 3) or a majority of the full body (3 of 4)? Staff will consult with the General Counsel for an answer.

Public Comment

None

**Meeting adjourned:** 9:41 a.m.

Minutes: Jeff Clements, Council Research Division

[jeffc@coj.net](mailto:jeffc@coj.net) 904-255-5137

2.13.23 Posted 2:00 p.m.

# Composite Exhibit

“B”



**LEANNA M.G. CUMBER**  
Council Member  
District 5  
EMAIL: LCUMBER@COJ.NET

117 West Duval Street  
City Hall, Suite 425  
Jacksonville, Florida 32202  
OFFICE: (904) 255-5205

## OFFICE OF THE CITY COUNCIL

December 13, 2019  
9:00am

### Meeting Notice

Notice is hereby given that Council Member LeAnna Cumber has requested to have a noticed meeting on Tuesday, December 17, 2019 from 1:00pm to 2:00pm in Conference Room A, located in City Hall at 117 West Duval Street, Suite 425, Jacksonville, Fl. 32202. The purpose of the meeting is to set up a framework to (1) analyze and fully vet each of the five recapitalization options and (2) if necessary, complete any and all potential negotiations . All interested Council Members and individuals are invited to attend.

For additional information or correspondence, please contact Debra Pataky, Executive Council Assistant at (904) 255-5184.

LC/drp

cc: Council Members and Staff  
Cheryl L. Brown, Director/Council Secretary  
Jessica Matthews, Chief, Legislative Services Division  
Jeff Clements, Chief, Research Division  
Kristi Sikes, Chief, Administrative Services Division  
[CITYC@COJ.NET](mailto:CITYC@COJ.NET)  
Electronic Notice Kiosk – 1<sup>st</sup> Floor City Hall  
Public Notice System – City Council Web Page  
Media Box  
File Copy

**akerman**

Jacqueline M. Arango

Akerman LLP  
Three Brickell City Centre  
98 Southeast Seventh Street  
Suite 1100  
Miami, FL 33131

T: 305 374 5600  
F: 305 374 5095  
DirF: 305 349 4655

June 1, 2020

VIA EMAIL

Christopher M. Garrett ([garrettc@coj.net](mailto:garrettc@coj.net))  
Assistant General Counsel  
City Hall, St. James Building  
117 West Duval Street, Suite 480  
Jacksonville, Florida 32202

Re: Subpoena Duces Tecum directed to JEA Public Power Partners

Dear Chris:

First, thank you for approving JEA Public Power Partners' ("JEA PPP") request for a two-week extension of time to respond to the above referenced subpoena ("Subpoena").

JEA PPP responds to the Subpoena's two requests as follows:

**(1) A list of all lobbyists, attorneys, and consultants employed by you in connection with the JEA ITN.**

Enclosed in this production is an excerpt, at pages 23-24, of JEA PPP's Revised Reply to the ITN, dated November 26, 2019 **which provides an Advisor/Contact List**, containing the following attorneys and consultants:

Legal Advisors

Kirkland & Ellis LLP  
Gardner, Bist, Bosden, Bush, Dee, Lavia & Wright, P.A.  
Brunini Firm  
Kutak Rock  
Orrick Herrington & Sutcliffe  
Fishman Haygood LLP  
Osler, Hoskin & Harcourt LLP  
Jones Day



Christopher M. Garrett  
Assistant General Counsel  
June 1, 2020  
Page 2

---

Consultants

Rocklyn Capital  
Emergent Method  
Michael B. Weinstein

Although not responsive to the Subpoena, but in an effort of full disclosure, and without waiving any rights, the below list includes lobbyists and consultants which were **engaged by** an affiliate of a JEA PPP consortium member in connection with the JEA ITN, but prior to JEA's issuance of the "Cone of Silence" under Addendum 3 to the JEA ITN. Upon issuance of the Cone of Silence, these persons and entities were instructed by JEA PPP to refrain from ex parte communications with the Jacksonville Mayor, the Jacksonville City Council Members or JEA Board members or other representatives as such communications were strictly prohibited by the Cone of Silence.

Lobbyists

Gilmore Hagan Partners

Legal Advisors

Akerman LLP - not engaged, but inquiries made  
Jones Walker LLP  
Windels Marx Lane & Mittendorf, LLP

Consultants

Jody Brooks  
Erin Isaac, Isaac Communications  
JACE Advisors, LLC

**Please note that an affiliate of a JEA PPP consortium member performed due diligence on potentially retaining Husein Cumber as a consultant but did not do so as there was a perceived or actual conflict.**

**(2) Any document showing that you were or were not given an opportunity to physically inspect JEA Assets at any time after January 1, 2018.**

Enclosed are Updated Revised Reply Instructions for the JEA ITN dated December 17, 2019, which states at page 5:

"Ongoing due diligence: 1. For those Respondents with whom JEA elects to continue negotiations after submission of updated Revised Replies, site visits will be made available during the week of January 20, 2020."

We believe this may be the first mention to JEA PPP of when "site visits" (physical inspection, facility inspection, asset inspection) might occur. It should be noted that the JEA ITN process was

Christopher M. Garrett  
Assistant General Counsel  
June 1, 2020  
Page 3

stopped December 24, 2019, approximately a week after these Revised Reply Instructions were issued and well before the potential site visit time frame.

Also enclosed are JEA PPP's internal "Call Notes" from a "Negotiation Session" teleconference organized by JEA with JEA PPP and held on December 4, 2019, which notes were prepared by JEA PPP's consultant, Emergent Method, and which notes reflect "Confirmatory due diligence to occur during the month of January" and a "Signed transaction document by end of January." These references could be interpreted to include time frames for potential site visits. JEA should have a transcript of that call. In this regard, I refer you to the Public Records Document Repository on JEA's website (<https://www.jea.com/microsite/promise/promise.html>) which hosts, among other things, transcripts and recordings of negotiation sessions and presentations involving all respondents, including JEA PPP.

JEA PPP does not believe it is in possession of any emails or calendar entries referencing potential site visits.

Please do not hesitate to contact me if you would like to discuss these matters further. My cellphone number is [REDACTED].

Sincerely,

*Jacqueline Arango*  
Jacqueline M. Arango

Enclosures (Bate Stamp #JEA-PPP 000238-000247)



**OFFICE OF THE CITY COUNCIL**

**LEANNA M.G. CUMBER**  
COUNCIL MEMBER, DISTRICT 5  
OFFICE: (904) 255-5205  
FAX: (904) 255-5230  
E-MAIL: LCUMBER@COJ.NET

117 WEST DUVAL STREET, SUITE 425  
4TH FLOOR, CITY HALL  
JACKSONVILLE, FLORIDA 32202

March 02, 2021

**JEA Disclosure Statement**

I have no conflicts regarding JEA and the ITN. I had no discussions with Mr. Zahn or Mayor Curry regarding privatization. I did meet in my City Hall office with JEA Management, JEA Government Affairs, and Jordan Elsbury on the following dates to discuss generally the potential for change of control or reorganization of JEA:

August 7, 2019; October 21, 2019; November 22, 2019; and December 4, 2019.

I had a meeting with the JEA union representatives to discuss pension legislation on September 23, 2019.

I had a phone call on December 9, 2019 with Mr. Steve Busey regarding the Council vote to approve his contract.





**BRENDA PRIESTLY JACKSON**  
Council Member, District 10  
Office (904) 255-5210  
Fax (904) 255-5230

E-Mail: bpjackson@coj.net

117 West Duval Street  
City Hall, Suite 425  
Jacksonville, FL 32202

TDD: (904) 255-5230

## OFFICE OF THE CITY COUNCIL

TO: Jacksonville City Council Members

FROM: The office of the Honorable Brenda A. Priestly Jackson  
Special Investigatory Committee Chair

SUBJECT: Special Investigatory Language for Ascertaining Relationships

DATE: September 4, 2020

The SIC decided, unanimously, on August 10, 2020 to request disclosures from each member of the Jacksonville City Council. The committee humbly requested on August 24, 2020 that disclosures be returned to the SIC Committee and a copy to all City Council Members. The date determined for the disclosure submissions is today Friday, September 4, 2020.

### LANGUAGE FOR ASCERTAINING RELATIONSHIPS:

For the specified time period (1) have you or your immediate family (2) had any interaction (3) with any person or entity connected in any way with JEA or the City (4) related to the privatization, reorganization, sale or other transfer of interest or management control of JEA or the Invitation to Negotiate #127-19 for Strategic Alternatives.

If yes, please describe each incident specifically (date, total time, persons involved or present, details of business structure, or details of meeting).

1. Time period: means from the time you initially qualified (or were appointed) for a City Council seat (2015, 2018 or 2019) through January 2020.
2. Immediate Family: Spouse, Children.

3. **Interaction: means either an established or potential business relationship, a contractual relationship, employment or meeting. Interaction does not mean being a JEA customer for utilities.**
4. **Person or Entity Connected to JEA or the City: (corporation, business or person) JEA board members, Senior Leadership Team members, bidders, consultants, lobbyists, attorneys, or City Officials.**

BPJ/kh

**From:** Patrick Mallahan [REDACTED]  
**Subject:** Husein reference  
**Date:** August 15, 2019 at 2:33 AM  
**To:** erinisaac [REDACTED]



Hi Erin - pleasure to meet you. I understand you spoke to my friend Husein and he I wanted to see if we could get and NDA in place so we could further discussions with you. If so, I will pass along asap.

Patrick




**From:** Patrick Hallahan [REDACTED]  
**Subject:** 330  
**Date:** August 21, 2019 at 8:27 AM  
**To:** Erin Isaac erinisaac [REDACTED]



---

We will try to do at Husein office in San Marco - should keep us discreet. I am working on your consulting doc too - just waiting for lawyer on one update.

**From:** Patrick Hallahan [REDACTED]   
**Subject:** DOC  
**Date:** August 21, 2019 at 9:22 AM  
**To:** Erin Isaac erinisaac [REDACTED]

This is the base doc we are working from for consultants - take a look and see if any issues and then we can talk more when I get there. We def are confirmed for Husein office at 330 and Jim Gilmore and Mike Weinstein will join. Ali trying to as well, but juggling a bit there. We can do an hour or so with them on strat and then after we can talk your doc if you like. And if you can bring any insight into plan on what you need us to be doing that will be great and then we can fine tune it before dinner tomorrow and the work session Friday am. Thanks.



2019Form of  
Consul...).docx

**From:** Patrick Hallahan [REDACTED]

**Subject:** 330

**Date:** August 21, 2019 at 12:22 PM

**To:** Erin Isaac [REDACTED] Mike Weinstein [REDACTED] Jim Gilmore [REDACTED]  
Allison Korman Shelton [REDACTED] Dillon Mathies [REDACTED]



Just for those in Jax - I have added Erin to the email chain and we will meet Husein's office at 330pm until around when Jim needs to depart. We will focus on getting Erin up to speed on what we have going to date and she is going to have some thoughts, plans for us to work into our efforts next two months related to our messaging with a goal of following up tomorrow and getting a good plan final plan in place by close of our meetings Friday. See you all in a bit. And Ali, we can always meet up with Erin in AM or after pending when your meeting wraps.

**From:** Erin Isaac [REDACTED]  
**Subject:** Re: 330  
**Date:** August 21, 2019 at 12:37 PM  
**To:** Patrick Hallahan [REDACTED]



Do you have the address?

On Aug 21, 2019, at 12:22 PM, Patrick Hallahan [REDACTED] wrote:

Just for those in Jax - I have added Erin to the email chain and we will meet Husein's office at 330pm until around when Jim needs to depart. We will focus on getting Erin up to speed on what we have going to date and she is going to have some thoughts, plans for us to work into our efforts next two months related to our messaging with a goal of following up tomorrow and getting a good plan final plan in place by close of our meetings Friday. See you all in a bit. And Ali, we can always meet up with Erin in AM or after pending when your meeting wraps.

**From:** Patrick Hallahan [REDACTED]  
**Subject:** Re: 330  
**Date:** August 21, 2019 at 1:31 PM  
**To:** Erin Isaac [REDACTED]



2002 San Marco blvd 2nd floor

Sent from my iPhone

On Aug 21, 2019, at 12:35 PM, Erin Isaac [REDACTED] wrote:

Do you have the address?

On Aug 21, 2019, at 12:22 PM, Patrick Hallahan [REDACTED] wrote:

Just for those in Jax - I have added Erin to the email chain and we will meet Husein's office at 330pm until around when Jim needs to depart. We will focus on getting Erin up to speed on what we have going to date and she is going to have some thoughts, plans for us to work into our efforts next two months related to our messaging with a goal of following up tomorrow and getting a good plan final plan in place by close of our meetings Friday. See you all in a bit. And Ali, we can always meet up with Erin in AM or after pending when your meeting wraps.

**From:** Dillon Mathies [REDACTED]

**Subject:** RE: Project Panther Working Dinner

**Date:** August 22, 2019 at 11:59 AM

**To:** Husein Cumber [REDACTED] Allison Korman Shelton [REDACTED] Patrick Hallahan [REDACTED]  
[REDACTED] Mike Weinstein [REDACTED] Jeff Yuknis [REDACTED]  
[REDACTED] Chris Hagan [REDACTED] Erin Isaac [REDACTED]



All,

To alleviate any confusion, the working dinner is still happening tonight. When updating the location on the calendar invitation, it sent out a cancellation notice first before sending out the updated location.

The dinner will take place at bestbet Jacksonville in the High Limit room located at 201 Monument Rd., Jacksonville, FL 32225.

**DILLON MATHIES, MBA**  
CONSULTANT

**EMERGENT METHOD**

O: [REDACTED] | M: [REDACTED]

-----Original Appointment-----

**From:** Dillon Mathies

**Sent:** Monday, August 19, 2019 09:11

**To:** Dillon Mathies; Husein Cumber; Allison Korman Shelton; Patrick Hallahan; Mike Weinstein; Jeff Yuknis; jim.gilmore [REDACTED] Chris Hagan; Erin Isaac

**Subject:** Project Panther Working Dinner

**When:** Thursday, August 22, 2019 5:00 PM-9:00 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** 201 Monument Rd., Jacksonville, FL 32225


All,

The meeting will begin at 5 p.m. this afternoon in the High Limit Room at bestbet Jacksonville.

I will be sending a list of action/topic items soon for general discussion to be used for today and tomorrow. Please let me know if you have any questions.

Thanks!



**From:** Dillon Mathies [REDACTED]   
**Subject:** HOLD: Project Panther Morning Working Session  
**Date:** August 22, 2019 at 5:45 PM  
**To:** Husein Cumber [REDACTED] Allison Korman Shelton [REDACTED] Patrick Hallahan [REDACTED]  
[REDACTED] Mike Weinstein [REDACTED] Jeff Yuknis [REDACTED]  
jim.gilmore [REDACTED] Chris Hagan [REDACTED] Erin Isaac [REDACTED]




Hi all,

The meeting tomorrow morning will be located in the Duval Room at the River Club. The address is as follows:

1 Independent Drive  
Suite 3500  
Jacksonville, FL 32202

Let me know if you have any questions!

Mail Attachment

**From:** Patrick Hallahan [REDACTED]   
**Subject:** Fwd: Project Panther - Op-Ed #1  
**Date:** August 22, 2019 at 6:03 PM  
**To:** Erin Isaac [REDACTED]

----- Forwarded message -----

**From:** Dillon Mathies [REDACTED]  
**Date:** Fri, Aug 16, 2019 at 11:23 AM  
**Subject:** Project Panther - Op-Ed #1  
**To:** Husein Cumber [REDACTED], Allison Korman Shelton [REDACTED], Patrick Hallahan [REDACTED],  
[REDACTED], Mike Weinstein [REDACTED], Jeff Yuknis [REDACTED], Julius  
Bedford [REDACTED], Alyson Gaharan [REDACTED], Nick Speyrer [REDACTED],  
[REDACTED], Jenny Kurz [REDACTED], Patrick Bernhard [REDACTED],  
[jim.gilmore](mailto:jim.gilmore) [REDACTED], Chris Hagan [REDACTED],  
[REDACTED], Chris Hagan <[chagan@projectpanther.org](mailto:chagan@projectpanther.org)> [REDACTED]

All,

Please see attached for the final version of the first of three Op-Ed's. The focus of this Op-Ed was the need for transparency, and the next step is identifying those former city leaders who will sign their name to this letter.

The subject of the next Op-Ed will be centered around the business community's perspective, with a draft coming soon.

Thanks!

**DILLON MATHIES, MBA**  
CONSULTANT


---

EMERGENT METHOD

O: [REDACTED] | M: [REDACTED]



PP\_OpEd\_Trans  
parenc...al.docx

**From:** Dillon Mathies [REDACTED]   
**Subject:** Project Panther Morning Working Session  
**Date:** August 22, 2019 at 7:43 PM



**To:** Husein Cumber [REDACTED] Allison Korman Shelton [REDACTED] Patrick Hallahan [REDACTED]  
[REDACTED] Mike Weinstein [REDACTED] Jeff Yuknis [REDACTED]  
jim.gilmore [REDACTED] Chris Hagan [REDACTED] Erin Isaac [REDACTED] Alyson Gaharan [REDACTED]

Hi all,

The meeting tomorrow morning will be located at Husein's office. The address is as follows:

2002 San Marco Blvd., Suite 202  
Jacksonville, FL 32207

Let me know if you have any questions!

Mail Attachment

**From:** Husein Cumber [REDACTED]  
**Subject:** Please send Erin and Ali the final transparency op-Ed  
**Date:** August 22, 2019 at 7:31 PM  
**To:** erinisaac [REDACTED] Ali Korman Shelton [REDACTED]  
**Cc:** dillon.mathies [REDACTED]

---





**From:** Husein Cumber [REDACTED]  
**Subject:** Re: Anything come up during your golf round on Friday?  
**Date:** August 26, 2019 at 12:22 AM  
**To:** Erin Isaac [REDACTED]

Yes!

On Aug 26, 2019, at 12:06 AM, Erin Isaac <[REDACTED]> wrote:

Wait... does he mean 9/23 — Sept, 23rd?

On Aug 26, 2019, at 12:02 AM, [REDACTED] <[REDACTED]@hacumber.com> wrote:

See date below

**From:** Chris Hagan <[REDACTED]>  
**Sent:** Sunday, August 25, 2019 10:24 PM  
**To:** [REDACTED] <[REDACTED]@hacumber.com>  
**Subject:** Re: Anything come up during your golf round on Friday?

Not really. I got Mike lined up to speak at rotary on 8/23. Tom Bryan thought it was a great idea.

**Chris Hagan**

Hagan Partners [LinkedIn](#)  
800 West Monroe Street | Jacksonville, FL 32202  
P: [REDACTED] C: [REDACTED]

On Aug 25, 2019, at 8:20 PM, [REDACTED] <[REDACTED]@hacumber.com> wrote:

**From:** Mike Weinstein [REDACTED]  
**Subject:** Re: Project Panther In-Person Meeting  
**Date:** August 29, 2019 at 1:31 PM  
**To:** Allison Korman Shelton [REDACTED]  
**Cc:** Erin Isaac [REDACTED]



Ok see you there

Sent from my iPhone

On Aug 29, 2019, at 1:29 PM, Allison Korman Shelton <[REDACTED]> wrote:

Noon at Husein's office works

Allison Korman Shelton  
JACE Advisors LLC  
[REDACTED]

On Aug 29, 2019, at 1:16 PM, Mike Weinstein <[REDACTED]> wrote:

I can do noon

Sent from my iPhone

On Aug 29, 2019, at 1:07 PM, Erin Isaac <[REDACTED]> wrote:

I can do noon, if that's better.

On Aug 29, 2019, at 1:04 PM, Allison Korman Shelton <[REDACTED]> wrote:

I screwed up, I guess Husein said noon-1.

Allison Korman Shelton  
JACE Advisors LLC  
[REDACTED]

On Aug 29, 2019, at 1:01 PM, Erin Isaac <[REDACTED]> wrote:

I can do 1:00.

On Aug 29, 2019, at 12:50 PM, Allison Korman Shelton <[REDACTED]> wrote:

Do you guys want to meet tomorrow afternoon at 1pm?

Allison Korman Shelton  
JACE Advisors LLC  
[REDACTED]

Begin forwarded message:

**From:** <hcumbe [REDACTED]>  
**Date:** August 29, 2019 at 12:42:18 PM EDT  
**To:** "Allison Korman Shelton" [REDACTED]  
**Subject:** RE: Project Panther In-Person Meeting

Do you want to check with Erin and Mike? I could do noon to 1 p.m.

**From:** Allison Korman Shelton [REDACTED]  
**Sent:** Thursday, August 29, 2019 11:53 AM  
**To:** hcumber [REDACTED]  
**Subject:** Re: Project Panther In-Person Meeting



Ok, any reason for a few of us to meet?

Allison Korman Shelton  
JACE Advisors LLC  
904-755-4410

On Aug 29, 2019, at 11:50 AM, <hcumber [REDACTED]>  
<hcumber [REDACTED]> wrote:

No. Cancelled it.

**From:** Allison Korman Shelton <[REDACTED]>  
**Sent:** Thursday, August 29, 2019 10:53 AM  
**To:** Dillon Mathies [REDACTED]  
**Cc:** Husein Cumber [REDACTED]; Patrick Hallahan  
[REDACTED]; Mike Weinstein  
[REDACTED]; Jeff Yuknis  
[REDACTED]; Chris Hagan  
[REDACTED]; Erin Isaac  
[REDACTED]; Alyson Gaharan  
[REDACTED]; James Gilmore  
[REDACTED]; hcumber [REDACTED]

**Subject:** Re: Project Panther In-Person Meeting

Sorry I missed the call and is anyone meeting this Friday because I am available now

Allison Korman Shelton  
JACE Advisors LLC  
[REDACTED]

On Aug 29, 2019, at 10:10 AM, Dillon Mathies  
[REDACTED] wrote:

<mime-attachment.ics>



**From:** Jeff Yuknis [REDACTED]  
**Subject:** Re: Pension bill linked to JEA sale could be deferred | Jax Daily Record | Financial News & Daily Record - Jacksonville, Florida  
**Date:** August 30, 2019 at 8:05 AM  
**To:** Allison Korman Shelton [REDACTED] mikesb [REDACTED] Julius Bedford [REDACTED]  
 cumber [REDACTED] Foster Duncan [REDACTED] Patrick Hallahan [REDACTED]  
 patrick [REDACTED] Erin Issac [REDACTED] Patrick Bernhard [REDACTED]

There is a lot here to parse through. Please help team understand the pension liability and lump sum payment issue. As well as discuss the mention of a cone of silence applying to interested respondents.

Jeffrey Yuknis  
 Bernhard Capital

---

**From:** Allison Korman Shelton [REDACTED]  
**Sent:** Thursday, August 29, 2019 6:22:41 PM  
**To:** mikesb [REDACTED] Julius Bedford [REDACTED]  
 [REDACTED] Jeff Yuknis [REDACTED]  
 [REDACTED] nacumber.com> Foster Duncan [REDACTED]  
 [REDACTED] Patrick Hallahan [REDACTED]  
 patrick [REDACTED] Erin Issac [REDACTED]  
 [REDACTED] Patrick Bernhard [REDACTED]  
**Subject:** Pension bill linked to JEA sale could be deferred | Jax Daily Record | Financial News & Daily Record - Jacksonville, Florida

<https://www.jaxdailyrecord.com/article/pension-bill-linked-to-jea-sale-could-be-deferred>

Allison Korman Shelton  
 JACE Advisors LLC  
 [REDACTED]

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from all computers.

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from all computers.

**From:** [REDACTED]@hacumber.com  
**Subject:** RE: Project Panther Daily Sync  
**Date:** August 31, 2019 at 12:09 AM  
**To:** Dillon Mathies [REDACTED] Allison Korman Shelton [REDACTED] Patrick Hallahan [REDACTED]  
[REDACTED] Mike Weinstein [REDACTED] Jeff Yuknis [REDACTED]  
Julius Bedford [REDACTED] Alyson Gaharan [REDACTED] Nick Speyrer [REDACTED]  
[REDACTED] Jenny Kurz [REDACTED] Patrick Bernhard [REDACTED]  
jim.gilmore [REDACTED] Chris Hagan [REDACTED] Erin Isaac [REDACTED]

See edits below

**From:** Dillon Mathies [REDACTED]  
**Sent:** Friday, August 30, 2019 4:53 PM  
**To:** Husein Cumber [REDACTED] Allison Korman Shelton [REDACTED]  
[REDACTED] Patrick Hallahan [REDACTED]  
Mike Weinstein [REDACTED] Jeff Yuknis [REDACTED]  
Julius Bedford [REDACTED] Alyson Gaharan [REDACTED]  
[REDACTED] Nick Speyrer [REDACTED] Jenny Kurz [REDACTED]  
[REDACTED] Patrick Bernhard [REDACTED]  
[REDACTED] jim.gilmore [REDACTED] Chris Hagan [REDACTED]  
[REDACTED] Erin Isaac [REDACTED]  
**Subject:** RE: Project Panther Daily Sync

Good afternoon everyone,

As a follow-up to our meeting this morning, please see below for **draft** language for an additional question to submit to JEA before the Sep. 3 deadline. Please provide any feedback you have:

*In reference to an August 29<sup>th</sup> article in the Jacksonville Daily Record, where Jacksonville Deputy Council Counsel Lawsikia Hodges clarified that the "cone of silence" applies to companies and organizations planning to submit a proposal, can you provide specific guidelines on what activities constitute a violation of the "cone of silence"? In addition, please list examples of specific activities that would not be considered a violation of the "cone of silence"? We assume that there is no prohibition on holding public discussions about the various recapitalization options and/or specific companies publicly stating their interest in participating in the bid process given the comment by Ms. Hodges that another specific company's public discussion of the JEA process on August 16<sup>th</sup> was not considered to be in violation of the cone of silence.*

This question does not specifically call out FP&L, although it could in reference to the August 16<sup>th</sup> article where they stated their interest in acquiring JEA (which was updated soon after). Additionally, we are still looking to see if this language from clarifying the cone of silence is in the public realm yet in the form of a letter, council minutes, opinion, etc. We will continue to look but wanted to get the above question out to everyone.

Let me know if there are any questions.

**DILLON MATHIES, MBA**  
CONSULTANT

---



**EMERGENT METHOD**

O: [REDACTED] | M: [REDACTED]

**From:** Dillon Mathies

**Sent:** Friday, August 30, 2019 07:37

**To:** Husein Cumber [REDACTED] Allison Korman Shelton

[REDACTED] Patrick Hallahan [REDACTED]

Mike Weinstein [REDACTED]

Jeff Yuknis [REDACTED]

Julius Bedford [REDACTED]

Alyson Gaharan [REDACTED]

Nick Speyrer [REDACTED]

Jenny

Kurz [REDACTED]

Patrick Bernhard [REDACTED]

<Patrick [REDACTED]

<jim.gilmore [REDACTED]

Chris Hagan

<chris.hagan [REDACTED]

; Erin Isaac <erinisaac [REDACTED]

**Subject:** RE: Project Panther Daily Sync

All,

Please see attached for this morning's agenda.

**DILLON MATHIES, MBA**

CONSULTANT

---

**EMERGENT METHOD**

O: [REDACTED] | M: [REDACTED]

-----Original Appointment-----

**From:** Dillon Mathies

**Sent:** Wednesday, August 7, 2019 15:20

**To:** Dillon Mathies; Husein Cumber; Allison Korman Shelton; Patrick Hallahan; Mike Weinstein; Jeff Yuknis; Julius Bedford; Alyson Gaharan; Nick Speyrer; Jenny Kurz; Patrick Bernhard; [REDACTED] Chris Hagan; Erin Isaac

**Subject:** Project Panther Daily Sync

**When:** Friday, September 6, 2019 8:00 AM-8:30 AM (UTC-06:00) Central Time (US & Canada).

**Where:** [REDACTED]

All,

Our sync meeting will be conducted daily at 8:00 a.m. CST / 9:00 a.m. EST on Monday – Friday.

The call-in information for our daily sync meeting is:

**Phone Number:** [REDACTED]

**Passcode:** [REDACTED]

**From:** Alyson Gaharan [REDACTED]  
**Subject:** RE: Agenda - Project Panther Ground Team Meeting  
**Date:** September 6, 2019 at 11:02 AM  
**To:** Allison Korman Shelton [REDACTED] Patrick Hallahan [REDACTED] Mike Weinstein [REDACTED]  
[REDACTED] Patrick Bernhard [REDACTED] jim.gilmore [REDACTED] Chris Hagan [REDACTED]  
[REDACTED] Erin Isaac [REDACTED] Jeff Yuknis [REDACTED] James Gilmore [REDACTED]  
[REDACTED] jodylanebrooks [REDACTED]  
**Cc:** Husein Cumber [REDACTED] Jeff Yuknis [REDACTED] Jenny Kurz [REDACTED]  
[REDACTED] Dillon Mathies [REDACTED] Nick Speyrer [REDACTED]

Apologies everyone – please use this number instead: [REDACTED]

Re-attaching stakeholder list to this email for convenience.

**ALYSON GAHARAN, MBA**  
CONSULTANT

---

**EMERGENT METHOD**  
200 Laurel Street, Suite 200  
Baton Rouge, LA 70801  
O: [REDACTED] | M: [REDACTED]

**From:** Alyson Gaharan  
**Sent:** Friday, September 6, 2019 10:57 AM  
**To:** Allison Korman Shelton [REDACTED] Patrick Hallahan [REDACTED]  
[REDACTED] Mike Weinstein [REDACTED] Patrick Bernhard [REDACTED] jim.gilmore [REDACTED] Chris Hagan [REDACTED]  
[REDACTED] Erin Isaac [REDACTED] Jeff Yuknis [REDACTED]  
[REDACTED] James Gilmore [REDACTED]  
[REDACTED] jodylanebrooks [REDACTED]  
**Cc:** Husein Cumber [REDACTED] Jeff Yuknis [REDACTED]  
<jyuknis [REDACTED]> Jenny Kurz [REDACTED] Dillon Mathies [REDACTED] Nick Speyrer [REDACTED]  
[REDACTED]  
**Subject:** RE: Agenda - Project Panther Ground Team Meeting

For those joining via phone, please use [REDACTED]

Also see attached stakeholder list as referenced in the agenda below.

**ALYSON GAHARAN, MBA**  
CONSULTANT

---

**EMERGENT METHOD**  
200 Laurel Street, Suite 200  
Baton Rouge, LA 70801  
O: [REDACTED] | M: [REDACTED]

**From:** Alyson Gaharan  
**Sent:** Friday, September 6, 2019 9:56 AM  
**To:** Allison Korman Shelton [REDACTED] Patrick Hallahan [REDACTED]  
patrick.hallahan@emmethod.com | Mike Weinstein | willie@emmethod.com | Patrick

[redacted] Mike Weinstein [redacted] Patrick  
Bernhard [redacted] jim.gilmore [redacted] Chris Hagan  
[redacted] Erin Isaac <erinisaac [redacted] Jeff Yuknis  
[redacted] James Gilmore < [redacted]  
jodylanebrooks  
Cc: Husein Cumber [redacted] Jeff Yuknis  
[redacted]; Jenny Kurz [redacted] Dillon  
Mathies [redacted] Nick Speyrer  
[redacted]

**Subject:** Agenda - Project Panther Ground Team Meeting

Good morning –

As a reminder, we're meeting 11AM-1PM today at Husein's office: 2002 San Marco Blvd., Suite 202, Jacksonville, FL 32207. To guide our discussion today, below are a few agenda items that should come out of our conversation, with the goal to get these deliverables back out to the group as soon as possible when we wrap up:

- Outline of Mike's speech to the Rotary Club
- Gameplan for the week of Sept. 16 – i.e. what activities will take place leading up the speech
- Stakeholder list – who will we connect with the week of Sept. 16 and who is on point for each connection
- Gameplan for the week of Sept. 16 – i.e. what activities will take place immediately following the speech

Looking forward to a productive meeting – see y'all soon!

**ALYSON GAHARAN, MBA**  
CONSULTANT

---

**EMERGENT METHOD**  
200 Laurel Street, Suite 200  
Baton Rouge, LA 70801  
O: [redacted] | M: [redacted]



Project  
Panthe...9.docx



# Project Panther

## Stakeholder Engagement

September 6, 2019

| Name                            | Responsible Party |
|---------------------------------|-------------------|
| <b>Elected Officials</b>        |                   |
| Matt Carlucci                   | Jim / Mike        |
| Rory Diamond                    | Jim               |
| Danny Becton                    | Jim               |
| Tommy Hazouri                   | Jim               |
| Scott Wilson                    | Jim               |
| Randy White                     | Chris / Mike      |
| Joyce Morgan                    | Jim               |
| LeAnna Cumber                   |                   |
| Aaron Bowman                    |                   |
| Representative Tracie Davis     | Chris             |
| State Senator Audrey Gibson     |                   |
| State Senator Aaron Bean        |                   |
| Representative Cord Byrd        |                   |
| Representative Wyman Duggan     |                   |
| Representative Clay Yarborough  |                   |
| <b>Former Elected Officials</b> |                   |
| Bill Gulliford                  | Jim / Ali         |
| John Peyton                     |                   |
| Will Weatherford                | Mike / Husein     |
| John Crescimbeni                |                   |
| Jim Love                        | Jim / Mike        |
| Greg Anderson                   | Chris / Mike      |
| Alberta Hipps                   | Jim / Mike        |
| Alvin Brown                     | Mike              |
| Mike Hogan                      |                   |
| Jerry Holland                   |                   |
| Nat Glover                      | Mike              |

|                                   |               |
|-----------------------------------|---------------|
| <b>Business</b>                   |               |
| Mark Lamping                      |               |
| Mike Ward                         | Husein        |
| Tim Cost                          | Ali?          |
| Ed Burr                           |               |
| Tom Petway                        | Mike          |
| Gary Chartrand                    |               |
| Steve Zona                        | Ali?          |
| Randy Wyse                        | Ali?          |
| Jay Demetree                      |               |
| Daniel Davis                      | Mike Chris    |
| Steve Halverson                   | Husein        |
| Preston Haskell                   | Mike / Husein |
| Hugh Greene                       | Mike          |
| Jed Davis                         | Chris         |
| John Baker                        |               |
| Wayne Hogan                       |               |
| Jake Goldbold                     |               |
| Debbie Buckland                   |               |
| Alan Howard?                      |               |
| David Miller                      |               |
| Bobby Stein                       |               |
| Dan Edelman                       |               |
| Jake Gordon                       | Husein        |
| <b>Unions (need all 8 Unions)</b> |               |
| Ronnie Burris                     |               |
| Valerie Guitierrez                | Mike          |
| <b>Media</b>                      |               |
| Kent Justice                      | Ali?          |
| Karen Brune Mathis                |               |
| Times Union reporters             |               |
| David B?                          | Husein        |

**From:** cumber [REDACTED]  
**Subject:** FW: Twitter  
**Date:** September 7, 2019 at 11:20 AM  
**To:** Erin Isaac [REDACTED]



Secure it

**From:** Jeff Yuknis [REDACTED]  
**Sent:** Saturday, September 7, 2019 10:55 AM  
**To:** cumber@hacumber.com  
**Cc:** Patrick Hallahan [REDACTED]  
**Subject:** Re: Twitter

Thanks Husein. She certainly can secure it.

Jeffrey Yuknis  
Bernhard Capital

**From:** Husein Cumber [REDACTED]  
**Subject:** Fwd: Twitter  
**Date:** September 9, 2019 at 7:48 AM  
**To:** Erin Issac [REDACTED]



Go...told him BCP would not be mentioned

Begin forwarded message:

**From:** Jeff Yuknis [REDACTED]  
**Date:** September 9, 2019 at 7:39:16 AM EDT  
**To:** [REDACTED] <[REDACTED]@nacumber.com>  
**Cc:** Patrick Hallahan [REDACTED]  
**Subject:** Re: Twitter

I'm comfortable proceeding as long as there is no mentions of Bernhard.

Jeff

Get [Outlook for iOS](#)

---

**From:** [REDACTED] <[REDACTED]@nacumber.com>  
**Sent:** Sunday, September 8, 2019 6:18:37 PM  
**To:** Jeff Yuknis [REDACTED]  
**Cc:** Patrick Hallahan [REDACTED]  
**Subject:** RE: Twitter

Any feedback from Patrick B? They would really like to get going tomorrow with pushing some stuff out and building a following.

**From:** Jeff Yuknis [REDACTED]  
**Sent:** Saturday, September 7, 2019 10:55 AM  
**To:** [REDACTED] <[REDACTED]@nacumber.com>  
**Cc:** Patrick Hallahan [REDACTED]  
**Subject:** Re: Twitter

Thanks Husein. She certainly can secure it.

Jeffrey Yuknis  
Bernhard Capital



**From:** Mike Weinstein [REDACTED]  
**Subject:** Re: Project Panther Full Team Meeting - Agenda  
**Date:** September 11, 2019 at 1:29 PM  
**To:** Alyson Gaharan [REDACTED]  
**Cc:** Husein Cumber [REDACTED]

[REDACTED] Allison Korman Shelton [REDACTED] James Gilmore  
 [REDACTED] Patrick Hallahan [REDACTED] Jeff Yuknis [REDACTED]  
 [REDACTED] Chris Hagan [REDACTED] Erin Isaac [REDACTED]  
 jodylanebrooks [REDACTED] Lucie Kantrow [REDACTED] Julius Bedford [REDACTED]  
 Foster Duncan [REDACTED] Dan Gerrity [REDACTED] Albertson, Gary [REDACTED]  
 [REDACTED] cchi [REDACTED] Nick Speyrer [REDACTED] Jenny Kurz [REDACTED]  
 [REDACTED] Dillon Mathies [REDACTED]

Good attachment

Sent from my iPhone

On Sep 11, 2019, at 10:09 AM, Alyson Gaharan [REDACTED] wrote:

All – Looking forward to our meeting today. Attached is a copy of our agenda. For those attending in person, we will have printed copies of the agenda on hand, as well as a light lunch that will be delivered just before noon. We'll plan to get started on our agenda around 12:15 to allow folks to grab lunch and get settled. For those joining us via phone, please note that the calendar has been updated with a dial-in number, which is also below for your convenience.

800 West Monroe Street, Jacksonville, FL, 32202 (Upstairs Conference Room)  
 [REDACTED]

Talk to y'all soon.

**ALYSON GAHARAN, MBA**  
**CONSULTANT**

---

**EMERGENT METHOD**  
 200 Laurel Street, Suite 200  
 Baton Rouge, LA 70801

O: [REDACTED] | M: [REDACTED]

<Project Panther\_Full Team Mtg\_9-11-19\_Final.doc>

**From:** Dillon Mathies [REDACTED]  
**Subject:** Project Panther Friday Ground Team Meeting  
**Date:** September 12, 2019 at 2:32 PM




**To:** Allison Korman Shelton [REDACTED] Husein Cumber [REDACTED] Patrick Hallahan [REDACTED]  
[REDACTED] Mike Weinstein [REDACTED] Jeff Yukris [REDACTED]  
AVSON CENARAN [REDACTED] Jenny Kurz [REDACTED] Patrick Bernhard [REDACTED]  
[REDACTED] jim.gilmore [REDACTED] Chris Hagan [REDACTED] Erin Isaac [REDACTED]  
[REDACTED] Nick Speyrer [REDACTED] James Gilmore [REDACTED]

All – Attached is the agenda for our 9/13 ground team meeting. The meeting will be held at Husein’s office, and this calendar event has been updated with that address as well as a conference line for those joining us by phone.



Mail Attachment      Project  
Panthe...9.docx

**From:** Alyson Gaharan [REDACTED]   
**Subject:** FW: Rotary Speech Options  
**Date:** September 12, 2019 at 8:12 PM  
**To:** Erin Isaac [REDACTED]



**ALYSON GAHARAN, MBA**  
CONSULTANT

---

**EMERGENT METHOD**  
200 Laurel Street, Suite 200  
Baton Rouge, LA 70801  
O: [REDACTED] | M: [REDACTED]

**From:** Alyson Gaharan  
**Sent:** Tuesday, September 10, 2019 5:31 PM  
**To:** Erin Isaac [REDACTED] Husein Cumber [REDACTED]  
**Cc:** Jenny Kurz [REDACTED] Nick Speyrer [REDACTED]  
**Subject:** Rotary Speech Options

Erin – I just spoke with Husein, and he requested that we have an “aggressive” speech outline prepared for tomorrow in addition to the one we developed with Mike this afternoon. Attached is our working draft of the executive summary, which I think could be used to craft a more aggressive approach. Also, attached here for everyone’s convenience are the speech outline notes from the conversation with Mike.

Note that Husein is calling into the meeting tomorrow, but he can stay on the line once the full meeting wraps up so we can further discuss speech outlines.

Erin, if you’d like a second set of eyes on the aggressive speech draft ahead of our meeting tomorrow, I’m glad to take a look.

Thanks!

**ALYSON GAHARAN, MBA**  
CONSULTANT

---

**EMERGENT METHOD**  
200 Laurel Street, Suite 200  
Baton Rouge, LA 70801  
O: [REDACTED] | M: [REDACTED]



Project  
Panthe...9.docx



Project  
Panthe...9.docx



**From:** Alyson Gaharan [REDACTED]  
**Subject:** Project Panther - Stakeholder Tracker  
**Date:** September 13, 2019 at 2:34 PM  
**To:** Husein Cumber [REDACTED]



[REDACTED] Allison Korman Shelton [REDACTED] Patrick Hallahan  
[REDACTED] Mike Weinstein [REDACTED] Jim Gilmore James Gilmore  
[REDACTED] Chris Hagan [REDACTED] Erin Isaac  
**Cc:** Jeff Yukris [REDACTED] Patrick Bernhard [REDACTED] Jenny Kurz  
[REDACTED] Nick Speyrer [REDACTED] Dillon Mathies

**Ground Team –** As an outcome of our discussion at today’s meeting, please find attached our new stakeholder tracker document.

Moving forward, it will be incredibly valuable to have a list of individuals we’ve talked to, when those conversations took place, whether they will be a public supporter of our effort in the future, and any key outcomes of your conversation. Once you fill out these fields in the document, please send it back to me.

This document is password protected, and I will text each of you the password in the next couple minutes. Still, if you would feel more comfortable giving me a call to share this information directly, please feel welcome to do so, and I will maintain the master file securely on my computer.

If you have any questions about this effort, please don’t hesitate to reach out to me or Husein. Thanks in advance for your help tracking our supporters.

**ALYSON GAHARAN, MBA**  
CONSULTANT

---

**EMERGENT METHOD**  
200 Laurel Street, Suite 200  
Baton Rouge, LA 70801  
O: [REDACTED] | M: [REDACTED]



Project  
Panthe...9.docx



**From:** Mike Weinstein [redacted]  
**Subject:** Re: Jacksonville City Council committee supports taking on JEA pension debt - News - The Florida Times-Union - Jacksonville, FL  
**Date:** September 18, 2019 at 2:28 PM  
**To:** Jeff Yuknis [redacted]  
**Cc:** Allison Korman Shelton [redacted]@hacumber.com, Julius Bedford [redacted], Foster Duncan [redacted], Patrick Hallahan [redacted], Erin Issac [redacted], patrick [redacted], dillon.mathies [redacted], alyson [redacted], chris.hagan [redacted], Jim Gilmore jim.gilmore [redacted], Patrick Bernhard [redacted]

I think we should meet all the requirements and adjust during negotiations. Don't give them any reason to reduce our scores. Also we don't want to appear short changing the employees. There will be plenty of time during negotiations to offer better elements of the agreement once we are in

Sent from my iPhone

On Sep 18, 2019, at 1:57 PM, Jeff Yuknis [redacted] wrote:

See the \$132M reference in the Attachment to yesterday's ITN Addendum. Although the city will "fund the liability" upon a transaction, we should consider that our proposal does not trigger the need to do so and the cash proceeds can be utilized elsewhere. Then again the city may want to eliminate the liability. We offer them this flexibility.

Jeff

<image001.png>

**From:** Allison Korman Shelton [redacted]  
**Sent:** Tuesday, September 17, 2019 7:59 PM  
**To:** [redacted]@hacumber.com; mikesb [redacted], Julius Bedford [redacted], Jeff Yuknis [redacted], Foster Duncan [redacted], Patrick Hallahan [redacted], Erin Issac [redacted], patrick [redacted], dillon.mathies [redacted], alyson [redacted], chris.hagan [redacted], Jim Gilmore [redacted], Patrick Bernhard [redacted]

**Subject:** Jacksonville City Council committee supports taking on JEA pension debt - News - The Florida Times-Union - Jacksonville, FL

<https://www.jacksonville.com/news/20190917/jacksonville-city-council-committee-supports-taking-on-jea-pension-debt>

Allison Korman Shelton  
 JACE Advisors LLC  
 [redacted]

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any review, retransmission, dissemination or



other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from all computers.

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from all computers.

**From:** Husein Cumber [REDACTED]  
**Subject:** Re: You still good for October 4 with David Bauerlein?  
**Date:** September 24, 2019 at 10:01 PM  
**To:** Erin Isaac [REDACTED]



I'll see if he can do lunch in my office

On Sep 24, 2019, at 9:51 PM, Erin Isaac [REDACTED] wrote:

I'm at Bolles at 8:30 — 11:00 coffee or lunch?

On Sep 24, 2019, at 9:51 PM, [REDACTED]@hacumber.com wrote:



**From:** Allison Korman Shelton [REDACTED]  
**Subject:** Jacksonville City Council members "strictly prohibited" from discussing conditions of JEA sale, according to City Hall attorney - News - The Florida Times-Union - Jacksonville, FL



**Date:** September 25, 2019 at 4:40 PM

**To:** patrick [REDACTED] Patrick Hallahan [REDACTED] patrick [REDACTED]  
mikesb39 [REDACTED] Julius [REDACTED] Jim Gilmore [REDACTED] Jeff Yuknis [REDACTED]  
[REDACTED]@hacumber.com, [REDACTED]  
dillon.mathies [REDACTED] chris.hagan [REDACTED] alyson [REDACTED]

<https://www.jacksonville.com/news/20190925/jacksonville-city-council-members-strictly-prohibited-from-discussing-conditions-of-jea-sale-according-to-city-hall-attorney>

Allison Korman Shelton  
JACE Advisors LLC  
[REDACTED]



**From:** Husein Cumber [REDACTED]  
**Subject:** Fwd: Bill Gulliford  
**Date:** September 30, 2019 at 8:31 AM  
**To:** Erin Issac [REDACTED]

FYI

Begin forwarded message:

**From:** Husein Cumber [REDACTED]  
**Date:** September 30, 2019 at 8:31:09 AM EDT  
**To:** Alyson Gaharan [REDACTED]  
**Subject:** Bill Gulliford

For tracker, spoke to former councilman Bill Gulliford this morning. He would like to meet with the BCP team after the bid goes in. He'll be back from Montana on Saturday, October 5. Very open to concession structure and if we can answer some of his basic question, is likely to be a vocal advocate. Gulliford is not a supporter of selling the water and sewer system.



**From:** Husein Cumber [REDACTED]  
**Subject:** Re: Do you have a database that you can pull articles on United Water from 2001-2015?  
**Date:** October 1, 2019, at 7:55 AM  
**To:** Erin Isaac [REDACTED]



Thank you. I'll go through this morning.

On Oct 1, 2019, at 6:03 AM, Erin Isaac [REDACTED] wrote:

My notes are in red on the results doc below. Essentially the articles fall in a handful of categories:

- **Article #1 is a 2018 customer satisfaction report that ranks Suez pretty low (if I am ready this correctly) \*\*\*LOW CUSTOMER SATISFACTION FOR SUEZ IN THE NORTHEAST**
- Simple inclusion of "JEA acquired UW" as an aside in many stories
- broken water mains
- recurring theme that "rates go down if JEA acquires United Water"
- JEA blamed UW for account transfer issues that played out post-UW
- Regulatory Updates

I do suggest a second set of eyes be put on this as well.  
<Results list for \_\_united water\_ and \_JEA\_ pages>

On Sep 30, 2019, at 8:51 PM, Erin Isaac [REDACTED] wrote:

92 articles ... I'm reviewing now.  
<Results list for \_\_united water\_ and \_JEA\_.pdf>

On Sep 27, 2019, at 6:47 PM, [REDACTED]@nacumber.com wrote:

Did anything come back from your friend on this?

**Husein Cumber | Florida East Coast Industries, LLC**  
[REDACTED] | [www.feci.com](http://www.feci.com)

**From:** Erin Isaac [REDACTED]  
**Sent:** Wednesday, September 25, 2019 12:38 AM  
**To:** [REDACTED]@nacumber.com  
**Subject:** Re: Do you have a database that you can pull articles on United Water from 2001-2015?

If you can tell me what we're looking for or screening for, I can pull more affectively...

Sent from my iPhone

On Sep 25, 2019, at 12:26 AM, [REDACTED]@nacumber.com wrote:

**From:** Jeff Yuknis [REDACTED]  
**Subject:** RE: Project Panther - Update & Next Steps  
**Date:** October 1, 2019 at 9:48 AM  
**To:** Allison Korman Shelton [REDACTED] hacumber.com  
**Cc:** mikesb39 [REDACTED] chris.hagan [REDACTED] Jim Gilmore [REDACTED] Erin Issac [REDACTED] Jenny Kurz [REDACTED]

Ali,

Thanks for the note and we should all be pretty excited. Husein and I spoke with Emera yesterday. They are running the ITN Reply process out of their Corporate HDQ in Halifax. Their focus of the week is getting us everything we need for the Reply and then we will shift next week to getting to know each other and assembling the lobbying/PR.

Btw, Emera is particularly aware of the P3/Concession structure as it is quite popular in Canada for Infrastructure build.

Jeff

**From:** Allison Korman Shelton [REDACTED]  
**Sent:** Tuesday, October 1, 2019 8:37 AM  
**To:** Jeff Yuknis [REDACTED] hacumber.com  
**Cc:** mikesb [REDACTED] chris.hagan [REDACTED] Jim Gilmore [REDACTED] Erin Issac [REDACTED]  
**Subject:** Fwd: Project Panther - Update & Next Steps

Not sure if you received my email below so I resent it and thanks in advance!

Congratulations on securing an energy partner! Are they bringing lobbyists to the table and if so, whom are they and how are we incorporating them as you are already aware, we will need to be on the same page and have one voice with the same message?

Thank you,

Ali

Allison Korman Shelton  
JACE Advisors LLC  
[REDACTED]

Begin forwarded message:

**From:** Alyson Gaharan [REDACTED]  
**Date:** September 27, 2019 at 6:07:30 PM EDT  
**To:** Husein Cumber [REDACTED] "Cumber, Husein"  
[REDACTED] James Gilmore [REDACTED]  
[REDACTED] Allison Korman Shelton [REDACTED]  
[REDACTED] Patrick Hallahan [REDACTED]  
[REDACTED] Mike Weinstein [REDACTED]  
<mikesb [REDACTED] jim.gilmore [REDACTED]>



<jim.gilmore [REDACTED] Chris Hagan  
[REDACTED] Erin Isaac [REDACTED]  
"jodylanebrooks [REDACTED] Lucie Kantrow  
[REDACTED] Julius Bedford  
[REDACTED] Foster Duncan  
[REDACTED] "Albertson, Gary"  
[REDACTED] cch [REDACTED]  
Cc: Jeff Yuknis [REDACTED] Jenny Kurz  
[REDACTED] Dillon Mathies  
[REDACTED] Nick Speyrer

**Subject: Project Panther - Update & Next Steps**

Team, thank you for all your support these past few weeks as we work toward a final draft of the ITN reply. Your input and feedback has been tremendously helpful, and we look forward to sharing a full version for everyone's review early next week that includes information from both our water partner (SUEZ) and our energy partner (TECO), as well as ENGIE, UBS, and Jeffries. Please plan to build some time into your calendars for a comprehensive review – we anticipate that we will be sending this to you in the Monday-Tuesday timeframe – so that we can incorporate any revisions as soon as possible before conducting a final review and sending to print by end of day on Friday.

In the meantime, please feel welcome to reach out if you have any questions. As an administrative note, we will be cancelling all morning calls next week and our ground team meeting on Friday so we can devote our full attention to wrapping up proposal efforts. We will likely be regrouping during the week of October 7 to discuss our plans moving forward, so if you would please let me know about your availability 10/7-10/11 that would be much appreciated.

Thanks and have a great weekend!

**ALYSON GAHARAN, MBA**  
CONSULTANT

---

**EMERGENT METHOD**  
200 Laurel Street, Suite 200  
Baton Rouge, LA 70801  
O: [REDACTED] | M: [REDACTED]

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from all computers.

**This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from all computers.**



**From:** [redacted]@hacumber.com 

**Subject:** Friday TU meeting

**Date:** October 1, 2019 at 9:54 AM

**To:** Jody Brooks [redacted]

Mike Weinstein [redacted]

**Cc:** Erin Isaac [redacted]

---



L

Mail Attachment

**From:** [REDACTED]@nacumber.com  
**Subject:** RE: Project Panther - Update & Next Steps  
**Date:** October 1, 2019 at 9:54 AM  
**To:** Allison Korman Shelton [REDACTED] Jeff Yuknis [REDACTED]  
**Cc:** mikesb [REDACTED] chris.hagan [REDACTED] Jim Gilmore jim.gilmore [REDACTED] Erin Issac [REDACTED]

Everyone 100% focused on proposal writing right now and then will pull team together on next steps

**From:** Allison Korman Shelton [REDACTED]  
**Sent:** Tuesday, October 1, 2019 9:37 AM  
**To:** Jeff Yuknis [REDACTED]@nacumber.com  
**Cc:** mikesb [REDACTED] chris.hagan [REDACTED] Jim Gilmore [REDACTED] Erin Issac [REDACTED]  
**Subject:** Fwd: Project Panther - Update & Next Steps

Not sure if you received my email below so I resent it and thanks in advance!

Congratulations on securing an energy partner! Are they bringing lobbyists to the table and if so, whom are they and how are we incorporating them as you are already aware, we will need to be on the same page and have one voice with the same message?

Thank you,

Ali

Allison Korman Shelton  
JACE Advisors LLC  
[REDACTED]

Begin forwarded message:

**From:** Alyson Gaharan [REDACTED]  
**Date:** September 27, 2019 at 6:07:30 PM EDT  
**To:** Husein Cumber [REDACTED] "Cumber, Husein"  
[REDACTED] James Gilmore  
[REDACTED] Allison Korman Shelton  
[REDACTED] Patrick Hallahan  
[REDACTED] Mike Weinstein  
<nikesb [REDACTED]> "jim.gilmore [REDACTED]"  
[REDACTED] Chris Hagan  
[REDACTED] Erin Isaac [REDACTED]  
<iodylanebrooks [REDACTED]> "iodylanebrooks [REDACTED]" Lucie Kantrow  
[REDACTED] Julius Bedford  
[REDACTED] Foster Duncan  
[REDACTED] "Albertson, Gary"  
[REDACTED] "cch [REDACTED]"  
**Cc:** Jeff Yuknis [REDACTED] Jenny Kurz [REDACTED]  
[REDACTED] Dillon Mathies [REDACTED]  
[REDACTED] Nick Speyrer [REDACTED]



---

**Subject: Project Panther - Update & Next Steps**

Team, thank you for all your support these past few weeks as we work toward a final draft of the ITN reply. Your input and feedback has been tremendously helpful, and we look forward to sharing a full version for everyone's review early next week that includes information from both our water partner (SUEZ) and our energy partner (TECO), as well as ENGIE, UBS, and Jeffries. Please plan to build some time into your calendars for a comprehensive review – we anticipate that we will be sending this to you in the Monday-Tuesday timeframe – so that we can incorporate any revisions as soon as possible before conducting a final review and sending to print by end of day on Friday.

In the meantime, please feel welcome to reach out if you have any questions. As an administrative note, we will be cancelling all morning calls next week and our ground team meeting on Friday so we can devote our full attention to wrapping up proposal efforts. We will likely be regrouping during the week of October 7 to discuss our plans moving forward, so if you would please let me know about your availability 10/7-10/11 that would be much appreciated.

Thanks and have a great weekend!

**ALYSON GAHARAN, MBA**  
CONSULTANT

---

**EMERGENT METHOD**  
200 Laurel Street, Suite 200  
Baton Rouge, LA 70801  
O: [REDACTED] M: [REDACTED]

**From:** [REDACTED]@hacumber.com  
**Subject:** RE: 11:30 am Wednesday  
**Date:** October 1, 2019 at 10:03 AM  
**To:** Jody Brooks [REDACTED] Mike Weinstein [REDACTED]  
**Cc:** Erin Isaac [REDACTED]



I by mistake sent out for 10:00 a.m. today and then moved to 11:30 a.m. tomorrow...call is tomorrow only

**From:** Jody Brooks [REDACTED]  
**Sent:** Tuesday, October 1, 2019 9:37 AM  
**To:** Mike Weinstein [REDACTED]  
**Cc:** Erin Isaac [REDACTED] Husein Cumber [REDACTED]  
**Subject:** Re: 11:30 am Wednesday

I can be on a call tomorrow at 11:30. Will there be a call-in number set up?

Thanks.

Jody

On Tue, Oct 1, 2019 at 7:49 AM Mike Weinstein [REDACTED] wrote:

Yes

Sent from my iPhone

> On Oct 1, 2019, at 7:14 AM, Erin Isaac [REDACTED] wrote:

>

> Yes

>

>> On Oct 1, 2019, at 7:09 AM, Husein Cumber [REDACTED] wrote:

>>

>> Are you three free tomorrow at 11:30 am to do a prep call for the Friday lunch with Bauerlein?

>>

>



**From:** Husein Cumber [REDACTED]  
**Subject:** Re: To discuss...we should bring this timeline up with David Bauerlein. Please make sure we don't forget.  
**Date:** October 3, 2019 at 11:27 PM  
**To:** Erin Isaac [REDACTED]  
**Cc:** Mike Weinstein [REDACTED]



Thank you

On Oct 3, 2019, at 7:55 PM, Erin Isaac [REDACTED] wrote:

<PastedGraphic-3.tiff>

On Oct 3, 2019, at 10:58 AM, [REDACTED]@acumber.com wrote:

Can you send this in a PDF?

**From:** Erin Isaac [REDACTED]  
**Sent:** Thursday, October 3, 2019 10:20 AM  
**To:** [REDACTED]@acumber.com  
**Cc:** Mike Weinstein [REDACTED]  
**Subject:** Re: To discuss...we should bring this timeline up with David Bauerlein.  
Please make sure we don't forget.

**From:** [REDACTED]@nacumber.com  
**Subject:** RE: Emera feedback on our ITN  
**Date:** October 4, 2019 at 2:40 PM  
**To:** Jeff Yuknis [REDACTED] Patrick Hallahan [REDACTED] Erin Isaac [REDACTED]  
**Cc:** Alyson Gaharan [REDACTED]



Super

**From:** Jeff Yuknis [REDACTED]  
**Sent:** Friday, October 4, 2019 1:33 PM  
**To:** Patrick Hallahan [REDACTED] Husein Cumber [REDACTED]  
[REDACTED] Erin Isaac [REDACTED]  
**Cc:** Alyson Gaharan [REDACTED]  
**Subject:** Emera feedback on our ITN

Noting to you three that Emera worked very politely with us today to edit aspects of our Reply that positioned an Investor Owned Utility as a “negative”. Notably they worked with us to strengthen how we describe the Concession model on its own merits.

Alyson can provide details of edits, all of which I approve of. None of our high level summary charts were materially changed.

Jeff

Get [Outlook for iOS](#)

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from all computers.





Hussein >

Oct 6, 2019 at 12:28 PM

Working through messaging plan and an FAQ... if appropriate, can you please send me the final proposal?

Just sent. There was a change to cover page so delete what I sent you when you get final version.

Will do. Thank you!

**From:** [REDACTED]@nacumber.com  
**Subject:** RE: ITN Reply  
**Date:** October 6, 2019 at 1:24 PM  
**To:** Erin Isaac [REDACTED]

It came out really good. FYI—Alyson will deliver tomorrow morning at 8 a.m. If she is ambushed by the media, she is just going to say that she was hired to deliver a package and doesn't know anything more than that. She is going to dress like a college student.

**From:** Erin Isaac [REDACTED]  
**Sent:** Sunday, October 6, 2019 12:59 PM  
**To:** [REDACTED]@nacumber.com  
**Subject:** Re: ITN Reply

Thank you! This is really helpful.

On Oct 6, 2019, at 12:58 PM, [REDACTED]@nacumber.com >  
[REDACTED]@nacumber.com > wrote:

This was the almost final version. They changed who signed the cover letter so don't tell anyone you have this version. Final version should be sent around tonight.

<JEA Public Power Partners\_ITN Reply\_127-19.pdf>



Oct 7, 2019 at 10:26 AM



Woohoo!!!

I'm with Bauerline at noon with Waltz... he said he has to be to the bid opening at 2:00.

Interesting

Yuknis called in between. Give

iMessage

📷 🗨️ 🔊 📱 🎧 📞 📧 📍



Hussein >

Yuknis called in between. Give me 5 minutes.

Left him vm



Oct 7, 2019 at 2:10 PM

You me Patrick at 2 pm.  
Larger group at 3 pm.





**From:** Alyson Gaharan [REDACTED] 

**Subject:** Next Steps Meeting

**Date:** October 7, 2019 at 2:32 PM

**To:** Husein Cumber [REDACTED]

Mike Weinstein [REDACTED]

James Gilmore [REDACTED]

chris.hagan [REDACTED]

Jody Brooks [REDACTED]

Allison Korman Shelton [REDACTED]

ali korman [REDACTED]

Erin Isaac [REDACTED]

Patrick Hallahan [REDACTED]



L

**Mail Attachment**

**From:** [REDACTED]@acumber.com  
**Subject:** FW: Friday 10/8  
**Date:** October 8, 2019 at 7:48 PM  
**To:** Erin Isaac [REDACTED]

Alyson Gaharan [REDACTED]

Flight times for Jeff. So 9:30 a.m. works. Last meeting should be 3:00 p.m. to 4:00 p.m.

**From:** Jeff Yuknis [REDACTED]  
**Sent:** Tuesday, October 8, 2019 7:29 PM  
**To:** Husein Cumber [REDACTED]  
**Subject:** Fwd: Friday 10/8

I'll book to land Jax 850a and depart 525p Friday.

Jeff

Get [Outlook for iOS](#)

---

**From:** Rebecca Robinson [REDACTED]  
**Sent:** Tuesday, October 8, 2019 7:25 PM  
**To:** Jeff Yuknis  
**Subject:** Re: Friday 10/8

CLT to JAX  
American  
7:25am arrive 8:50am  
9:45am arrive 11:17am

JAX to MDW  
5:25pm arrive 6:55pm

Rebecca Robinson

On Oct 8, 2019, at 5:57 PM, Jeff Yuknis [REDACTED]  
wrote:

Now need to go CLT - JAX - Chicago on Friday. Can you please let me know the direct flight options. Need to be in JAX by mid morning and would like to leave for Chicago on a direct flight in the late afternoon.




Jeff

Get [Outlook for iOS](#)

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from all computers.

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from all computers.

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from all computers.

**From:** Alyson Gaharan [REDACTED]   
**Subject:** Discuss 10/11 Jax briefing outline  
**Date:** October 8, 2019 at 10:31 PM  
**To:** Jeff Yuknis [REDACTED] Patrick Bernhard [REDACTED] Erin Isaac [REDACTED]  
Husein Cumber [REDACTED]



Jeff, ahead of our call tomorrow morning, below is our anticipated outline of the briefing materials:

- **Schedule (in progress)**
- **Bios/background of stakeholders you'll be meeting with**
- **For media stakeholders, clips of recent JEA-related articles (will send as others come out between tomorrow and Friday AM)**
- **Key messaging (Alyson developing from executive summary)**
- **Anticipated questions from each stakeholder, as well as prepared talking points for each**
  - **Questions have been requested from appropriate ground team members (calls planned for tomorrow AM to drill down specifics)**
  - **Erin to develop questions for media stakeholders**
  - **Answers to be prepared by Alyson and Erin**

\*Note that Erin has meeting scheduled for 10AM EST tomorrow with David Bauerline regarding initial story about a concession structure. Conversations on Friday are intended to potentially inform a follow up story on the concession concept.

  
Mail Attachment



**From:** [REDACTED]@hacumber.com  
**Subject:** RE: You can leverage this with Bauerlein...couldn't have it better said...  
**Date:** October 8, 2019 at 11:43 PM  
**To:** Erin Isaac [REDACTED]

City Council member Ron Salem said the council needs outside experts to give a “fine-toothed comb” analysis of the package JEA used to invite offers, and how JEA staff will make a recommendation to the board after completing negotiations.

Salem said “there may be a proposal in those 16 [replies] that may not be the best financial deal, but may be a financial partnership that allows us to maintain ownership.”

**From:** [REDACTED]@hacumber.com>  
**Sent:** Tuesday, October 8, 2019 11:41 PM  
**To:** Erin Isaac [REDACTED]  
**Subject:** You can leverage this with Bauerlein...couldn't have it better said...

City Council member Reggie Gaffney said if a business is having problems, the first place to look for a solution is to get the “right management team in there.” He said in the case of JEA, the best approach might be to keep city ownership and have a “long-term management group work with us.”

“I think we need to start there first,” he said. “I think the last step we need to take is to sell it.”

<https://www.jacksonville.com/news/20191008/jacksonville-city-council-will-examine-case-for-jea-sale>

**From:** Alyson Gaharan [REDACTED]   
**Subject:** Concession Structure Messaging



**Date:** October 9, 2019 at 8:26 AM

**To:** Mike Weinstein [REDACTED] James Gilmore [REDACTED] chris.hagan [REDACTED]  
Jody Brooks [REDACTED] Allison Korman Shelton [REDACTED] ali korman [REDACTED]

**Cc:** Erin Isaac [REDACTED] Patrick Hallahan [REDACTED] Husein Cumber [REDACTED]  
Nick Speyrer [REDACTED] Jeff Yuknis [REDACTED] Patrick Bernhard [REDACTED]  
Jenny Kurz [REDACTED]

All – As a follow up to our meeting yesterday, please find attached our key messages for use in your conversations about a concession structure over the next few days. Please let me know if you have any questions.

**ALYSON GAHARAN, MBA**  
CONSULTANT

---

**EMERGENT METHOD**  
200 Laurel Street, Suite 200  
Baton Rouge, LA 70801  
O: [REDACTED] | M: [REDACTED]



Concession  
Structu...9.docx





Hussein >

Oct 9, 2019 at 10:27 AM

I'm in your conference room.  
Got a sec?

Bauerline asking me to  
confirm whether our bid was  
booted. JEA has confirmed  
someone was.





privileged, confidential and exempt from disclosure under applicable law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from all computers.



Building Community®

Procurement Department Bid Section  
Customer Center 1<sup>st</sup> Floor, Room 002



Hussein >

Oct 11, 2019 at 5:44 PM

**If we are selected on Monday...the name released will be....JEA Public Power Partners: A Consortium of Bernhard Capital Partners, Emera and Suez. All parties signed off.**





**From:** Patrick Hallahan [REDACTED]  
**Subject:** Re: Hurdle 1 passed!  
**Date:** October 14, 2019 at 4:30 PM  
**To:** Cumber, Husein [REDACTED]  
**Cc:** Erin Isaac [REDACTED]



Ah yes - 8 total

On Mon, Oct 14, 2019 at 4:30 PM Cumber, Husein [REDACTED] wrote:  
Plus one unnamed right?

On Oct 14, 2019, at 4:19 PM, Patrick Hallahan [REDACTED] wrote:

7 left standing

Sent from my iPhone

On Oct 14, 2019, at 4:15 PM, Cumber, Husein [REDACTED] wrote:

CONFIDENTIALITY NOTE: The information contained in this transmission is privileged and confidential information intended only for the use of the individual or entity named above. No addressee should forward, print, copy, or otherwise reproduce this message in any manner that would allow it to be viewed by any individual not originally listed as a recipient. If the reader of this message is not the intended recipient, you are hereby notified that any unauthorized disclosure, dissemination, distribution, copying of this transmission or the taking of any action in reliance on the information herein is strictly prohibited. If you have received this transmission in error, please immediately reply to sender that you have received this communication in error and then delete it. Thank you.

CONFIDENTIALITY NOTE: The information contained in this transmission is privileged and confidential information intended only for the use of the individual or entity named above. No addressee should forward, print, copy, or otherwise reproduce this message in any manner that would allow it to be viewed by any individual not originally listed as a recipient. If the reader of this message is not the intended recipient, you are hereby notified that any unauthorized disclosure, dissemination, distribution, copying of this transmission or the taking of any action in reliance on the information herein is strictly prohibited. If you have received this transmission in error, please immediately reply to sender that you have received this communication in error and then delete it. Thank you.

**From:** Husein Cumber [REDACTED]


**Subject:** Great job ground team

**Date:** October 14, 2019 at 4:34 PM

**To:** Mike Weinstein [REDACTED] Chris Hagan [REDACTED] Jody Brooks [REDACTED]  
Erin Issac [REDACTED] Ali Shelton [REDACTED] Jim Gilmore [REDACTED]





**From:** Alyson Gaharan [REDACTED]   
**Subject:** Fwd: JEA ITN 127-19 Notice of Intent to Negotiate  
**Date:** October 14, 2019 at 5:44 PM  
**To:** Jeff Yuknis [REDACTED]



[REDACTED] Patrick Bernhard [REDACTED] Jeff Baudier  
[REDACTED] Erin Isaac [REDACTED] Mike Weinstein [REDACTED]  
crris.nagan [REDACTED] James Gilmore [REDACTED] Patrick Hallahan  
[REDACTED] ali korman [REDACTED] Jody Brooks [REDACTED]  
Husein Cumber [REDACTED] Nick Speyrer [REDACTED] Jenny Kurz  
[REDACTED]

**ALYSON GAHARAN, MBA  
CONSULTANT**

**EMERGENT METHOD**

O: [REDACTED] | M: [REDACTED]

Begin forwarded message:

**From:** "McCollum, Jenny G. - Dir Procurement Services" [REDACTED]  
**Date:** October 14, 2019 at 5:37:26 PM EDT  
**To:** Strategic Alternative [REDACTED]  
**Subject:** JEA ITN 127-19 Notice of Intent to Negotiate

**JEA ITN 127-19 Notice of Intent to Negotiate**


- Notice of Intent to Negotiate pdf

The notice of intent to negotiate can be viewed on our website at:  
<https://www.jea.com/strategicalternatives/>

***\*\*\*Attached is a copy of the document for your review. The website will be updated with the document within 24 hours \*\*\****

Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. Any email sent to or from JEA's system may be considered a public record and subject to disclosure under Florida's Public Records Laws. Any information deemed confidential and exempt from Florida's Public Records Laws should be clearly marked. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact JEA by phone or in writing.



**From:** hcumber [REDACTED]   
**Subject:** Thoughts.  
**Date:** October 19, 2019 at 9:11 PM  
**To:** Erin Isaac [REDACTED]



## **Jacksonville City Council on Tuesday May Approve \$1.8 million for Legal Counsel to help with JEA Transaction**

The Jacksonville City Council will vote Tuesday on whether to set aside \$1.8 million to hire an outside attorney to provide guidance as the city continues to move forward in a potential privatization of JEA.

The decision to hire an independent lawyer comes as a group of council members work to begin examining JEA's ongoing consideration of privatizing the city-owned utility. Concerns remain that the process has been conducted almost entirely behind closed doors and without input from the council.

"This is a very large transaction. JEA has obviously been working on it for a while. I envision our attorney will guide us on what questions to ask and prepare us," said council President Scott Wilson, according to the Florida Times Union. "The idea is to have someone help us dig in, help us understand how we got to this point."

An attorney herself, Council Member Rory Diamond has expressed his concerns as well.

"This is an incredibly technical and complicated transaction, and in order for us to do our duty as public servants, we need to be well informed," Diamond said, as reported by the Florida Times Union. "That being said, this should not be used as a weapon against our own Office of General Counsel. The purpose is [for the attorney] to neutrally serve every member of the council."

The Council isn't exactly short on legal experts: LeAnna Cumber, Randy DeFoor, Rory Diamond and Brenda Priestly Jackson are all attorneys.

Cumber, graduated from the University of Southern California Gould School of Law in 2001 and is currently admitted to the bar in California and Washington, D.C.

Councilmember Randy DeFoor, arguably one of the most vocal anti-JEA sale voices and the first to express the need for outside counsel, is Senior Vice President and National Agency Counsel for Fidelity National Financial (FNF). As of a couple days the Florida Bar website stated DeFoor was "not eligible to practice law in Florida" for unknown reasons (see attached). Whether FNF was aware that DeFoor was practicing law during that time period is also unknown.

Diamond earned his JD from the University of San Diego School of Law, graduating cum laude, and completed his B.A. in Political Science from the University of Michigan, Ann Arbor.

As an attorney, Priestly Jackson specializes in family law, constitutional law and civil rights, education, and serves as a legal consultant to school districts, foundations, and colleges and universities. She is currently a member of the Florida Bar, Delta Sigma

Theta Sorority, Inc., the D.W. Perkins Bar Association, UNF-DEAC and Historic Mr. Zion AMEC.

It remains unclear whether the move to set aside the money for an attorney has the support to succeed in a Tuesday vote. But with at least four lawyers on the council, expect it to be a spirited debate, especially with \$1.8 million on the line.

 [floridabar.org](https://floridabar.org)

## MEMBER PROFILE

# Randle Poitevent DeFoor

---

Delinquent

**Not Eligible to Practice Law in Florida**

Bar Number:

847453

Mail Address:



601 Riverside Ave  
Jacksonville, FL 32204-2901  
United States

Office: [REDACTED]

Cell: [REDACTED] No Text  
Messages

Fax: [REDACTED]

**Email:**

[REDACTED] 



Hussein >

Oct 19, 2019 at 1:29 PM

Any luck with Peter?

Incremental. Trying to have it come out Tuesday before council meeting.



Oct 19, 2019 at 2:55 PM

Just sent an opening volley. Send or call me with your notes

Do you have a screenshot of randy on that site?

**Randle Poitevent  
DeFoor**

---

Delinquent

Not Eligible to Practice Law in Florida

**From:** Cumber, Husein [REDACTED]  
**Subject:** Fwd: How does this read  
**Date:** October 20, 2019 at 2:07 PM  
**To:** Erin Issac [REDACTED]



Begin forwarded message:

**From:** Peter Schorsch [REDACTED]  
**Date:** October 20, 2019 at 2:01:20 PM EDT  
**To:** "Cumber, Husein" [REDACTED]  
**Subject:** How does this read

On Tuesday, the Jacksonville City Council could decide whether to set aside \$1.8 million to hire an outside attorney to guide the city as it continues to move forward with the potential privatization of JEA.

The sheer complexity of such a deal does not just raise concerns, but also the need for expert outside counsel.

#### MEMBER PROFILE

### Randle Poitevent DeFoor

**Profession**  
Not Eligible to Practice Law in Florida

**Bar Number**  
44743

**Mail Address**  
2000 Riverside Ave  
Jacksonville, FL 32209  
United States

**City** [REDACTED]  
**State** [REDACTED] **Zip Code** [REDACTED]  
**Messages**  
**Phone** [REDACTED]

**E-mail**  
[REDACTED]

Interestingly, one of the first Council members calling for an outside counsel — Randy DeFoor, who has come out strongly against the JEA sale — herself is “not eligible to practice law” in the state, according to The Florida Bar. A reason for the suspension is not apparent, but DeFoor’s status is current (at least as of a few days ago).

“At this time, no one seems to know the value of the JEA,” DeFoor told Action News Jax in January. “In the business sector, any conversation concerning a sale is a non-starter if you don’t understand your worth. All my decisions will be based on what is best and right for Jacksonville.”

DeFoor has also floated the idea of public testimony from the key players in a potential deal, but others have pushed back on that idea.

“I’m a little concerned that that’ll scare people away from even showing up to the meetings,” said City Council President Scott Wilson. “I would prefer to allow them to answer questions in the workshop fashion.”

The decision to hire an independent lawyer comes as a group of council members seek to start examining JEA’s ongoing consideration of privatizing the city-owned utility. Concerns remain that the process has been conducted almost entirely behind closed doors and without input from the council.

“This is a very large transaction. JEA has obviously been working on it for a while. I envision our attorney will guide us on what questions to ask and prepare us,” said Wilson, according to the Florida Times-Union. “The idea is to have someone help us dig in, help us understand how we got to this point.”

Last week, eight Council members met with JEA so that various members of the council could become better versed in the utilities’ financial standing, which resulted in a more conciliatory tone over the deal.

Nevertheless, Council Member Rory Diamond is also expressing concerns.

“This is an incredibly technical and complicated transaction, and in order for us to do our duty as public servants, we need to be well-informed,”



Diamond said, as reported by the Florida Times-Union. "That being said, this should not be used as a weapon against our own Office of General Counsel. The purpose is [for the attorney] to neutrally serve every member of the council."

The Council isn't exactly short on legal experts: DeFoor, LeAnna Cumber, Diamond and Brenda Priestly Jackson. Each is — or have been — an attorney (DeFoor's status notwithstanding).

Cumber, graduated from the University of Southern California Gould School of Law in 2001 and is currently admitted to the bar in California and Washington, D.C.

DeFoor, arguably one of the most vocal anti-JEA sale voices, is Senior Vice President and National Agency Counsel for Fidelity National Financial (FNF). Whether FNF was aware that DeFoor was practicing law during the time of her suspension is also unknown.

As for the JEA sale, DeFoor called selling the water side of JEA would make Jacksonville "look like the biggest fools ever," particularly if the water supply value skyrockets.

Diamond earned his JD from the University of San Diego School of Law, graduating cum laude and completed his B.A. in Political Science from the University of Michigan, Ann Arbor.

As an attorney, Priestly Jackson specializes in family law, constitutional law and civil rights, education, and serves as a legal consultant to school districts, foundations, and colleges and universities. She is currently a member of The Florida Bar, Delta Sigma Theta Sorority, Inc., the D.W. Perkins Bar Association, UNF-DEAC and Historic Mr. Zion AMEC.

It remains unclear whether the move to set aside the money for an attorney has the support to succeed Tuesday's vote. But with at least three active lawyers on the Council, it will be a spirited debate either way, especially with \$1.8 million on the line.

--

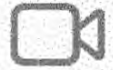
Peter Schorsch  
Extensive Enterprises  
[REDACTED]

Follow me on Twitter @PeterSchorschFL

CONFIDENTIALITY NOTE: The information contained in this transmission is privileged and confidential information intended only for the use of the individual or entity named above. No addressee should forward, print, copy, or otherwise reproduce this message in any manner that would allow it to be viewed by any individual not originally listed as a recipient. If the reader of this message is not the intended recipient, you are hereby notified that any unauthorized disclosure, dissemination, distribution, copying of this transmission or the taking of any action in reliance on the information herein is strictly prohibited. If you have received this transmission in error, please immediately reply to sender that you have received this communication in error and then delete it. Thank you.



Hussein >



Oct 20, 2019 at 2:18 PM

Ask other when he's posting

Peter

He'll post today

BTW, not knowing we're working together, he came back to me asking for money if he "could get the story done for me anyway"

:)

< 30

HC



Hussein >

Oct 21, 2019 at 7:04 AM



**Randy DeFoor calls for  
outside counsel in JEA deal,  
but a question surfaces about  
her eligibility to practice law**

[floridapolitics.com](http://floridapolitics.com)

Ouch

Oct 21, 2019 at 2:52 PM

**Anybody speaking about  
DeFoor article?**



**From:** hcumber [REDACTED]  
**Subject:** RE: Opening volley on a FAQ...  
**Date:** October 21, 2019 at 3:49 PM  
**To:** Erin Isaac [REDACTED]

We will as soon as the NDA is signed and we know the rules

**From:** Erin Isaac [REDACTED]  
**Sent:** Sunday, October 20, 2019 10:53 AM  
**To:** Husein Cumber [REDACTED]  
**Subject:** Fwd: Opening volley on a FAQ...

Revisiting this... is it something we want to prepare?

Begin forwarded message:

**From:** Erin Isaac [REDACTED]  
**Subject:** Opening volley on a FAQ...  
**Date:** October 6, 2019 at 12:04:03 PM EDT  
**To:** Alyson Gaharan [REDACTED]

Below are my initial thoughts on a FAQ. I think we need to keep it between 10-12 and make the comparison to a sale a priority in our answers as often as it makes sense. Many of these are direct questions asked by the reporter we met with Friday. I also think Alli's input would be great on this one, as she has a natural cynicism that will help us fill in as needed.

Has there been any thought to creating a website that could house everything we are creating?

## **FAQ**

**Q: Under a concession model, how does the concessionaire make money?**

**Q: What recourse does the City of Jacksonville have if the concessionaire fails to meet the specified requirements of the contract with the City of Jacksonville?**

**Q: Under the concession model, what is the timeline for the City of Jacksonville to receive an upfront payment?**

**Q: How does the concession model differ from selling JEA?**

**Q: Do JEA employees remain City of Jacksonville employees with city benefits under a concession model?**

**Q: As a publicly owned utility, JEA is eligible for post-disaster FEMA reimbursement. How does that change under a concession model?**

**Q: If the City of Jacksonville does not sell JEA, why would they consider a concession agreement?**

**Q: What the incentive for a concessionaire to innovate and improve JEA?**

**Q: What happens to JEA's assets under a concession model?**

**Q: Does the City of Jacksonville continue to receive an annual contribution under the concession model?**

Oct 24, 2019 at 9:10 PM

jea.com



Sign In



OUTAGE INFORMATION

Outage Reported:

Oct 24 2019, 9:04 PM

Customers Affected: 3,671

Estimated Restoration:

Oct 24 2019, 10:34 PM

Cause: Assessment underway

Comments:

An outage has been reported for this area. Additional information will be provided when available. We apologize for this inconvenience.

Incident Id: 2005732965



Magnify/Zoom



Report An Outage



WTH, JEA? Not a cloud in the sky and the power's put at me house.

Do you think they're trying to send us a message?

Death spiral 🤔



I feel like Aaron Zahn is personally attacking me. I'm calling the TU.

Randy DeFoor has become Anna Part 2

Did you hear they had lunch together?

Are there pics?

City Council member Randy DeFoor has said the council should swear in those who speak to council at the workshops.

"Put me under oath," DeFoor said at a meeting of council members last week. "There should be no issue. They should have no problem being put under oath."

Zahn said Tuesday that "seems like a silly suggestion.



The implication of that is that I'm not actually telling the truth. We continue to provide facts."

Not sure if there are

But I think the Ortega crowd is positioning her to run for Mayor and she's started to tell people Lenny is a bully, etc. All the same talkers Anna used.

I think Lenny is the one that told "my" LC about the lunch

I would assume TB knows then.

Yes

Good luck with that.

Will be fun when her mug shot comes out...or whatever embarrassing photo they have on her. She had some



Hussein >

have on her. She had some issue in her past.

If it exists, they have it.

They do for sure. Sunny even had it but refused to use it.



**From:** Peter Schorsch [REDACTED]  
**Subject:** Public Information Request  
**Date:** November 5, 2019 at 12:26 PM  
**To:** CLBrown@coj.net  
**Bcc:** erinisaac1 [REDACTED]



Dear City Council Secretary :

Pursuant to Article I, section 24 of the Florida Constitution, and chapter 119, F.S., I am requesting an opportunity to inspect or obtain copies of public records, namely, the 5 proposals and emails related to city council obtaining outside counsel for legal advice related to a possible sale of JEA.

Should you deny my request, or any part of the request, please state in writing the basis for the denial, including the exact statutory citation authorizing the denial as required by s. 119.07(1)(d), F.S.

I will contact your office within 48 hours to discuss when I may expect fulfillment of my request, and payment of any statutorily prescribed fees. If you have any questions in the interim, you may contact me by replying to this email.

Thank you,


**Peter Schorsch**

**Extensive Enterprises Media**

--

Peter Schorsch  
Extensive Enterprises  
[REDACTED]

Follow me on Twitter @PeterSchorschFL

**From:** James Gilmore [REDACTED]   
**Subject:** FW: JEA Fact Finding Workshop - Nov 6  
**Date:** November 12, 2019 at 9:05 AM  
**To:** Jeff Yuknis [REDACTED] Erin Isaac [REDACTED] Mike Weinstein  
**Cc:** Chris Hagan [REDACTED] ali korman [REDACTED] Husein Cumber [REDACTED]



From Today.

J.

**From:** Taylor Mejia [REDACTED]  
**Sent:** Wednesday, November 6, 2019 5:52 PM  
**To:** James Gilmore [REDACTED] Chris Hagan [REDACTED]  
**Subject:** JEA Fact Finding Workshop - Nov 6

Meeting notes from JEA Fact Finding Workshop – Session 1

All Council members were in attendance except CM Morgan. Mr. Harden, Mr. Diebenow, Mr. Delaney, Mr. Quinn as well as representatives from Southern Strategies and the Jax Chamber were in attendance.

Meeting handouts attached as well as JCC email attachments.

Meeting notes:

- Judge Arnold and Jason Gabriel, General Counsel, attended the meeting as SME's (Subject Matter Experts).
- Judge Arnold gave a brief presentation on the history of consolidation of Duval County. He also explained that it is appropriate for City Council to hire outside counsel when either OGC lacks specific expertise on an the issue or when their may be a conflict of interest (he gave the example of the Police and Fire pension fund issue in 1987).
- Jason Gabriel outlined the process thus far for the City Council to hire outside counsel. A "working group" including Jason Gabriel, Carla Miller, and CP Wilson was brought together to review potential attorney's. CP Wilson should have a recommendation this week and he intends to introduce emergency cycle legislation for the City Council to hire outside counsel.
- Jason Gabriel explained that OGC is the final arbitrator in disputes between different branches of COJ.
- JEA was able to hire their own counsel because OGC stated that they lacked the specific expertise to aid in the process. CM Priestly- Jackson stated that if OGC doesn't have expertise to represent JEA, then they also don't have the expertise to represent the City Council.
- The Florida Constitution, the Charter, and the City Ordinances are the documents that govern the City Council and Independent agencies. Jason Gabriel stated that there are potentially many ways the Mayor, City Council, and/or JEA could initiate the sale of the utility.
- Article 21 of the City Charter establishes JEA and it's powers. The Charter allows for the City Council to change any part of Article 21 relating to JEA by a 2/3 vote of

Council. OGC interprets Article 21.04 as allowing JEA to sell or lease more than 10% of the utility with an approving vote of Council and a referendum. CM DeFoor stated that she disagrees with Jason Gabriel's interpretation of 21.04 and that she believes JEA is required to obtain the approval of City Council before initiating a sale or lease process.

- CM Priestly-Jackson stated that she believed the procurement process is only for acquiring and not for selling, therefore JEA shouldn't be able to initiate a sale through their procurement process.
- Jeanne Miller of the Jacksonville Civic Council sent an email prior to the workshop detailing the Civic Council's understanding of and recommendations for the JEA process moving forward. The attachments of her email are included in this email.
- Jeanne Miller stated that JEA asked the JCC to endorse JEA's McKinsey report. JCC asked for detailed JEA financial information as well as details on how McKinsey made assumptions for revenue projections but JEA and McKinsey never shared these details.
- The JCC recommends that JEA be allowed to continue their evaluation and procurement process but that the City Council take control of the overall process from there. Jeanne Miller stated that if the overall goal of the utility sale is to raise funds for the City, then the Council needs to determine why those funds are needed and what they would be used for.
- CM Bowman asked if an appraisal of JEA needed to be done in this process, Jeanne Miller explained that with the sale of any asset it is part of the due diligence to have an appraisal.
- JCC recommended bringing in Mr. Hartman and Mr. Cloud as SME's in the City Council's process.

**Gilmore Hagan Partners**

800 West Monroe Street | Jacksonville, FL 32202

p: [REDACTED] c: [REDACTED]



JEA Fact  
Finding...v 6.pdf



ZIP

FW\_\_Jacksonvill  
e\_Civic...019.zip





Dec 12, 2019 at 6:51 PM

**You up to speed?**

**On?**

**JEA**

**All the stuff that happened tonight?**

**No, not yet.**

**We are where we want to be.  
Call anytime before midnight  
my time if you want a  
Download.**

**Oh...and Kelly Flanagan asked  
to meet tomorrow morning**

**All good!**

**From:** hcumber [REDACTED]  
**Subject:** On the record  
**Date:** December 16, 2019 at 4:21 PM  
**To:** Erin Isaac [REDACTED]



**"I urge all the board members, particularly the ones that were part of the Board in December 2018, to support terminating Aaron Zahn at tomorrow's meeting. Based on the information that has come out over the past few months the termination should be "with cause". No NDA should be executed between JEA and Aaron Zahn that silences the truth of what has taken place this past year. The community demands answers. As the individual who made the motion to ensure that no discussions regarding privatization would take place without Board action first, I am appalled and disappointed that this direction by the Board was ignored by the CEO, and that it has taken this long for the Board to hold him accountable. Lastly, terminating Aaron should not relieve the actions of individuals Board members, specifically those who served on the Compensation Committee when the Performance Unit Plan was discussed, approved and recommended to the full Board."**

# Exhibit

“C”





**OFFICE OF THE CITY COUNCIL**

**LEANNA M.G. CUMBER**  
COUNCIL MEMBER, DISTRICT 5  
OFFICE: (904) 255-5205  
FAX: (904) 255-5230  
E-MAIL: LCUMBER@COJ.NET

117 WEST DUVAL STREET, SUITE 425  
4TH FLOOR, CITY HALL  
JACKSONVILLE, FLORIDA 32202

March 02, 2021

**JEA Disclosure Statement**

I have no conflicts regarding JEA and the ITN. I had no discussions with Mr. Zahn or Mayor Curry regarding privatization. I did meet in my City Hall office with JEA Management, JEA Government Affairs, and Jordan Elsbury on the following dates to discuss generally the potential for change of control or reorganization of JEA:

August 7, 2019; October 21, 2019; November 22, 2019; and December 4, 2019.

I had a meeting with the JEA union representatives to discuss pension legislation on September 23, 2019.

I had a phone call on December 9, 2019 with Mr. Steve Busey regarding the Council vote to approve his contract.

Exhibit

“D”



**Terrance Freeman**  
City Council President  
At-Large, Group 1  
E-Mail: [TFreeman@coj.net](mailto:TFreeman@coj.net)

117 West Duval Street  
City Hall, Suite 425  
Jacksonville, Florida 32202  
Office (904) 255-5215

## **OFFICE OF THE CITY COUNCIL**

February 2, 2023  
2:15 P.M.

### **MEMORANDUM**

**TO:** Honorable City Council Members

**FROM:** The Honorable Council President Terrance Freeman

**SUBJECT:** Council Members Named for Special Investigatory Committee on JEA Matters

---

In response to multiple Council members' requests, the Council will reopen the Special Investigatory Committee on JEA Matters. The potential sale of the JEA through the invitation to Negotiate (ITN) process and the alleged attempt to profit off that sale by a certain JEA executive has embroiled our community in scandal for the last five years. In an effort to ascertain the truth about the ITN process and to restore the public's confidence in our city government, then Council-President Scott Wilson announced the Special Investigatory Committee on JEA Matters (SIC). On February 4, 2019, then-President Wilson created the SIC and charged the members with restoring the public trust in JEA.

The SIC began work immediately and interviewed dozens of witnesses under oath and reviewed millions of documents. Notably, for the first time in the history of consolidated Jacksonville, the SIC issued a series of subpoenas that were affirmed by the Council Rules Committee. Those subpoenas were issued to private individuals and to all the ITN bidders. One of those bidders, JEA Public Power Partners responded to the SIC subpoena and stated that it considered hiring the husband of Jacksonville City Council Member Leanna Cumber but did not due to an actual or perceived conflict of interest. Correspondingly, the SIC requested all sitting Council Members declare the contacts they had with JEA officials and any actual or perceived conflicts they might have related to the aborted sale of JEA. City Council Members made their disclosures in September 2020.

The SIC completed its work in December 2020 and issued a 138-page report providing the Council's fullest and best understanding as to what occurred during the ITN. The SIC and related committees proposed legislative fixes such that nothing akin to the scandal surrounding the ITN could ever happen in our community again. Following the release of the SIC's official report, two



JEA executives were indicted by a federal grand jury on fraud and conspiracy charges related to the failed sale of JEA.

On March 2, 2021, Council Member Leanna Cumber made her disclosures regarding the ITN stating: "I have no conflicts regarding JEA and ITN."

Documents have come to light, including emails and text messages, that contradict responses given by JEA Public Power Partners and the disclosure provided by Council Member Cumber.

In order to ensure to the people of Jacksonville that their City government was not deceived by any bidders or elected officials during the investigation into the attempted sale of JEA, I hereby renew and recharge the Special Investigatory Committee on JEA Matters. The Committee is charged solely with the following:

1. Investigate whether the Committee was deceived or misled by Council Member Cumber of JEA Public Power Partners responding to subpoenas or making disclosures.
2. Ascertain whether Council Member Cumber attempted to use her official position to influence the ITN process for personal gain; and
3. Propose legislation to ensure that such deceptions, if any, do not impede the work of any future investigatory committee.

Members:

- Council Member Rory Diamond, Chair
- Council Member Nick Howland, Vice Chair
- Council Member Sam Newby
- Council Member Michael Boylan

Deadline:

**The Special Investigatory Committee (SIC) will hold its first meeting on:  
Wednesday, February 8, 2023, at 8:30 a.m., City Council Chambers.**

Thank you to each of the Council Members and the staff who made the commitment to serve on this important committee.

- cc: Council Members/Staff
- Margaret M. Sidman, Director/Council Secretary
- Merriane G. Lahneur, Chief, Legislative Services Division
- Kim Taylor, Council Auditor
- Jeff Clements, Chief, Research Division
- CITYC@COJ.NET
- Media Box
- File Copy



**OFFICE OF THE CITY COUNCIL**

**SCOTT A. WILSON**  
PRESIDENT  
COUNCIL MEMBER, DISTRICT 4  
OFFICE: (904) 255-5204  
FAX: (904) 255-5230  
E-MAIL: SWILSON@COJ.NET

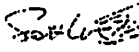
117 WEST DUVAL STREET, SUITE 425  
4TH FLOOR, CITY HALL  
JACKSONVILLE, FLORIDA 32202

February 4, 2020

5:00 P.M.

**MEMORANDUM**

**TO:** Honorable Members of the City Council

**FROM:** Council President Scott Wilson 

**RE:** Creation of Special Investigatory Committee on JEA Matters

---

On January 20, 2020, I announced that I would be convening a Special Investigatory Committee on JEA matters related to the recent pursuit of the strategic option to potentially privatize JEA. This Committee is intended to continue the work commenced at the noticed public meeting held on December 16, 2019 where Council Members inquired into matters related to the creation and implementation of JEA's proposed employee incentive program referred to as a "Performance Unit Plan" or "PUP" which the JEA Board approved at its July 23, 2019 board meeting. At the conclusion of the noticed meeting, it was requested that I create a special investigatory committee of the Council to further review these matters.

In recent weeks, as additional information has become available, the issues and matters related to the strategic option of potentially privatizing JEA have become paramount on the minds of Council Members. I believe that a special committee of the Council should be convened to investigate these issues and matters and that a transparent and public vetting of same is in the best interests of the community.

Accordingly, I am creating a Special Investigatory Committee on JEA ("Committee"). Pursuant to the Council Rules and the Ordinance Code, should the Committee require the power to subpoena witnesses and parties, I will ask the Rules Committee to convene to issue subpoenas for both testimony and documents. Use of subpoena power and administering oaths must be for legitimate legislative purposes within Council's policy-related sphere of inquiry as set forth in this memorandum. All City and JEA employees will fully cooperate with the Investigatory Committee.

The Committee shall work in coordination and conjunction with the Office of General Counsel and specialized private legal counsel, as well as the Council Auditor's office. The Committee shall be staffed by members of those respective offices.

The Committee should organize its review as follows:

- (1) Discussion of procedures and protocols.
- (2) Historic timeline of events.
- (3) Review of existing records, resources and materials (from OGC, IG, JEA and other sources).
- (4) If necessary, conduct further investigation into matters related to the charge of this memorandum.
- (5) Analyze matters that, through the powers invested in this legislative body, could be prevented in the future through legislative action. Issue a report reflecting same.

**CHARGE:** Investigate JEA matters related to the recent pursuit of the strategic option to potentially privatize JEA. Determine matters that, through the powers invested in this legislative body, could be prevented in the future through legislative action.

This review should include JEA's review of the five scenarios for the future of JEA, including the Invitations to Negotiate; JEA's decision-making in pursuit of privatization; and the proposed employee incentive program known as the Performance Unit Plan.

**CHAIR:** Rory Diamond, Chair

**MEMBERS:** Randy DeFoor, Brenda Priestly Jackson, Scott Wilson

**DEADLINE:**

The Committee shall prepare an initial schedule of meetings and shall report its findings to the Council President on or before June 1, 2020, unless the special committee is otherwise extended or terminated.

I would like to thank Council Member Diamond for agreeing to chair this special committee and commend him for the work that he has already done on this important matter which affects the citizens of Jacksonville. I would also like to thank Councilmembers DeFoor and Priestly Jackson in advance for their participation in this endeavor. I look forward to their report.

cc: Council Members/Staff  
Cheryl Brown, Director/Council Secretary  
Jeff Clements, Chief, Research Division  
Jessica Matthews, Chief, Legislative Services  
Melanie Wilkes, Information Systems Administrator  
Kyle Billy, Council Auditor  
Jason Gabriel, General Counsel  
Media Box



Exhibit

“E”

**Exhibit E- Chronology of Key Events**

| <b>Date</b>    | <b>Event</b>   | <b>Reference</b>                 |
|----------------|--|----------------------------------|
| <b>3/25/18</b> | Editorial in the Times-Union, “The old JEA, the golden goose, is history[,]” discussed privatizing JEA: “Board member Husein Cumber put things in perspective. If the city could count on JEA’s \$116 million annual contribution forever, then stick with the status quo. But if that contribution is under stress by sales that are flat, then other options need to be considered.”   | <b>SIC Report Doc. 0169</b>      |
| <b>4/17/18</b> | JEA Board Meeting: Beginning at 00:54:30 in the video, Board Member Husein Cumber stated the following regarding JEA’s search for a permanent CEO: “I think somewhere along the line this has become a binary conversation—do we privatize or do we not privatize? . . . This Board has still not taken a position on privatization. There’s been no vote at this Board. There’s a letter that was sent to the CEO to initiate a process, but I think if this Board were to make a decision and say, look, status quo is not the option...”  | <b>SIC Report Doc. 0183-0186</b> |
| <b>1/12/19</b> | LeAnna Cumber elected to the Jacksonville City Council, representing District 5.   |                                  |
| <b>1/22/19</b> | JEA Board Meeting: Board Member Husein Cumber resigned from the JEA Board.   | <b>SIC Report Doc. 0327</b>      |
| <b>7/1/19</b>  | LeAnna Cumber assumes office as Council Member representing District 5.  |                                  |
| <b>8/2/19</b>  | JEA issued Invitation to Negotiate #127-19. Respondents had to submit replies by September 30, 2019. The ITN prohibited “inappropriate” ex-parte communications between any bidder and any JEA representative, stating: “Ex Parte Communication is strictly prohibited. Ex Parte Communication is defined as any inappropriate communication concerning this ITN between a firm submitting a Reply and a JEA representative during the time in which this ITN is being advertised through the time of an award resulting from this solicitation process. Examples of inappropriate communications include: private communications concerning the details of this ITN in which a Respondent becomes privy to information not available to the other Respondents.” | <b>SIC Report Doc. 0564</b>      |
| <b>8/15/19</b> | Erin Isaac contacted by Patrick Hallahan for purposes of communications consulting on behalf of group interested in JEA privatization efforts after introduction by Husein Cumber. Patrick Hallahan is an Operating Partner of Bernhard Capital Partners. Email evinces involvement of H. Cumber with the individuals and entities submitting responsive bids to the ITN as early as August 2019, one month after Council Member L. Cumber took office.  | <b>EI000008</b>                  |
| <b>8/21/19</b> | P. Hallahan coordinates discreet meeting between himself and Erin Isaac at the office San Marco office of H. Cumber wherein H. Cumber and L. Cumber own and operate H.A. Cumber & Company,   | <b>EI000009- EI000010</b>        |



|                |   |                             |
|----------------|---|-----------------------------|
|                | Inc., amongst several other shared entities. The topic of the meeting was the formation of ITN response on behalf of JEA Public Power Partners, LLC through a project code name of Project Panther.   |                             |
| <b>8/21/19</b> | JEA provided memo regarding Ex Parte communications stating: “In short, the prohibition on ex parte communications or “cone of silence” applies to the Council because the City and Council are or may appear to be “members, [e]mployees, agents, or representatives” of JEA. While the cone of silence does not prevent or preclude the Council from conducting the City of Jacksonville’s business in the ordinary course, it does prohibit communications between members of the Council and potential bidders or their employees, agents, and representatives. In addition, Council members should be aware of the provisions of section 838.22 and ensure that they do not take actions that could be interpreted as an attempt to influence the competitive solicitation undertaken by JEA through the disclosure of non-public information relating to the solicitation.”   | <b>SIC Report Doc. 0603</b> |
| <b>8/22/19</b> | Email to all working members of Project Panther for working session at H. Cumber and L. Cumber’s office at 2002 San Marco Blvd., Suite 202, Jacksonville, FL 32207.   | <b>EI000017</b>             |
| <b>8/27/19</b> | OGC issued a memorandum providing the City Council with “recommended Cone of Silence Guidelines” regarding JEA’s ITN. OGC concluded, in pertinent part, (i.) “[c]ommunications of any kind between the Council and Vendors/Respondents regarding the JEA ITN Solicitation, including communications regarding process participation or interest in responding, are strictly prohibited” and (ii.) public communications by the Council “regarding possible Vendors/Respondents and the merits of the JEA ITN Solicitation terms are strictly prohibited.” (p. 2). The memo also concluded that “[l]egislation filed by Council regarding the JEA ITN Solicitation is strictly prohibited.” (p. 3). OGC states that the cone of silence began on August 2, 2019 and will remain in effect until (i.) the JEA Board makes the contract award and (ii.) the JEA Board resolves bid protests. (pp. 1-2). Attachment 2 contains the legal authority cited in support of OGC’s position, including Section 838.22, Fla. Stat. | <b>SIC Report Doc. 0617</b> |
| <b>8/30/19</b> | JEA officially confirmed that the “cone of silence” also applied to the City and City Council in the ITN’s Addendum Number Two (2).   | <b>SIC Report, Doc. 624</b> |
| <b>8/30/19</b> | Email exchange including all members of Project Panther as part of a “Daily Sync.” H. Cumber remained included in daily sync emails, even going so far as including redline feedback to the ITN response. Further inquiry may be required to ascertain H. Cumber’s intentions in adding this clarifying language.   | <b>EI000023</b>             |
| <b>9/6/19</b>  | Emails show H. Cumber continued to be involved in Daily Sync communications, regularly participate in phone calls relative to Project Panther, and host meetings at the office shared by H. Cumber and L. Cumber. Project Panther’s Stakeholder Engagement Plan   | <b>EI000025</b>             |





|                 |  |  |
|-----------------|--|--|
|                 | shows H. Cumber assumed responsibility for connecting with several key stakeholders and media regarding the undertaking.   |  |
| <b>9/9/19</b>   | Email from H. Cumber to Erin Isaac regarding procurement of twitter account to promote JEA transaction related communications. Email evinces H. Cumber remaining in a command and control position and serving as a, if not, <i>the</i> key intermediary and organizer, for Project Panther initiatives with weeks to go until the ITN submittal deadline.   | <b>EI000030</b>                                    |
| <b>9/12/19</b>  | Email showing regular meetings continue to be held relative to Project Panther at H. Cumber and L. Cumber's offices in San Marco.  | <b>EI000032</b>                                    |
| <b>9/17/19</b>  | Florida Times Union reports on City Council Committee supporting COJ taking on pension debt of JEA employees in the event of a JEA transaction. Such event would relieve private buyers of pension obligations and shift those obligations to the city. Project Panther correspondence shows that providing the City with the flexibility to absorb pension liability was critical to their ITN bid. Council Member L. Cumber played an important role in advocating for that legislation in Finance Committee Meetings. | <b>EI000035</b><br><br><a href="#">FTU article</a> |
| <b>9/24/19</b>  | OGC issued a legal memorandum providing City Council with guidelines on ex-parte communication (i.e., cone of silence) requirements with respect to the ITN procurement process.   | <b>SIC Report Doc. 0658</b>                        |
| <b>9/30/19</b>  | On the day the ITN bid is supposed to be submitted, H. Cumber continues to reach out to former Jacksonville politicians regarding Project Panther and JEA Public Power Partners, LLC ITN submittal.  | <b>EI000039</b>                                    |
| <b>10/1/19</b>  | Email evincing ongoing engagement of H. Cumber in the process of, and communications with, procurement of operations partners (e.g. water and energy) related to Project Panther. Email evincing H. Cumber involvement in proposal drafting.   | <b>EI000041 &amp; EI000045</b>                     |
| <b>10/1/19</b>  | Email evincing H. Cumber coordinating and conducting media relations meetings with Florida Times-Union reporter David Bauerlein, whom H. Cumber served as a source for relative to the JEA transactional process and is believed to have been the focus of persuasion efforts that a concession transaction is a better alternative to the sale of JEA.  | <b>EI000047</b>                                    |
| <b>10/6/19</b>  | Email evincing H. Cumber obtaining and possessing key knowledge about the ITN Reply submitted on 10/7/19. H. Cumber remained involved in submittal process and media communications involving submittal. Text message from H. Cumber to E. Isaac on 10/7/19 confirming submittal and meeting with reporter Bauerlein and Project Panther stakeholders the same day to discuss submittals.  | <b>EI000051- EI000053</b>                          |
| <b>10/11/19</b> | Text message from H. Cumber stating: "If we are selected on Monday...the name released will be....JEA Public Power Partners: A Consortium of Bernhard Capital Partners, Emera and Suez. All parties signed off." Upon information and belief, H. Cumber coordinated with all parties referenced in the formation and announcement of said consortium.  | <b>EI000063</b>                                    |



|                             |  |  |
|-----------------------------|--|--|
| <b>10/14/19</b>             | JEA held a bid evaluation meeting at which the replies from the 16 bidders were scored. JEA issued its notice of intent to negotiate with 9 qualified ITN respondents: American Public Infrastructure LLC; American Water Works Company, Inc.; Duke Energy; Emera Inc.; <b>JEA Public Power Partners: A Consortium of Bernhard Capital Partners, Emera Inc., and Suez</b> ; IFM Investors PTY LTD; Macquarie Infrastructure and Real Assets Inc.; NextEra Energy, Inc.; and E&W Development Corp. Emails show that H. Cumber communicated with Project Panther members congratulating Project Panther team on the advancement from JEA that the JEA Public Power Partners, LLC bid had passed the first round of approval. | <b>SIC Report Doc. 0698-0717</b>                           |
| <b>10/20/19</b>             | H. Cumber provided Erin Isaac with the draft of a media submittal seeking to publicize the disputed issue of whether the City Council should seek private, outside counsel to address issues with the potential privatization of JEA. Such draft was sent to Peter Schorsch, author and editor of the online publication Florida Politics. Documents show H. Cumber provided framework of story challenging the necessity for outside counsel as against the interests of the City of Jacksonville.  | <b>EI000067-74</b>   |
| <b>10/22/19</b>             | Council Member L. Cumber opposes COJ appropriation of \$1,850,000.00 to hire special outside counsel to guide and advise upon JEA Recapitalization Event. In Committee, the appropriation failed 2-5, with the five nay votes coming from Bowman, Salem, Freeman, Pittman, and L. Cumber. When put before the Council as a whole, the appropriation passed 15-3, with Salem and Pittman flipping their votes. L. Cumber voted nay each instance the appropriation was put to a vote.   | <b>Minutes, City Council, October 22, 2019, pp. 30-31.</b> |
| <b>10/25/19</b>             | Susie Wiles sent FPL representatives an email stating, "As per Paul [Harden]." The attached document purported to show each City Council member's support (or lack thereof) for privatizing JEA's electric and water systems. The ITN's purported Cone of Silence remained in effect at this time. According to Ms. Wiles' document, Council Member Cumber "leans yes."  | <b>SIC Report Doc. 0749</b>                                |
| <b>11/26/19</b>             | JEA Public Power Partners, LLC submits revised reply to ITN.   | <b>SIC Report Doc. 0861</b>                                |
| <b>12/3/19</b>              | Under pressure from negative media coverage, Stephanie Burch, JEA lead negotiator, decided to accelerate the timeframe to complete the ITN. ITN bidders were now required to present a proposed contract to JEA in January 2020 instead of March 2020.   | <b>SIC Report pg. 79</b>                                   |
| <b>12/12/19 at 6:51p.m.</b> | H. Cumber sent text message to Erin Isaac asking if Isaac "was up to speed" on "JEA" and "all the stuff that happened tonight." Presumably, H. Cumber was talking about a letter sent by the Mayor's office calling on City Council to vote on privatization options by the end of January, thus accelerating a decision schedule and potentially causing challenges in the bidding process for several  | <b>EI000084</b>  |



|                           |  |                             |
|---------------------------|--|-----------------------------|
|                           | remaining bidders. <b>H. Cumber then proclaims, “we are where we want to be. Call anytime before midnight my time if you want a Download. Oh...and Kelly Flanagan asked to meet tomorrow morning.”</b> At the time, Kelly Flanagan was a current member of the Board of Directors of JEA.  |                             |
| <b>12/13/19 at 9:00am</b> | Within 14 hours of H. Cumber proclaiming that “we are where we want to be,” Council Member L. Cumber submitted a Meeting Notice requesting to have a noticed meeting on 12/17/19 for the purpose of setting up a framework to: 1) <b>analyze and fully vet each of the five recapitalization options, and 2) if necessary company any and all potential negotiations.</b> Council Member Cumber appears to be attempting to insert herself and City Council into the JEA ITN process for the purpose of choosing a winning bid.  | <b>EI000001</b>             |
| <b>12/24/19</b>           | JEA issued its “Notice of Cancellation of ITN # 127-19 and Rejection of All Replies” on its website.   | <b>SIC Report Doc. 0948</b> |
| <b>2/20-12/20</b>         | From February through December 2020, the SIC and its Special Counsel interviewed dozens of witnesses and reviewed over 600,000 documents. The SIC’s report was issued in December 2020.  | <b>SIC Report</b>           |
| <b>6/1/20</b>             | Through its counsel, JEA Public Power Partners, LLC responds to a Subpoena Duces Tecum issued by the SIC listing all lobbyists, attorneys, and consultants employed in connection with the JEA ITN.<br><br>The disclosure “although not responsive to the Subpoena, but in an effort of full disclosure” notes that <b>an affiliate of a JEA PPP consortium member performed due diligence on potentially retaining Husein Cumber as a consultant but did not do so as there was a perceived or actual conflict.</b> The records submitted show that H. Cumber was involved with Project Panther and the ITN submittal process in innumerable capacities throughout the entire ITN period.<br><br>At best, this response requires further qualification for its lack of candor. At worst, further investigation is required as to whether this response was truthful and forthcoming as the subpoena required. | <b>EI000002- EI000004</b>   |
| <b>8/10/20</b>            | The SIC decided, unanimously, on August 10,2020 to request disclosures from each member of the Jacksonville City Council. The committee requested disclosures returned by Friday, September 4, 2020.<br><br>Council Members were asked to disclose the following to the SIC:<br><br>“For the specified time period (1) have you or <b>your immediate family</b> (2) had <b>any interaction</b> (3) with <b>any person or entity connected in any way with JEA or the City</b> (4) <b>related to the privatization, reorganization, sale or other transfer of interest or</b>   | <b>EI000006-07</b>          |





|                      |   |                        |
|----------------------|---|------------------------|
|                      | <p><b>management control of JEA or the Invitation to Negotiate #127-19 for Strategic Alternatives.”</b> Full and appropriate disclosure would have required Council Member Cumber to disclose: a) all of his interactions with and/or on behalf of JEA Public Power Partners, LLC or Project Panther in connection JEA privatization efforts or ITN response; and b) her own interactions with her spouse or others related to the scope of required disclosures.</p> <p>Full and complete disclosures require description of each incident specifically (date, total time, persons involved or present, details of business structure, or details of meeting). Interactions and Person or Entity Connected to JEA or the City encompassed many of the documented meetings or events where H. Cumber or L. Cumber may have been discussing or meeting about JEA privatization amongst themselves, those affiliated with Project Panther, or any other JEA or City of Jacksonville officials, contractors, agents, or fellow bidders. Given what Ms. Isaac knows and has presented, Council Member’s Disclosure should have been robust.</p> |                        |
| <p><b>3/2/21</b></p> | <p>Council Member L. Cumber provides a JEA Disclosure Statement stating: “I have no conflicts regarding JEA and the ITN. I had no discussions with Mr. Zahn or Mayor Curry regarding privatization. I did meet in my City Hall office with JEA Management, JEA Government Affairs, and Jordan Elsbury on the following dates to discuss generally the potential for change of control or reorganization of JEA: August 7,2019; October 21.2019; November 22,2019; and December 4,2019. I had a meeting with the JEA union representatives to discuss pension legislation on September 23, 2019. I had a phone call on December 9, 2019 with Mr. Steve Busey regarding the Council vote to approve his contract.” Nothing further was disclosed by Council Member Cumber.</p> <p>Council Member L. Cumber’s disclosures were rendered 204 days after the Special Investigatory Committee’s unanimous request for disclosures from each member of the City Council of Jacksonville, and over two months after the Report of the Special Investigatory Committee on JEA Matters in December 2020.</p>  | <p><b>EI000005</b></p> |



# Exhibit

“F”

EVALUATION OF COMPLIANCE WITH THE COMMUNICATION  
PROHIBITIONS AND DISCLOSURE OBLIGATIONS OF  
**LEANNA CUMBER AND HUSEIN CUMBER**

---

FEBRUARY 16, 2023



# CONTENTS

---

**01.** Introduction

**02.** Rules of Engagement

**03.** Positions Taken

**04.** Timeline

**05.** Closing



# INTRODUCTION

---

City Council President Terrance Freeman has opened an investigation into whether Councilwoman LeAnna Cumber “deceived or misled” the Council about the involvement of her husband, Husein Cumber, during the bid process to privatize JEA in 2019.

Previously undisclosed documents contained in this public submission may support the Council’s investigation. Those documents are summarized in the following visual aide.

# RULES OF ENGAGEMENT

---

Understanding the potential impropriety of Councilwoman LeAnna Cumber's concerted conduct with her husband, Husein Cumber, first requires an understanding of the rules regarding communications between the parties and potential conflicts of interest related to the JEA bid process.



# Rules for Communications


August 2, 2019

JEA issued Invitation to Negotiate #127-19 (“ITN”). The ITN expressly prohibited “Ex Parte Communication.” The ITN defined Ex Parte Communication to include “private communications concerning the details of this ITN in which a Respondent becomes privy to information not available to the other Respondents.”

August 30, 2019

Additionally, JEA officially confirmed that the “cone of silence” also applied to the City and City Council in the ITN’s Addendum Number Two (2).

References: **SIC Report, Doc. 624**



Building Community®  
Procurement Department Bid Section  
Customer Center 1<sup>st</sup> Floor, Room 002  
21 W. Church Street  
Jacksonville, Florida 32202

August 30, 2019

ADDENDUM NUMBER: Two (2)

TITLE: ITN – 127-19 Strategic Alternatives

BID DUE DATE: October 7, 2019

TIME OF RECEIPT: 12:00 PM EST

**THIS ADDENDUM IS FOR THE PURPOSE OF MAKING THE FOLLOWING CHANGES OR CLARIFICATIONS:**

- Clarification: Section 2.11 Designated Procurement Representatives and Limit on Communications - Revise and Replace the first paragraph with the following language:**  
  
Ex Parte Communication is strictly prohibited. Ex Parte Communication is any communication concerning this ITN during the time beginning when the ITN was released on August 2, 2019 through the time of an award resulting from this solicitation process between a firm or any agent or representative of a firm submitting or potentially submitting a Reply and any JEA board member, employee, agent or representative (other than the two Designated Procurement Representatives). A JEA “representative” includes the City of Jacksonville Mayor and City of Jacksonville Council Members and their immediate staff. Examples of such prohibited communications include but are not limited to: private communications, whether initiated by a JEA representative or a Respondent representative, concerning the details or merits of or participation in this ITN by which a Respondent becomes privy to information not available to the other Respondents.


# Rules for Conflicts of Interest

August 10, 2020

The JEA Special Investigatory Committee requested all City Councilmembers disclose information required to evaluate any potential conflicts of interest, following a unanimous vote of the Committee to require such disclosures. The requested disclosure expressly required disclosures of spouses connected in any way with JEA, its privatization, or the ITN.

Thus, compliance with this request required Councilmember LeAnna Cumber to disclose any interactions her or her spouse, Husein Cumber, had with one another or any Person or Entity Connected to JEA or the City (as defined in this request) related to JEA, its privatization, or the ITN.

References: **EI000006**

  
BRENDA A. PRIESTLY JACKSON  
Council Member, District 10  
Office (904) 255-5210  
Fax (904) 255-5230

E-Mail: bpjackson@coj.net

117 West Duval Street  
City Hall, Suite 425  
Jacksonville, FL 32202  
TDD: (904) 255-5230

OFFICE OF THE CITY COUNCIL

TO: Jacksonville City Council Members

FROM: The office of the Honorable Brenda A. Priestly Jackson  
Special Investigatory Committee Chair

SUBJECT: Special Investigatory Language for Ascertaining Relationships

DATE: September 4, 2020

The SIC decided, unanimously, on August 10, 2020 to request disclosures from each member of the Jacksonville City Council. The committee humbly requested on August 24, 2020 that disclosures be returned to the SIC Committee and a copy to all City Council Members. The date determined for the disclosure submissions is today Friday, September 4, 2020.

LANGUAGE FOR ASCERTAINING RELATIONSHIPS:

For the specified time period (1) have you or your immediate family (2) had any interaction (3) with any person or entity connected in any way with JEA or the City (4) related to the privatization, reorganization, sale or other transfer of interest or management control of JEA or the Invitation to Negotiate #127-19 for Strategic Alternatives.

If yes, please describe each incident specifically (date, total time, persons involved or present, details of business structure, or details of meeting).

1. Time period: means from the time you initially qualified (or were appointed) for a City Council seat (2015, 2018 or 2019) through January 2020.

2. Immediate Family: Spouse, Children.

# Rules for Conflicts of Interest

---

Additionally, Section 112.3143(3)(a), Florida Statutes, prohibits an elected official from voting on any measure which would benefit herself or a relative, and requires the elected official to disclose the nature of her conflicting interest in a public record memorandum.

**(3)(a) No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312(2); or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer. Such public officer shall, prior to the vote being taken, publicly state to the assembly the nature of the officer's interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.**



# POSITIONS TAKEN ON POTENTIAL CONFLICTS

---

In response to enforcement of the Rules of Engagement previously described, LeAnna Cumber and bidder JEA Public Power Partners, LLC (“JEA PPP,” an entity connected with Husein Cumber) each took positions indicating that they had not violated such rules during the JEA ITN process.

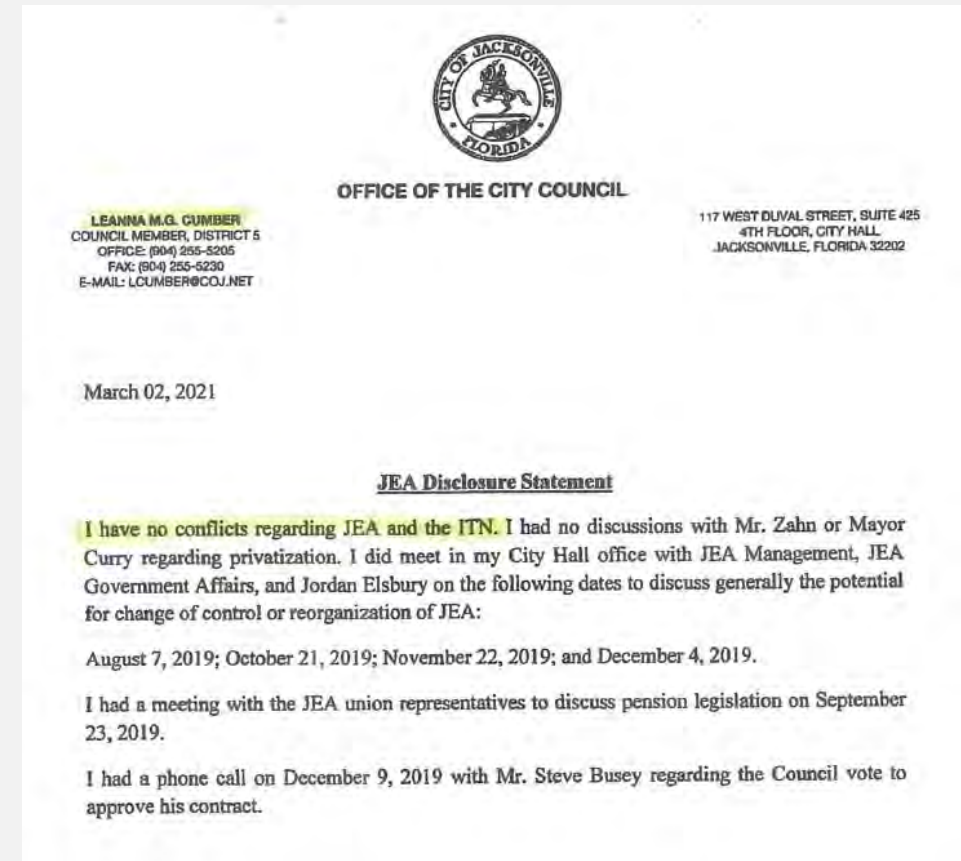
# Position Taken by Councilwoman LeAnna Cumber

March 2, 2021

In response to the Special Investigatory Committee request, Councilwoman LeAnna Cumber states that she has “no conflicts regarding JEA and the ITN.” Her response was rendered nearly three months after the SIC’s report was rendered, effectively circumventing the concluded investigation.

Furthermore, Councilwoman L. Cumber expressly lists only a handful of instances in which she ever discussed the ITN and the reorganization of JEA.

References: **EI000005**



# Position Taken by JEA Public Power Partners, LLC

June 1, 2020

JEA PPP, an ITN bidder, responds to a Subpoena Duces Tecum requesting “a list of all lobbyists, attorneys, and consultants employed by you in connection with the JEA ITN.”

JEA PPP expressly states that Husein Cumber was not engaged on account of a perceived or actual conflict.

Documents submitted show Husein Cumber’s consistent participation and leadership in JEA PPP’s ITN submittal and bid support process.

References: **EI000005**

Although not responsive to the Subpoena, but in an effort of full disclosure, and without waiving any rights, the below list includes lobbyists and consultants which were **engaged by** an affiliate of a JEA PPP consortium member in connection with the JEA ITN, but prior to JEA’s issuance of the “Cone of Silence” under Addendum 3 to the JEA ITN. Upon issuance of the Cone of Silence, these persons and entities were instructed by JEA PPP to refrain from ex parte communications with the Jacksonville Mayor, the Jacksonville City Council Members or JEA Board members or other representatives as such communications were strictly prohibited by the Cone of Silence.

#### Lobbyists

Gilmore Hagan Partners

#### Legal Advisors

Akerman LLP - not engaged, but inquiries made

Jones Walker LLP

Windels Marx Lane & Mittendorf, LLP

#### Consultants

Jody Brooks

Erin Isaac, Isaac Communications

JACE Advisors, LLC

Please note that an affiliate of a JEA PPP consortium member performed due diligence on potentially retaining Husein Cumber as a consultant but did not do so as there was a perceived or actual conflict.



# TIMELINE

---

The positions taken by LeAnna Cumber and JEA Public Power Partners, LLC may be contradicted by the documents produced in this submission.

The following slides chronicle LeAnna Cumber's notable actions in the City Council and Husein Cumber's involvement in the privatization of JEA, from July 2019 through mid-December 2019.

# A Cumber on the “Inside”

---

July 1, 2019

LeAnna Cumber assumes office as City of Jacksonville Councilmember representing District 5.




Source: *Councilwoman Cumber Discusses Hate Groups, Republican Party and Moving Forward*, Bob Self (WJCT News), February 16, 2021, <https://news.wjct.org/first-coast/2021-02-16/councilwoman-cumber-discusses-hate-groups-republican-party-and-moving-forward> (edited).

# A Cumber on the “Outside”

**From:** Patrick Hallahan patrick@greystonepartnersllc.com  
**Subject:** 330  
**Date:** August 21, 2019 at 8:27 AM  
**To:** Erin Isaac erinisaac1@gmail.com



We will try to do at Husein office in San Marco - should keep us discreet. I am working on your consulting doc too - just waiting for lawyer on one update.

**From:** Patrick Hallahan patrick@greystonepartnersllc.com   
**Subject:** DOC  
**Date:** August 21, 2019 at 9:22 AM  
**To:** Erin Isaac erinisaac1@gmail.com



This is the base doc we are working from for consultants - take a look and see if any issues and then we can talk more when I get there. We def are confirmed for Husein office at 330 and Jim Gilmore and Mike Weinstein will join. All trying to as well, but juggling a bit there. we can do an hour or so with them on strat and then after we can talk your doc if you like. And if you can bring any insight into plan on what you need us to be doing that will be great and then we can fine tune it before dinner tomorrow and the work session Friday am. Thanks.

August 21, 2019

A discreet meeting is called at the office San Marco office of Husein Cumber, wherein Husein Cumber and LeAnne Cumber own and operate H.A. Cumber & Company, Inc. The topic of the meeting was the formation of ITN response on behalf of “JEA Power Partners.”

The work would be performed under code name “Project Panther.”

References: **EI000009-EI000010**



# Project Panther Targets “Inside” Officials to Break Cone of Silence

September 6, 2019

Emails show Husein Cumber was involved in Project Panther “Daily Sync” communications, participating in phone calls, and hosting meetings at the office shared by Husein Cumber and LeAnna Cumber.

Notably, Project Panther’s “Stakeholder Engagement Plan” shows Husein Cumber and others assumed responsibility for connecting with several political officials, key stakeholders, and media outlets regarding the ITN in furtherance of Project Panther.

References: EI000025-EI000028

**Project Panther  
Stakeholder Engagement**

*September 6, 2019*

| Name                            | Responsible Party |
|---------------------------------|-------------------|
| <b>Elected Officials</b>        |                   |
| Matt Carlucci                   | Jim / Mike        |
| Rory Diamond                    | Jim               |
| Danny Becton                    | Jim               |
| Tommy Hazouri                   | Jim               |
| Scott Wilson                    | Jim               |
| Randy White                     | Chris / Mike      |
| Joyce Morgan                    | Jim               |
| LeAnna Cumber                   |                   |
| Aaron Bowman                    |                   |
| Representative Tracie Davis     | Chris             |
| State Senator Audrey Gibson     |                   |
| State Senator Aaron Bean        |                   |
| Representative Cord Byrd        |                   |
| Representative Wyman Duggan     |                   |
| Representative Clay Yarborough  |                   |
| <b>Former Elected Officials</b> |                   |
| Bill Gulliford                  | Jim / Ali         |
| John Peyton                     |                   |
| Will Weatherford                | Mike / Husein     |
| John Crescimbeni                |                   |
| Jim Love                        | Jim / Mike        |
| Greg Anderson                   | Chris / Mike      |
| Alberta Higgs                   | Jim / Mike        |
| Alvin Brown                     | Mike              |
| Mike Hogan                      |                   |
| Jerry Holland                   |                   |
| Nat Glover                      | Mike              |

# “Inside” Cumber Supports Project Panther on Pension Funding



Source: Finance Committee Meeting Video, September 17, 2019,  
[https://jaxcityc.granicus.com/player/clip/1056?view\\_id=1&redirect=true&h=0ee9b0598fbad94b104d3180782e1d74](https://jaxcityc.granicus.com/player/clip/1056?view_id=1&redirect=true&h=0ee9b0598fbad94b104d3180782e1d74).

September 17, 2019

City Council Finance Committee votes to support the City of Jacksonville absorbing the pension debt of JEA employees in the event of a JEA transaction. Councilmember LeAnna Cumber advocated for passage of 2019-0566 to approve absorption of pension debt, expressly stating that this was “Council’s time” to impact the ITN.

Project Panther correspondence shows that providing the City with the flexibility to absorb pension liability was critical to their ITN bid.

References: **EI000035**

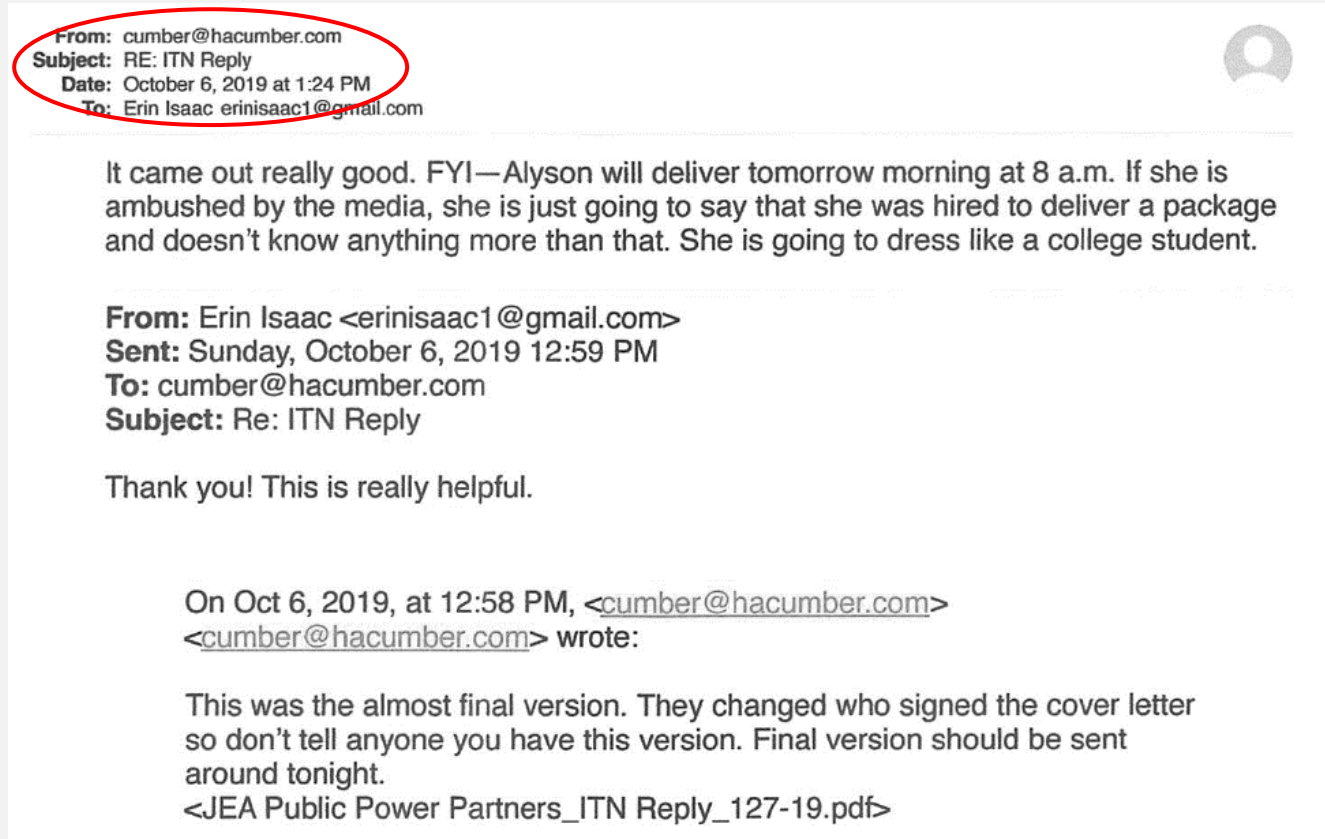
# “Outside” Cumber Exerts Influence on Project Panther ITN Reply

October 6, 2019

Husein Cumber remained involved in ITN submittal process and media communications involving submittal.

Even after submission of the initial bid, Husein Cumber obtained and possessed key knowledge about the Panther Project ITN Reply submitted on October 7, 2019.

References: **EI000051-EI000053**



The image shows an email interface. The header information is circled in red: **From:** cumber@hacumber.com, **Subject:** RE: ITN Reply, **Date:** October 6, 2019 at 1:24 PM, **To:** Erin Isaac erinisaac1@gmail.com. The main body of the email contains the following text: "It came out really good. FYI—Alyson will deliver tomorrow morning at 8 a.m. If she is ambushed by the media, she is just going to say that she was hired to deliver a package and doesn't know anything more than that. She is going to dress like a college student." Below this is a quoted email from Erin Isaac: **From:** Erin Isaac <erinisaac1@gmail.com>, **Sent:** Sunday, October 6, 2019 12:59 PM, **To:** cumber@hacumber.com, **Subject:** Re: ITN Reply. The text of the quote is: "Thank you! This is really helpful." At the bottom, there is a timestamp: "On Oct 6, 2019, at 12:58 PM, <cumber@hacumber.com> <cumber@hacumber.com> wrote:" followed by the text: "This was the almost final version. They changed who signed the cover letter so don't tell anyone you have this version. Final version should be sent around tonight." and a file attachment: "<JEA Public Power Partners\_ITN Reply\_127-19.pdf>".

**From:** cumber@hacumber.com  
**Subject:** RE: ITN Reply  
**Date:** October 6, 2019 at 1:24 PM  
**To:** Erin Isaac erinisaac1@gmail.com

It came out really good. FYI—Alyson will deliver tomorrow morning at 8 a.m. If she is ambushed by the media, she is just going to say that she was hired to deliver a package and doesn't know anything more than that. She is going to dress like a college student.

**From:** Erin Isaac <erinisaac1@gmail.com>  
**Sent:** Sunday, October 6, 2019 12:59 PM  
**To:** cumber@hacumber.com  
**Subject:** Re: ITN Reply

Thank you! This is really helpful.

On Oct 6, 2019, at 12:58 PM, <cumber@hacumber.com>  
<cumber@hacumber.com> wrote:

This was the almost final version. They changed who signed the cover letter so don't tell anyone you have this version. Final version should be sent around tonight.  
<JEA Public Power Partners\_ITN Reply\_127-19.pdf>



# Project Panther Survives “First Cut” and Goes Public



October 14, 2019

Project Panther is disclosed just as Husein Cumber planned:

“Emera also made it into the next round as part of a separate offer from **JEA Public Power Partners, which is a consortium of Emera, Barnhart Capital Partners, and Suez.**”

References: **EI000063**; *9 JEA bidders make cut*, David Bauerlein, Florida Times-Union, Oct. 14, 2019, <https://www.jacksonville.com/story/news/2019/10/14/jea-picks-9-companies-for-negotiations-to-buy-utility/2280734007/> (emphasis added).

# “Outside” Cumber Plays Media Hardball on Council Bid for Private Counsel

October 20, 2019

Husein Cumber provided Erin Isaac with the draft of a media submittal seeking to advocate against engagement of private, outside counsel to address issues with the potential privatization of JEA.

As shown in the draft media submittal, Project Panther sought to tarnish Council Member DeFoor’s reputation in response to her insistence on aggressive scrutiny of the ITN process and its bidders.

References: EI000071

**From:** Cumber, Husein Husein.Cumber@feci.com  
**Subject:** Fwd: How does this read  
**Date:** October 20, 2019 at 2:07 PM  
**To:** Erin Isaac erinisaac1@gmail.com

Begin forwarded message:

**From:** Peter Schorsch <saintpeter4@gmail.com>  
**Date:** October 20, 2019 at 2:01:20 PM EDT  
**To:** "Cumber, Husein" <Husein.Cumber@feci.com>  
**Subject:** How does this read

On Tuesday, the Jacksonville City Council could decide whether to set aside \$1.8 million to hire an outside attorney to guide the city as it continues to move forward with the potential privatization of JEA.

The sheer complexity of such a deal does not just raise concerns, but also the need for expert outside counsel.

**MEMBER PROFILE**

**Randle Poitevent DeFoor**

**Bar Number**  
44743

**Mail Address**  
1000 University Blvd  
Jacksonville, FL 32216-2700  
United States  
Office: 904-854-8555  
Cell: 904-854-8555 Fax: 904-854-8555  
Home: 904-387-1914

**E-mail**  
randy.defoor@fla.com

Interestingly, one of the first Council members calling for an outside counsel — Randy DeFoor, who has come out strongly against the JEA sale — herself is “not eligible to practice law” in the state, according to The Florida Bar. A reason for the suspension is not apparent, but DeFoor’s status is current (at least as of a few days ago).

# 2 Days Later, “Inside” Cumber Aligns with Project Panther via Public Votes

58. 2019-0694-E ORD Approp \$1,850,000.00 from Investment Pool Earnings within the Gen Fund/Gen Svc Dist to a designated Spec Council Contingency for possible Future Procurement of Spec Legislative Counsel for the City Council on issue of the JEA Recapitalization Event; Providing for a carryover of funds into FY 2019-2020; Request Emerg Passage upon Introduction. (Sidman) (Introduced by CM Dennis)  
9/24/2019 CO Introduced: F,R  
10/1/2019 F Read 2nd and Rerefer  
10/1/2019 R Read 2nd and Rerefer  
10/8/2019 CO PH Read 2nd and Rerefered;F,R  
10/15/2019 F Approve 2-5 (Bowman, Salem, Freeman, Pittman, Cumber)  
10/15/2019 R Amend/Approve 7-0  
10/22/2019 CO Approved 15-3 (Bowman, Cumber, Freeman)  
10/22/2019 CO Reconsider/Amend(2)/Approved 15-3 (Bowman, Cumber, Freeman)  
Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 10/8/19

October 22, 2019

LeAnna Cumber, against an overwhelming majority of the Council, nearly stands alone to oppose COJ appropriation of \$1,850,000.00 to hire special outside counsel to guide and advise upon the privatization of JEA.

The appropriation passed 15-3. LeAnna Cumber was one of the few council members to vote nay each instance the appropriation was put to a vote.

References: **Minutes, City Council Meeting, Oct. 22, 2019, pp. 30-31**



# Early December, the ITN Process is Scrutinized and Accelerated

During the December 3, 2019 strategy session, Ms. Burch also accelerated the timeframe to complete the ITN and present a contract to the JEA Board from March 2020 to January 2020. Ms. Burch testified she made the decision because “things were falling apart with the ITN process” due to the growing public opposition to the ITN.

The decision to accelerate was made, notably, on the eve of Council Member Brenda Priestly Jackson’s December 4, 2019 filing of Resolution 2019-894, which encouraged the JEA Board to cancel the ITN.<sup>112</sup>

Ms. Burch stated J.P. Morgan and Morgan Stanley “didn’t like” the accelerated timeframe and thought JEA “needed to give the proposers more time.” Eddie Manheimer, a managing director in Morgan Stanley’s utility mergers and acquisitions group, expressed concerns about whether non-NextEra bidders would drop out due to the “very aggressive” timeframe.<sup>113</sup>

<sup>112</sup> Ms. Burch testified:

[W]e all knew that it was an aggressive timeline, but I think those of us who were more -- who lived in Jacksonville and, you know, worked for either JEA or the City were very well aware of what was going on with the news media at the time, and the public conversation that was happening.

Randall Barnes, the City’s treasurer and a member of JEA’s negotiation team, similarly testified, “[W]e didn’t live in a bubble. There was particular strife within the community through the media and through the JEA employees . . . and the City Council that was particularly concerning with us being able to fulfill our role of coming to an agreement[ and] presenting that agreement to the JEA board . . . .”

December 3, 2019

Under pressure from negative media coverage, Stephanie Burch, JEA lead negotiator, decided to accelerate the timeframe to complete the ITN.

ITN bidders were now required to present a proposed contract to JEA in January 2020 instead of March 2020.

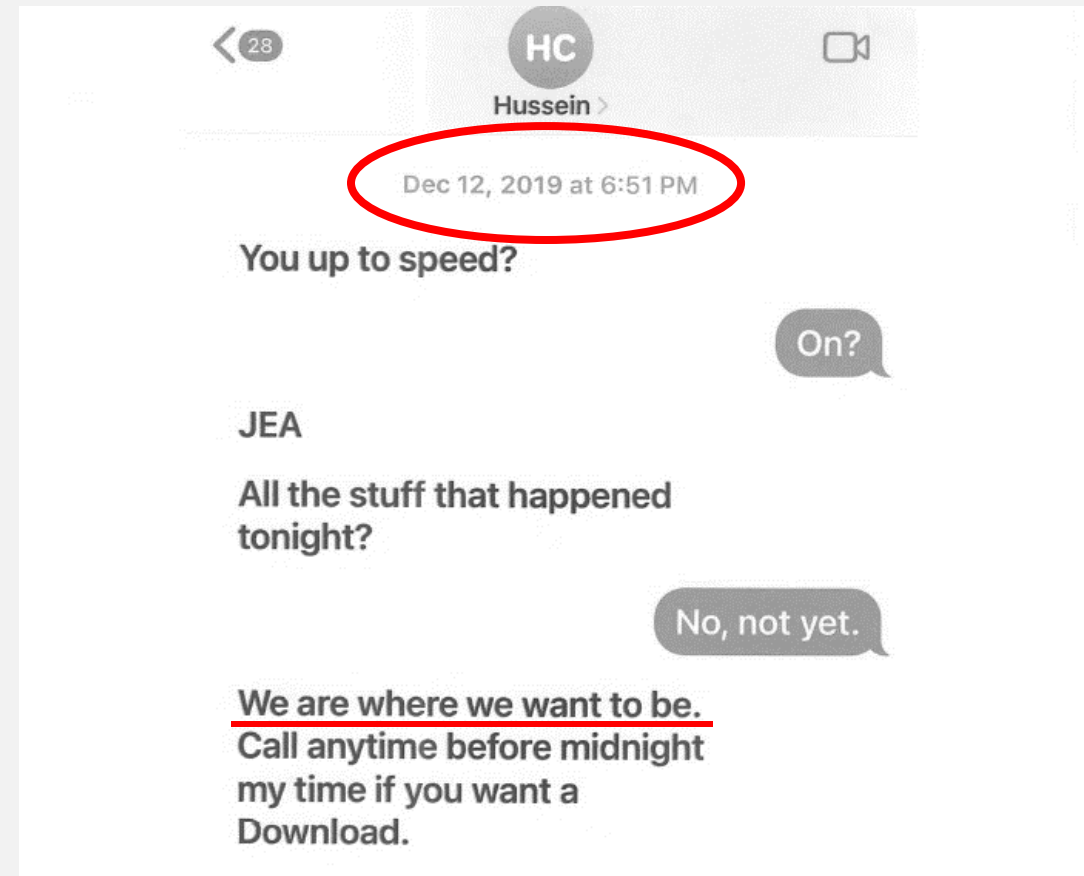
References: **SIC Report, p. 79**

# “Outside” Cumber Identifies Perfect Time to Push for Bid Approval

December 12, 2019

Husein Cumber confirms that Project Panther is perfectly positioned following proposed acceleration to the ITN bid procurement process.

References: **EI000084**



# 14 Hours Later, “Inside” Cumber Pushes to Capitalize on Moment



**LEANNA M.G. CUMBER**  
Council Member  
District 5  
EMAIL: LCUMBER@COJ.NET

**OFFICE OF THE CITY COUNCIL**

117 West Duval Street  
City Hall, Suite 425  
Jacksonville, Florida 32202  
OFFICE: (904) 255-5205

December 13, 2019  
9:00am

**Meeting Notice**

Notice is hereby given that Council Member LeAnna Cumber has requested to have a noticed meeting on Tuesday, December 17, 2019 from 1:00pm to 2:00pm in Conference Room A, located in City Hall at 117 West Duval Street, Suite 425, Jacksonville, Fl. 32202. The purpose of the meeting is to set up a framework to (1) analyze and fully vet each of the five recapitalization options and (2) if necessary, complete any and all potential negotiations. All interested Council Members and ~~individuals~~ individuals are invited to attend.

December 13, 2019

Amid the chaos of simultaneous calls to accelerate the ITN process and outright cancel it, LeAnna Cumber files a Meeting Notice expressly stating that the purpose of the meeting was for the City Council to exert authority and “if necessary, complete any and all potential negotiations.”

References: **E1000063**



# Despite the Cumbers' Efforts, the ITN was Ultimately Abandoned

December 24, 2019

Despite pushes for acceleration and resolution of the ITN by Project Panther and Councilwoman LeAnna Cumber, public opinion fully soured and the JEA ITN failed.

JEA issued its “Notice of Cancellation of ITN # 127-19 and Rejection of All Replies” on its website.

References: **SIC Report, Doc. 948**



December 24, 2019

**ITN #127-19 Strategic Alternatives**

**NOTICE OF CANCELLATION OF ITN #127-19 AND REJECTION OF ALL REPLIES**

Notice is hereby given of JEA's decision to cancel ITN #127-19 and reject all replies (and revised replies) received thereunder. JEA appreciates your interest and participation in the ITN process.

Any Respondent aggrieved by this Notice must submit a protest in accordance with the provisions of JEA Purchasing Code, Article 5, Administrative Remedies. Failure to submit a protest within the time period provided by Section 5-101(3) of the JEA Procurement Code shall result in a rejection of such protest as untimely. For clarification purposes, the 48 hour protest window pertains only to business days, and will close on Monday, December 30, 2019 at 12:00 p.m. EST. JEA's Chief Procurement Officer is Jenny McCollum ([gleejs@jea.com](mailto:gleejs@jea.com)).

# CLOSING

---

LeAnna Cumber and Husein Cumber were each under an obligation to refrain from Ex Parte Communications. LeAnna Cumber and JEA Public Power Partners, LLC have each taken the position that there were no conflicts of interest or improper collusion related to the JEA ITN.

The documents provided in this submission to the City Council support further investigation into whether the actions of LeAnna Cumber, Husein Cumber and JEA Public Power Partners, LLC were deceitful or misleading in response to the aforementioned disclosure requirements.

Such investigation would be probative to Council President Freeman's charge of determining whether Councilmember LeAnna Cumber attempted to improperly use her official position to influence the ITN process for personal gain.

## Lahmeur, Merriane

---

**From:** Staffopoulos, Mary  
**Sent:** Thursday, February 23, 2023 8:30 AM  
**To:** Lahmeur, Merriane; Clements, Jeff  
**Cc:** Davis, Sharonda  
**Subject:** Fw: Inquiry from Media  
**Attachments:** 2023.02-22.SOP\_FLA Infra Services\_SIC on JEA Matters\_rec'd 2-22-23.pdf; 2023.02-22.SOP\_JEA Public Power Partners\_SIC on JEA Matters\_rec'd 2-22-23.pdf; 2020.06-01.JEA-PPP Resp to City Council Subpoena\_submitted to City Council.PDF

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Phillips, Jon <JPhillips@coj.net>  
**Sent:** Wednesday, February 22, 2023 11:33 AM  
**To:** Staffopoulos, Mary <MStaff@coj.net>  
**Subject:** FW: Inquiry from Media

fyi

---

**From:** cindy.laquidara@akerman.com <cindy.laquidara@akerman.com>  
**Sent:** Wednesday, February 22, 2023 11:11 AM  
**To:** Phillips, Jon <JPhillips@coj.net>  
**Subject:** FW: Inquiry from Media

**EXTERNAL EMAIL:** This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Jon:

Thank you for taking my call earlier. The JEA PPP will not be providing further information. They wish to note that on their June, 2020 response, they disclosed that a JEA PPP consortium member performed due diligence about potentially retaining Husein Cumber, but did not do so as there was a perceived or actual conflict.

Thank you for your time and attention to this matter. Please let me know if you have any further questions.

Cindy

**Cindy Laquidara, Partner**

City, County, and Local Government Law Florida Board Certified  
Akerman LLP | 50 North Laura Street, Suite 3100 | Jacksonville, FL 32202  
D: 904 598 8612 | T: 904 798 3700 | C: 904 806 2041  
Admitted Florida, New York, Massachusetts  
[cindy.laquidara@akerman.com](mailto:cindy.laquidara@akerman.com)



vCard | Profile

**akerman**

**700+ Lawyers**

**24 Offices**

**akerman.com**

CONFIDENTIALITY NOTE: The information contained in this transmission may be privileged and confidential, and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please immediately reply to the sender that you have received this communication in error and then delete it. Thank you.



Jacqueline M. Arango

Akerman LLP  
Three Brickell City Centre  
98 Southeast Seventh Street  
Suite 1100  
Miami, FL 33131

T: 305 374 5600  
F: 305 374 5095  
DirF: 305 349 4655

June 1, 2020

VIA EMAIL

Christopher M. Garrett ([garrettc@coj.net](mailto:garrettc@coj.net))  
Assistant General Counsel  
City Hall, St. James Building  
117 West Duval Street, Suite 480  
Jacksonville, Florida 32202

Re: Subpoena Duces Tecum directed to JEA Public Power Partners

Dear Chris:

First, thank you for approving JEA Public Power Partners' ("JEA PPP") request for a two-week extension of time to respond to the above referenced subpoena ("Subpoena").

JEA PPP responds to the Subpoena's two requests as follows:

**(1) A list of all lobbyists, attorneys, and consultants employed by you in connection with the JEA ITN.**

Enclosed in this production is an excerpt, at pages 23-24, of JEA PPP's Revised Reply to the ITN, dated November 26, 2019 which provides an Advisor/Contact List, containing the following attorneys and consultants:

Legal Advisors

Kirkland & Ellis LLP  
Gardner, Bist, Bosden, Bush, Dee, Lavia & Wright, P.A.  
Brunini Firm  
Kutak Rock  
Orrick Herrington & Sutcliffe  
Fishman Haygood LLP  
Osler, Hoskin & Harcourt LLP  
Jones Day

Consultants

Rocklyn Capital  
Emergent Method  
Michael B. Weinstein

Although not responsive to the Subpoena, but in an effort of full disclosure, and without waiving any rights, the below list includes lobbyists and consultants which were engaged by an affiliate of a JEA PPP consortium member in connection with the JEA ITN, but prior to JEA's issuance of the "Cone of Silence" under Addendum 3 to the JEA ITN. Upon issuance of the Cone of Silence, these persons and entities were instructed by JEA PPP to refrain from ex parte communications with the Jacksonville Mayor, the Jacksonville City Council Members or JEA Board members or other representatives as such communications were strictly prohibited by the Cone of Silence.

Lobbyists

Gilmore Hagan Partners

Legal Advisors

Akerman LLP - not engaged, but inquiries made  
Jones Walker LLP  
Windels Marx Lane & Mittendorf, LLP

Consultants

Jody Brooks  
Erin Isaac, Isaac Communications  
JACE Advisors, LLC

Please note that an affiliate of a JEA PPP consortium member performed due diligence on potentially retaining Husein Cumber as a consultant but did not do so as there was a perceived or actual conflict.

**(2) Any document showing that you were or were not given an opportunity to physically inspect JEA Assets at any time after January 1, 2018.**

Enclosed are Updated Revised Reply Instructions for the JEA ITN dated December 17, 2019, which states at page 5:

"Ongoing due diligence: 1. For those Respondents with whom JEA elects to continue negotiations after submission of updated Revised Replies, site visits will be made available during the week of January 20, 2020."

We believe this may be the first mention to JEA PPP of when "site visits" (physical inspection, facility inspection, asset inspection) might occur. It should be noted that the JEA ITN process was




stopped December 24, 2019, approximately a week after these Revised Reply Instructions were issued and well before the potential site visit time frame.

Also enclosed are JEA PPP's internal "Call Notes" from a "Negotiation Session" teleconference organized by JEA with JEA PPP and held on December 4, 2019, which notes were prepared by JEA PPP's consultant, Emergent Method, and which notes reflect "Confirmatory due diligence to occur during the month of January" and a "Signed transaction document by end of January." These references could be interpreted to include time frames for potential site visits. JEA should have a transcript of that call. In this regard, I refer you to the Public Records Document Repository on JEA's website (<https://www.jea.com/microsite/promise/promise.html>) which hosts, among other things, transcripts and recordings of negotiation sessions and presentations involving all respondents, including JEA PPP.

JEA PPP does not believe it is in possession of any emails or calendar entries referencing potential site visits.

Please do not hesitate to contact me if you would like to discuss these matters further. My cellphone number is (786) 564-9075.

Sincerely,

  
Jacqueline M. Arango

Enclosures (Bate Stamp #JEA-PPP 000238-000247)

21 West Church Street  
Jacksonville, Florida 32202-3139

**VIA ELECTRONIC MAIL**

February 21, 2023



Honorable Rory Diamond  
Chair, Special Investigatory Committee  
Suite 425, City Hall  
Jacksonville, Florida 32202  
[RDimond@coj.net](mailto:RDimond@coj.net)

**RE: Special Investigatory Committee on JEA Matters –  
JEA Public Records Request**

Dear Mr. Diamond:

In response to the public records request issued by the Special Investigatory Committee (“SIC” or “Committee”), dated February 10, 2023, JEA conducted a search for “any and all records, in whatever form or medium they exist, related to Hussein Cumber and the JEA Invitation to Negotiate process from the period beginning July 1, 2019 through May 31, 2021 that were not previously provided or disclosed to the SIC and that are relevant to the new charge of the SIC” as described in the request. The following search terms were used in efforts to identify records potentially responsive to the request:

1. “Cumber”
2. “Hussein”
3. “@feci.com”

Based upon review of the search results using the terms noted above, JEA has found no records responsive to the Committee’s request.

If you have any questions, or if there is any additional information that I may provide, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink that reads "Jay C. Stowe". The signature is written in a cursive, flowing style.

Jay C. Stowe  
Chief Executive Officer/  
Managing Director

Cc: Honorable Nick Howland, SIC Vice Chair  
Jody Brooks, Chief Administrative Office, JEA

E L E C T R I C

W A T E R

S E W E R



**Terrance Freeman**  
City Council President  
At-Large, Group 1  
E-Mail: TFreeman@coj.net

117 West Duval Street  
City Hall, Suite 425  
Jacksonville, Florida 32202  
Office (904) 255-5215

## **OFFICE OF THE CITY COUNCIL**

February 2, 2023  
2:15 P.M.

### **MEMORANDUM**

**TO:** Honorable City Council Members

**FROM:** The Honorable Council President Terrance Freeman

**SUBJECT:** **Council Members Named for Special Investigatory Committee on JEA Matters**

---

In response to multiple Council members' requests, the Council will reopen the Special Investigatory Committee on JEA Matters. The potential sale of the JEA through the invitation to Negotiate (ITN) process and the alleged attempt to profit off that sale by a certain JEA executive has embroiled our community in scandal for the last five years. In an effort to ascertain the truth about the ITN process and to restore the public's confidence in our city government, then Council-President Scott Wilson announced the Special Investigatory Committee on JEA Matters (SIC). On February 4, 2019, then-President Wilson created the SIC and charged the members with restoring the public trust in JEA.

The SIC began work immediately and interviewed dozens of witnesses under oath and reviewed millions of documents. Notably, for the first time in the history of consolidated Jacksonville, the SIC issued a series of subpoenas that were affirmed by the Council Rules Committee. Those subpoenas were issued to private individuals and to all the ITN bidders. One of those bidders, JEA Public Power Partners responded to the SIC subpoena and stated that it considered hiring the husband of Jacksonville City Council Member Leanna Cumber but did not due to an actual or perceived conflict of interest. Correspondingly, the SIC requested all sitting Council Members declare the contacts they had with JEA officials and any actual or perceived conflicts they might have related to the aborted sale of JEA. City Council Members made their disclosures in September 2020.

The SIC completed its work in December 2020 and issued a 138-page report providing the Council's fullest and best understanding as to what occurred during the ITN. The SIC and related committees proposed legislative fixes such that nothing akin to the scandal surrounding the ITN could ever happen in our community again. Following the release of the SIC's official report, two



JEA executives were indicted by a federal grand jury on fraud and conspiracy charges related to the failed sale of JEA.

On March 2, 2021, Council Member Leanna Cumber made her disclosures regarding the ITN stating: "I have no conflicts regarding JEA and ITN."

Documents have come to light, including emails and text messages, that contradict responses given by JEA Public Power Partners and the disclosure provided by Council Member Cumber.

In order to ensure to the people of Jacksonville that their City government was not deceived by any bidders or elected officials during the investigation into the attempted sale of JEA, I hereby renew and recharge the Special Investigatory Committee on JEA Matters. The Committee is charged solely with the following:

1. Investigate whether the Committee was deceived or misled by Council Member Cumber of JEA Public Power Partners responding to subpoenas or making disclosures.
2. Ascertain whether Council Member Cumber attempted to use her official position to influence the ITN process for personal gain; and
3. Propose legislation to ensure that such deceptions, if any, do not impede the work of any future investigatory committee.

Members:

Council Member Rory Diamond, Chair  
Council Member Nick Howland, Vice Chair  
Council Member Sam Newby  
Council Member Michael Boylan

Deadline:

**The Special Investigatory Committee (SIC) will hold its first meeting on:  
Wednesday, February 8, 2023, at 8:30 a.m., City Council Chambers.**

Thank you to each of the Council Members and the staff who made the commitment to serve on this important committee.

cc: Council Members/Staff  
Margaret M. Sidman, Director/Council Secretary  
Merriane G. Lahmeur, Chief, Legislative Services Division  
Kim Taylor, Council Auditor  
Jeff Clements, Chief, Research Division  
[CITYC@COJ.NET](mailto:CITYC@COJ.NET)  
Media Box  
File Copy