



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

Marc El Hassan, Chair
Greg Radlinski, Vice Chair
Joe Andrews, Secretary

TRUE Commission Meeting Minutes

March 1, 2012
4:00 p.m.

Attendance: Marc El Hassan (Chair), Marcella Lowe, Ernest McDuffie, Daniel Blanchard, Ted Wendler, Thomas Martin, Patti Anania, Diane Brown, Greg Radlinski, Gamal Lyons, Jason Fischer (arr.4:20)

Excused: David Lane, Joe Andrews, Ryan Jones

Absent: Hiron Peck

Also: Tommy Carter – Council Auditor’s Office, Jeff Clements – City Council Research

Chairman Marc El Hassan convened the meeting at 4:07 p.m. with a quorum present.

Minutes

The minutes of the February 2, 2012 commission meetings were approved as distributed.

Committee Reports

Legislative Tracking Committee – Commissioner Radlinski reported that the committee had not met in February due to a lack of legislation of interest. Because of his excused absence for illness today, Commissioner Andrews had asked Mr. Radlinski to convey to the commission his rationale for opposing pending ordinance 2012-70 which would appropriate \$75,000 for construction of a dog park at Ed Austin Regional Park. In addition to a general philosophical opposition to spending these funds for the benefit of a small subset of the general citizenry (dog owners) in difficult economic times, he also believes that the ordinance would violate Sec. 122.605(c) of the Ordinance Code which states “The City Council may amend the Capital Improvement Program Plan and any appropriations made pursuant to Section 122.605(a)(4) during the then current fiscal year, but only upon a finding by City Council that deferral of such amendment until the immediately following annual budget review will be detrimental to the best interest of the community.” Mr. Andrews contends that the pending ordinance does not contain any finding regarding the need for the immediate CIP amendment or any detriment to the community from not amending the CIP in mid-year to accommodate the project and therefore is an invalid ordinance. Mr. Radlinski posed that issue to an attorney in the General Counsel’s Office and was told that the City Council essentially makes an informal finding of the best interest of the community by virtue of enacting the ordinance. The ordinance does not contain specific language making a finding, but the enactment of the ordinance acts as the finding. Mr. Radlinski presented Mr. Andrews’ letter of opposition to the ordinance to the commission for action but failed to receive a motion.

Performance Committee – Commissioner Wendler stated that the committee had met just before the full commission meeting and had a good discussion with Linda Lanier, Executive Director of the Jacksonville Children’s Commission. Commissioner Brown, who is chairing the Children’s Commission review process, stated that the committee is in the information gathering stage and there is more work to be done on the volume of information that has already been provided. She will have staff poll the committee to select a date for the next meeting.

Audit Review Committee

Commissioner Lowe asked the commission for any questions or comments on Auditor’s Office Report #713 – Quarterly Summary for the Three Months Ended December 31, 2011. Commissioner Radlinski asked if there are indications yet of how much savings can be expected from the administrative reorganization and the recently approved Sheriff’s Office labor agreement. Tommy Carter of the Auditor’s Office said that the office’s review is in process but not completed. The next Quarterly Summary for the second quarter is due by May 15th.

Motion (Lowe): the TRUE Commission accepts Report #713 without comment, pending receipt of further information from the Council Auditor’s Office – **approved**.

Auditor’s Report

Tommy Carter of the Council Auditor’s Office reported that the office had just released Report #713 as mentioned above. The CAO is also doing follow-up on the JEDC’s economic incentive contracts at the request of the Council’s Audit Committee. The office is in the process of interviewing to hire a new auditor as authorized by the Audit Committee. In response to a question from Commissioner Wendler about whether the pension plans have released their actuarial reports for 2011, Mr. Carter indicated that they have not been released yet but they should be available shortly.

Chair’s Comments

Chairman El Hassan reported that he had talked to Audit Committee (and former TRUE Commissioner) Greg Anderson who said he would appreciate having the TRUE Commission’s assistance an input in the upcoming City budget process. Mr. El Hassan asked the commissioners to look at potential budget line items of interest and do some investigating to see where there might be cost savings or other efficiencies. The commission should do its best to be helpful to the City Council, even if it’s in small matters.

Mr. El Hassan also said that he had attended the Audit Committee’s meeting at which the SMG contract was discussed and had presented that committee with the TRUE Commission’s contract management study from several years ago. Mr. Anderson said that he will invite representatives from the City’s Procurement Division to a future Audit Committee meeting to talk about contract tracking. Commissioner Lowe is very interested in following up on the SMG discussion and the subject of City contract management. The committee briefly discussed the contract management study and the City’s apparent lack of a central database of all contracts currently in force. Commissioner Radlinski said that the City’s Corporation Secretary should have copies of all City contracts in a central repository. Jeff Clements stated that Neill McArthur is the City’s Corporation Secretary and undoubtedly has copies of all the City’s contracts, but not in the form or with the accessibility that the Contract Management Committee was seeking. That committee was looking for a single list or database of all currently in-force City contracts with information about total contract amounts, terms, expiration dates, renewal dates and terms, etc. It did not appear to the committee that the information is kept in that form, which they believed would be extremely useful in ensuring proper contract management.

Old Business

Commissioner McDuffie discussed the City's procurement disparity study currently in process and stated that he had attended the last City Council meeting and during the public comment period clarified to the Council that his earlier appearance had been as an interested citizen and not as an official representative of the TRUE Commission. He said that the funding for the disparity study is \$500,000 of General Fund dollars from the City and \$200,000 of federal planning grant funds from the JTA. Mr. McDuffie said that the City had a long history of ignoring Part 8 of its Procurement Code regarding minority procurement efforts and of deliberately using Part 6 of the Code rather than Part 8 as it should have. He has asked the Office of General Counsel for a legal opinion on whether the current study meets the applicable legal requirements for a valid disparity study and will report back what he finds. Commissioner Martin suggested that the Procurement Code calls for a disparity study if the goals of the City's Jacksonville Small and Emerging Business program are not met by 2009 and that's why the current study only looks at the last 5 years when the JSEB program was in effect. Mr. McDuffie felt that a 5 year look back will give a completely biased picture of City procurement because there has been so little major construction work in the last 5 years (except for the county courthouse).

New Business

Commissioner Wendler said that he had met City Council Member Bill Gulliford at a recent meeting and he had invited the TRUE Commission to send representatives to his Recreation and Community Development/Public Health and Safety Committee meetings to talk about relevant issues at the conclusion of the regular committee legislative agenda. Staff was asked to distribute the RCDPHS Committee meeting schedule to the membership.

Commissioner Comments

Commissioner Fischer announced that he would be resigning from the commission in order to run for a seat on the School Board. He will stay on the commission until a replacement can be appointed.

Public Comments

None

Next meeting

The commission's next meeting will be on Thursday, April 5th at 4:00 p.m.

There being no further business, the meeting was adjourned at 4:48 p.m.

Posted 4.9.12

5:00 p.m.

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