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On Tuesday, a coalition of powerful city voices and citizen activists were rewarded with the historic passage of Jacksonville's LGBT anti-discrimination law

HERE'S HOW THEY DID IT



Brian Castellani (from left) grabs a selfie with Baptist Health executive Audrey Moran, an ardent supporter of the Human Rights Ordinance; Jacksonville City Councilman Tommy Hazouri, the bill's sponsor; OneJax executive director Nancy Broner, and Rabbi Rick Shapiro before the council voted 12-6 to pass the bill. (Photos by Bob Mack/Florida Times-Union)

By Nate Monroe & Christopher Hong
The Times-Union

A remarkably well-oiled and long-planned lobbying effort by powerful business and civic leaders, working in tandem with an energized group of citizen activists, muscled through the historic Jacksonville civil-rights law enacted Tuesday that outlaws discrimination against gay and transgender people — breaking the vanguard of opposition from religious conservatives who once loomed large over city politics.

The law had few champions on the 19-member council, where it

was co-sponsored by a motley and unlikely trio of legislators: Tommy Hazouri, a boisterous Democrat who has had a hand in city politics for the last four decades; Aaron Bowman, a Trump-supporting Republican and the retired commanding officer of Mayport Naval Station; and Jim Love, also a Republican and Navy veteran who is mostly known for his focus on neighborhood issues in his Riverside district.

But they had prominent allies helping them. Shad Khan, the cosmopolitan billionaire and owner of the Jacksonville Jaguars, took a personal interest and met with council members thought to be

HRO continues on A-4



Powerful Jacksonville lobbyist Paul Harden, who works for billionaire Jaguars owner Shad Khan, watches the vote in favor of the HRO. The support of Khan and other business leaders helped win its passage.



High stakes in fight over economic incentives

Local officials caught in the middle as governor, House debate strategy

By Tia Mitchell
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TALLAHASSEE | While Gov. Rick Scott and the Florida House feud over whether economic incentives and tourism marketing are working in Florida, business leaders in Jacksonville and elsewhere are quietly working to find middle ground.

On principle, they agree with Scott.

Visit Florida, a state agency the House wants to eliminate, uses tax dollars to promote Northeast Florida destinations like the Beaches, St. Augustine and the annual TaxSlayer Bowl. Dozens of companies, including Fidelity Investments and Deutsche Bank, agreed to create hundreds of jobs in Jacksonville after being promised incentive dollars that would no longer be available if House Bill 7005 becomes law.

"The issue, in my opinion, is jobs," JAX Chamber President Daniel Davis said. "And when we bring thousands of jobs to Northeast Florida, it affects every single worker in this community. Whether they live on the Southside or in the Northwest community, they are going to be affected positively by the deals that we are going to bring into this community."

Where Davis and Scott disagree is on strategy.

Scott has waged a public battle with the House that bodes negatively on the 2017 legislative session that begins in two weeks. The governor has criticized Republican lawmakers who

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Partisan infighting and gridlock could make for messy legislative session. E-1

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human rights ordinance

HRO

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swing votes on the issue. So did Khan's local super lobbyist, Paul Harden, who has a Rasputin-like reputation for influencing the levers of power in City Hall.

"Paul is a walking difference maker," said Jimmy Midyette, legislative director of the Jacksonville Coalition for Equality, which had worked to pass the anti-discrimination law for nearly a half decade.

Top figures in the JAX Chamber and the Civic Council — a private group of the city's top CEOs and city leaders — also worked to persuade City Council members. They were determined not to repeat the months-long public battle that led to narrow defeat in 2012 of an earlier version of the expanded anti-discrimination law. They feared that a second defeat could not be explained away and would attract national scrutiny and backlash akin to North Carolina after its legislature and governor passed a controversial law last year that opponents described as anti-LGBT.

The successful effort this time can trace its roots back to the beginning of Jacksonville's modern era, when business leaders and citizens — not incumbent politicians — made the hard and prolonged push for the reforms that created the city's consolidated government nearly 50 years ago. Jacksonville's largely right-of-center business leaders have since played an influential role in city politics, sometimes emerging as the more progressive voice on local issues.

Another Jacksonville quirk: Some of the council members whom advocates believed they needed to persuade most were Democrats.

A constellation of other forces also converged and helped secure the fate of the law:

- Mayor Lenny Curry, a popular Republican, didn't support efforts at expanding legal discrimination protections to lesbian, gay, bisexual and transgender people. He may have been able to derail or significantly hobble the process if he had decided to wade in, but he publicly promised not to interfere in the City Council's debate on the issue. He kept his word.

- The City Council's detail-oriented, even-keel president, Lori Boyer, kept the legislation on a steady path as it moved through committees, and she didn't let the highly charged issue devolve into a circus.

- Grassroots efforts by activists made an impression on council members. Unlike the failed effort in 2012, supporters outnumbered opponents at public hearings and in letter-writing campaigns, and their public campaign was more politically adept this time around.

Still, success was never guaranteed. A watered-down bill failed five years ago under a noncommittal Democratic mayor, sunk by one surprise vote from a Democratic member of the City Council — the result of a blend of Jacksonville politics and personalities that often defy conventional definitions and expectations. Would this time be different?

"A few folks were very cynical in thinking what was possible ... it's easy to be cynical in Jacksonville," Midyette said. "There are times we get it right."

EARLY SETBACKS

In August 2015, about 50 prominent supporters of the effort to expand the city's anti-discrimination law met over a private breakfast at The River Club downtown to discuss strategy.

Fresh off the city elections — which included 11 new City Council members — advocates began planning for a new push to expand the law, called the human-rights ordinance. The JAX Chamber had made support for the change a major part of its consideration in endorsing candidates, and hopes



The Council Chamber was packed on Tuesday with city movers and shakers, including (from left) Jax Chamber Board Chairman Darnell Smith, Duval County Public Schools Superintendent Nikolai Vitti, City of Jacksonville Finance Director Mike Weinstein, Jacksonville Civic Council Chair Ed Burr and JEA Chief Public Affairs Officer Mike Hightower. (Bob Mack/Florida Times-Union)

were high the new crop of city leaders would be more open to expansion than the past council.

One consensus among the group of supporters that day was to not get in front of Curry on the issue. Even though many of his biggest financial backers were firmly in favor of expansion, Curry had said during his campaign that he was not convinced the law needed to be expanded. But he pledged to hold a series of town hall-like conversations on the issue before making a final determination.

Audrey Moran — a senior vice president at Baptist Health and one of the earliest and most ardent supporters of the anti-discrimination law — said the group made another key agreement that day: a commitment to passing a fully inclusive bill that would protect gay and transgender people — the latter a more politically tricky challenge. They would not compromise on that point.

Some opponents of expansion saw some of the same tea leaves in the aftermath of the 2015 city elections — that there was at least a 10-vote majority on the council to pass a bill protecting the gay community. They were going to lean on Curry to commit to a veto.

"The HRO was passed in the May election, period," said opponent Raymond Johnson, president of Biblical Concepts Ministries, at the time. "It was a done deal."

Meanwhile, Hazouri, who holds an at-large seat and had campaigned on a promise to expand the law, was eager to introduce legislation. Hazouri was allied with the chamber leadership and supporters on the human-rights ordinance, but he also has an independent streak.

In January 2016, before Curry had revealed his position on the issue, Hazouri filed a bill to expand the human-rights ordinance to fully cover lesbian, gay, bisexual and transgender people. Bowman, who is an executive at JAX Chamber, co-sponsored the legislation. Hazouri had recently traded barbs with the mayor or through the newspaper.

Their relationship has since been repaired, but the conflict added a degree of awkwardness at the time as advocates hoped for a positive response from Curry.

The legislation quickly bumped into opposition. City Councilman Bill Gulliford, the former mayor of Atlantic Beach and a shrewd legislator, filed an opposing bill calling for a voter referendum to decide the issue — believing it would result in the defeat of expansion efforts.

Weeks later, Curry weighed in, saying he still did not support changing the law. But he did issue an executive order updating City Hall's anti-discrimination policy to include lesbian, gay, bisexual and transgender employees. The order also required city contractors to follow

that rule.

To Curry, the issue was resolved. The Republican mayor had campaigned on combating crime, and he was in the beginning stages of a major campaign for voters to approve a sales tax to help pay off the city's staggering pension debt. He was eager to get back to those priorities.

So too, it seemed, were many City Council members, perhaps taking a cue from the mayor. Curry's announcement had deflated the expansion push on the council.

Hazouri, sensing that, withdrew his bill before it was voted on, admitting it "wasn't ready for prime time" but promising to return.

"This issue would never go away," he said.

RETOOLING STRATEGY

As other City Hall issues dominated headlines throughout 2016 — primarily Curry's pension sales-tax campaign — advocates regrouped.

Midyette, the legislative director for the Jacksonville Coalition for Equality, began working on a condensed version of the expansion bill, shortening it to four pages, and adding provisions he hoped would diffuse opposition to the bill, like exemptions for small businesses and religious organizations. Some of the city's top attorneys provided feedback.

A group of business and civic leaders began meeting with City Council members individually.

Khan also took a personal interest in the issue. In the past, Khan had been supportive of the effort but hadn't actively engaged. This time, he would. Khan and his lobbyist, Harden, began meeting with council members.

Harden and Khan turned down a request for an interview.

"We always had the 'wink wink, nudge, nudge' support of Shad Khan, but he never really entered the debate and discussion," Midyette said. "This time it was much more focused."

The plan this time was to introduce the legislation with 10 co-sponsors, the simple majority required to pass the law. It's not clear how far along those talks had gotten when, as the new year approached, Hazouri became anxious again about introducing new legislation.

The council had strongly backed Curry's pension tax campaign in the summer, and Hazouri had agreed to stand down on the anti-discrimination bill until after its conclusion. He was ready to move forward and told chamber and business leaders he would file legislation if no action was taken soon.

"Would I introduce it again? Yes," Hazouri said. "And again and again."

Bowman called a public meeting Jan. 4 to roll out the newer, shorter bill. The goal was to brief his colleagues on the changes made in the legislation and to ask for co-sponsors to

sign on.

He made the pitch mainly on economic grounds. Bowman, who recruits new businesses to Jacksonville in his position with JAX-USA, said he frequently speaks with business leaders and consultants about what companies look for in cities. He said the city's lack of discrimination protections for LGBT companies was a strike against it.

Bowman's support was also based on a moral argument.

"I think being a career Navy guy — I was there 32 years — I really took to heart defending the constitution," Bowman said. "The constitution is all about a free American and the rights of people."

The end result of the meeting was lacking.

Only Hazouri and Love — who had supported Hazouri's bill in 2016 — signed on.

"It was an interesting group," Love said of the trio. "We came about it from different directions. I was the only one who went through it in 2012."

Love said he felt the lack of protections hurt the city from a cultural and economic perspective. It was also personal. He said his district, which includes Riverside and Avondale, has the most LGBT constituents in the city, and he counts many of them as his friends.

COUNCIL POLITICS

Supporters were ultimately hoping to get 13 council members to commit to yes votes, a super majority ensuring the council could, if necessary, override a veto.

The earliest vote count showed a plausible yet fragile path.

Love, Bowman and Hazouri were the only members publicly committed to support the bill.

On the other side, there were almost certainly six no votes: Gulliford, Sam Newby, Danny Becton, Al Ferraro, Doyle Carter and Matt Schellenberg — all Republicans.

Some council members who hadn't committed publicly were thought to likely become supporters: John Crescimbeni and Joyce Morgan, both Democrats, and Republicans Anna Brosche and Greg Anderson.

There rest made up a large and mushy middle, and supporters would need to get all of those votes to reach 13. Significantly, Boyer, the Republican council president, remained uncommitted.

"There are times when a council president can serve a good role being a leader and coming out on a position on and advocating for a position," she said. "I didn't feel this was one of those."

The other unknowns: Garrett Dennis, Katrina Brown, Reggie Gaffney — all Democrats — and Republican Scott Wilson.

"Lobbyists were counting votes, and there were those that were tough to

HOW THE COUNCIL VOTED

The vote to approve the legislation banning discrimination against gay and transgender people:

Yes: Greg Anderson, Aaron Bowman, Lori Boyer, Anna Brosche, Reginald Brown, John Crescimbeni, Garrett Dennis, Reginald Gaffney, Tommy Hazouri, Jim Love, Joyce Morgan, Scott Wilson

No: Danny Becton, Doyle Carter, Al Ferraro, Bill Gulliford, Sam Newby, Matt Schellenberg

Absent and not voting: Katrina Brown

read," Midyette said.

He said he was confident that the bill had 11 to 13 votes and that it was Boyer and Dennis who were the hardest to read.

VOTES GET CAST

Boyer, while uncommitted, did aim to move the bill through the normal committee process without hiccups or unnecessary delays. The goal was to get it to the council for an up-or-down vote Feb. 14.

Gulliford, who remained a stalwart opponent, and Becton furiously debated the bill in committees. Aside from Hazouri, Love and Bowman, however, there were few other council members willing to speak in favor of the legislation.

Gulliford, in retrospect, views that in a negative light.

He said he found it "profound" that the on-record debate over the legislation only included a handful of voices — and that many of the council members who supported the bill never spoke in favor of it — or said much of anything.

"Didn't you find the silence deafening?" Gulliford said. "That told me it was a done deal. It was a done deal before this last election. They leveraged everyone that was running, and they understood a lot of deep pockets wouldn't support them in the future if they didn't toe the mark."

With power players like Harden, Jaguars president Mark Lamping and JAX Chamber officials looking on, the committee votes revealed that the bill was likely to pass Feb. 14.

Wilson — one of the Republicans who advocates hoped to win over — told the Times-Union in the days leading up to the final vote he was in favor.

Boyer offered an amendment to the legislation clarifying language on religious exemptions, an unlikely move if she had planned on voting against the bill.

Meanwhile, Curry was a puzzle. Many supporters seemed confident he wouldn't stand in the way if the bill got 13 votes, but he wasn't committing in public or private to taking any particular action. Some people around him were staunchly in favor of the bill, including some of his major financial backers — like Ed Burr, chairman of the Civic Council, and Jacksonville gambling magnate Howard Korman — as well as the pastor at his church.

BECOMING LAW

The Feb. 14 council meeting proved to be anticlimactic.

Opposition council members offered amendments to undermine the bill, but they all easily went down. There was one hitch, however, for supporters: Councilwoman Katrina Brown was inexplicably absent. A notice her aide filed at 4:59 p.m. — one minute before the start of the meeting — said the councilwoman had to miss the meeting because of illness.

Everything else played out as supporters had hoped: The final vote showed 12 votes in favor, with 6 against.

How would Curry react? Darnell Smith, JAX Chamber board chairman, said immediately after the vote that advocates had taken a hands-off approach with the mayor's office. "We'll begin our work tomorrow," he said.

Burr wouldn't offer predictions, either, saying he had "no insight on the mayor's office."

Curry's answer came quickly: About an hour after the vote, he announced he would let the bill become law without his signature — adding fuel to what had already become a major victory party by supporters in Hemming Park outside City Hall.

City officials and supporters offer different assessments about why the campaign was successful this time.

"It was the passage of time," Boyer said.

Moran said that many different groups tried to help pass the law that failed in 2012, but that were was no coordination. That changed.

"I think this coordination really made the difference," she said. "Sometimes this is referred to as a victory for the LGBT community. This is a win for the whole community. This is a win for Jacksonville, and that's what I'm most excited about."

Midyette said the economic argument made a big difference, after the upheaval in North Carolina and outrage after Houston voters repealed a gay-rights ordinance passed by its City Council.

"It all comes down to money," he said. "You can't write a folk song about that, but I'll take the outcome."



Curry