

REPORT AND FINDINGS

OF THE

T.R.U.E. COMMISSION COMMITTEE

REVIEWING THE CITY COUNCIL

AUDITOR'S AUDIT OF

JEA PIPE BURSTING REPORT #589

June 2005

Committee Members Lee Martin (Chair)
Mike Meroney
Randy Deen

Fellow Commissioners, I am happy to report to the Full Commission the findings of the JEA Pipe Bursting Audit Review Committee.

First of all, I want to thank my fellow committee members Mike Meroney and Randy Deen. Their efforts, diligence and insight provided to this review were invaluable. The TRUE Commission is well served by Mike's and Randy's performance.

The following paragraphs will outline, in brief fashion, our findings and recommendation.

The Committee established these facts: 1) One year after the JEA Pipe Bursting Contract was awarded, Mr. David Hodges, a private investigator, brought some concerns regarding the award of the contract to the General Counsel's office. Loree French, of the General Counsel's Office, began to investigate and inquire regarding Mr. Hodges' concerns. 2) Ms. French contacted the Department of Business and Professional Regulation with Mr. Hodges' concerns. The DBPR indicated the awarding of the contract would not be disqualified because of administrative technicalities. 3) Ms. French had conversations with the State's Attorney Harry Shorstein, who indicated he would not pursue any of Mr. Hodges' concerns regarding the award of the contract.

The next sets of facts are these: 1) The Federal Bureau of Investigation contacted the City Council Auditor's Office to audit the awarding of the JEA Pipe Bursting Contract. 2) The Council Auditor conducted the audit and found the JEA complied with the Audit objectives. 3) the FBI has not taken any action regarding Mr. Hodges' concerns.

All of the above-mentioned entities including city, state and federal, are aware of a private investigator's allegations and none, not one, has taken action as of this date.

May I respectfully suggest to the TRUE Commission that a private investigator's **OPINION** about ordinances or state law falls short of established **FACT**. The courts are where legal questions are decided. Whomever Mr. Hodges represents may hire an attorney and pursue this issue further, if they so desire. It is therefore the recommendation of this Committee in accordance with the Commission's policies and procedures to accept the audit, pending post-audit review.

Respectfully,

Lee Martin
Commissioner
TRUE Commission