



Taxation, Revenue, and Utilization of Expenditures (TRUE) Commission

Wes Benwick, Chair

Jason Fischer, Vice Chair

Joe Andrews, Secretary

Meeting Minutes September 30, 2010 4:00 p.m.

Attendance: Wes Benwick (Chair), Thomas Martin, Marc El Hassan, Joe Andrews, Ruth Arnold, Mike McCollum, Jason Fischer, Ryan Jones, Randy Deen, Greg Anderson, Ernest McDuffie

Excused: Robert Jones

Absent: Hiron Peck, Marcella Lowe, Gamal Lyons, Mark Cowart

The meeting convened at 4:05 p.m. with a quorum present.

Minutes

The revised minutes of the September 2, 2010 commission meeting were approved as distributed.

New Business

Carla Miller, City Ethics Officer, explained the history behind the Ethics Code being in the original City Charter in 1968 and later removed in the early 1970s. The Ethics Commission has been studying the issue for over a year trying to determine how best to return an ethics code to the Charter. The Commission passed a resolution encouraging the restoration of an ethics code to the Charter and forwarded it to the City Council Special Committee to Review Charter Revision Commission Recommendations which concurred with the recommendation. Ms. Miller added a reference to the TRUE Commission into the proposal with regard to staffing and funding support and coordination with the City's other ethics and oversight mechanisms.

Ms. Miller answered several questions about the operation of the City's ethics hotline and about what would constitute an "independent" Ethics Commission. Ms. Miller stated that several of the independent authorities have their own ethics efforts (ethics codes, hotlines) and the Ethics Commission sees the need for better coordination, cooperation, and shared efforts among the various entities to address areas of overlapping interest. The Ethics Commission will also continue to cooperate with the State Attorney's Office and the Florida Ethics Commission.

The commissioners discussed the wording of the ordinance with regard to the TRUE Commission and references to staffing. Ms. Miller stated that the charter amendment will be fairly broad and general in scope, with City Council determining the details by means of an Ordinance Code amendment that would be needed to implement the charter provisions. She stressed that the operations of all of the entities referenced in the bill will continue unchanged for the time being until such time (if any) as the Council makes some change.

Motion (McCollum): that the TRUE Commission adopt a resolution expressing its support for a coordinated effort on the part of the City to unify existing efforts in ethics, compliance and oversight by the Ethics Commission, TRUE Commission, Inspector General and others, utilizing existing resources, and without adding additional funding or staff – **approved 11-0.**

Staff will draft the resolution, obtain the approval of the Chairman, and distribute to the City Council members prior to the Rules Committee meeting on Monday morning, October 4th.

Committee Reports

Legislative Tracking Committee – Commissioner Andrews reported that the committee is reviewing several bills from prior meetings, and will meet again tomorrow at 12 noon to review this week’s new introductions. The committee’s October 15 meeting will be moved from 12 noon to 9:30 a.m.

Performance Committee – Commissioner Anderson reported that the committee will meet on November 4 and will hear from Chief Financial Officer Mickey Miller on the subject of the City’s administrative computer system.

Banking Fund Committee – Commissioner El Hassan stated that he is pleased with the response to his call for volunteers to join the committee, and the members have submitted good questions for the committee to pursue. He is working with Mickey Miller and City Treasurer Mike Givens to schedule a meeting for October 11th.

Contract Management Committee – Commissioner El Hassan stated that he is reaching out to General Counsel Cindy Laquidara to request her recommendation for the right person for the committee to contact to get an overview of City contract management practices. He will set a meeting date and time when that recommendation has been received.

Auditor’s Report

Tommy Carter of the Council Auditor’s Office reported that one report has been issued since the last TRUE Commission meeting - #687, Audit Follow-Up for 2010. The Auditor’s Office follows up on the recommendations it publishes in its audits and reports approximately 12 to 18 months after a report is released to check on the progress of implementation. The follow-up report also looked back at recommendations made several years ago that were noted in the 2009 Audit Follow-Up Report. New audits planned for the next fiscal year include the Shands indigent care contract, JEDC, JEA accounts payable, and City accounts receivable. The Auditor’s Office will also contribute 160 hours of staff time (two people for 2 weeks) to the Ernst and Young independent audit of the JEA and will dedicate 600 hours in December (3 people for 200 hours each) to the McGladrey and Pullen City external audit.

In response to questions from the commission at its last meeting, Mr. Carter reported that while a Banking Fund audit is still on the Auditor’s Office work plan, it is not planned for commencement this fall. The Banking Fund did not rank as highly on the Auditor’s risk assessment as other areas, so those area that might be problematic or prone to greater liability are given precedence in scheduling audit time. Commissioner Martin noted that the 2010-11 budget ordinance waived the prohibition in the Ordinance Code against use of the Banking Fund for the purchase of vehicles. In response to another question from the September meeting Mr. Carter gave a brief explanation of the City’s “lapse factor” budgeting procedure. He used the example the Sheriff’s Office having 2,000 employee positions but only budgeting enough funds to pay 1,900 of those positions for a full year. Because there is turnover during the year (resignations, retirements) not all positions are filled for 100 percent of the year. The amount that is not budgeted because it won’t be necessary is the “lapse factor”, and the City figures this factor into its budget calculations.

Chair’s Comments

None.

Old Business

None

Commissioner Comments

None

Public Comments

Tony Bates of Concerned Taxpayers of Duval County stated that the staffing requirement for the TRUE Commission is contained in Chapter 57 of the Ordinance Code and therefore does not need to be included in the discussion of the Ethics Commission and ethics code and the staffing for that function. Mr. Bates inquired if the commission would hear testimony from a representative of Concerned Taxpayers regarding City pension issues, and was told that the commission would welcome a presentation at the November meeting.

Next meeting

The commission's next meeting is scheduled for Thursday, November 4th at 4:00 p.m.

There being no further business, the meeting was adjourned at 5:10 p.m.

Posted 11.5.10
5:00 p.m.

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