



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

Dr. Keshan Hargrove, Chair

TRUE COMMISSION Meeting Minutes

October 5, 2023
4:00 p.m.

Don Davis Room, 1st floor, City Hall

Attendance: Commissioners Dr. Keshan Hargrove (Chair), Charles Barr, Bruce Tyson, Kim Pryor, Carter Jones, Daniel Henry

Excused: Commissioners Ramon Day, Velma Rounsville

Absent: None

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

The meeting was convened at 4:00 p.m. by Chairwoman Hargrove and the attendees introduced themselves for the record.

Invited Speakers: Nina Sickler and Robin Smith – Public Works Department

Public Works Director Nina Sickler said she is new to the department having been appointed as Director last month. She introduced Robin Smith, Chief of Engineering and Construction, to answer questions posed by the commission. Commissioner Pryor expressed concern about the quality of work being performed by the city construction contractors and the quality of inspections and approvals by city contracted construction managers. She particularly mentioned a stamped sidewalk project in Springfield and the West 4th Street brick street reconstruction project, both of which appear to suffer from shoddy workmanship and failure to adhere to the project specifications. If the construction was properly inspected, they shouldn’t have ended up like they did. Mr. Smith said Public Works’ policy on sidewalk projects in historic areas is to replace pavers with like pavers and stamped concrete with stamped concrete. The stamp doesn’t always match up with the exact sidewalk configuration because of the width and slope of the sidewalk and the presence of tree roots and other obstructions. Newly installed pavers are now installed over a concrete base so that they are solid and stay in place and aligned. With regard to the 4th Street project, Mr. Smith said the existing curbs were not removed and rebuilt to avoid having any negative impact on the adjoining historic properties. The brick street was laid in the same plane as the previous street so it is not as good as a completely new street would be, given the limitations on the scope of work.

Commissioner Jones asked how best to report problem conditions to the City. Mr. Smith said to use the MyJax online system or call 630-CITY to which sorts and distributes complaints for remediation. Larger, neighborhood-wide problems or projects might be better addressed in discussion with a district council member. Complaints are prioritized by their severity and availability of funding to tackle the problem. In response to a follow-up by Mr. Jones, Mr. Smith described the process for prioritizing projects based on severity, the number and degree of citizens affected, and the difficulty of remedying the issue.

Commissioner Henry asked several questions about Council Auditor's Audit #869 – Public Works Construction-Related Vendors Audit. Mr. Smith said the Procurement Division is working on a complete overhaul of the City's procurement system; an ordinance is currently pending before the City Council. The Public Works Department is working on new standard operating procedures to address issues identified in the audit. Some of the problems identified were related to the COVID pandemic and the fact that employees were working remotely, so things like signed documents were not produced but reviews and approvals were done by email. Public Works and the Procurement Division have met to work on the SOPs and how to be sure that JSEBs are paid in a timely manner. Mr. Henry asked about verification of use of JSEBs on City contracts. Mr. Smith said Public Works and the JSEB office review the JSEB participation rate in the procurement phase of a project and check to see that the goals were met at the end of the project, but doesn't necessarily check progress in mid-project.

Mr. Smith said project managers are assigned to projects very early in the project development process prior to design and engineering. There is a project manager for the design, engineering and procurement process until the start of construction, at which point it is turned over to a construction manager to take it to completion. Sometimes contracts are extended when they expire so that work doesn't have to stop and then restart. The department now keeps track of all projects and checks their progress status 9 months from the contract completion date to be sure that projects are on track for completion and that action to proactively extend the contract, if necessary, is initiated. Mr. Henry asked how Public Works verifies that projects are done as expected and paid for in a timely manner. Mr. Smith said project managers are responsible for monitoring to track progress against the contract specifications, and on rare occasions liquidated damages are levied for non-performance. He noted that sometimes there are extenuating circumstances (tropical storms, materials shortages, etc.) that cause a contract to be extended without penalty.

Director Sickler discussed the hiring of third-party construction managers and their role in the construction process. The City has one construction manager assigned to each project, private construction managers are hired to be "boots on the street" to oversee day-to-day work progress and quality. Private contract managers don't sign off on payments; only the City's manager can do that. She said that the department balances a lot of considerations in its projects (drainage patterns and capacity, historic resources, neighborhood preferences, traffic maintenance, etc.) which impact how projects are produced. Commissioner Tyson asked about the number of project managers in the department. Mr. Smith said there are 7 professional engineers and 3 other personnel on the engineering side of the house, and 4 construction managers on the construction side, each typically handling between 10 and 12 projects. They distribute projects based on individual skill sets, workload balance, and personal preference for different types of project. There is only 1 field inspector on staff to look at all the projects in the city, so that accounts for the need for the private construction managers to be in the field overseeing day-to-day work. There is not a state license for construction management, but he has a registered professional engineer and 3 experienced construction managers with college degrees in that field.

Commissioner Henry asked if Public Works has a co-op program or other mechanism for getting new employees into City employment. Ms. Sickler said the companies she worked for in the private sector have made great use of interns as a way to introduce students to the field and test their interest. She understood that the City has tried that in the past but ran into a problem with federal labor laws and if/how interns are paid. Mr. Henry asked if Public Works could develop an online dashboard for its capital improvement projects like the JTA has for its Mobility Works projects funded by the BJP gas tax. Ms. Sickler said that is being worked on now, first for internal City use and eventually for public access, possibly within the next year. Commissioner Tyson asked about a drainage problem at the intersection of Sandler Road at Old Middleburg Road. Mr. Smith said he would report that issue to the maintenance section but cautioned that a complete rework of that area is planned in the next two years, so there will

need to be a decision made about how much is worth expending to remedy the situation in the short-term versus waiting for the comprehensive solution later.

TRUE Commissioner-nominee Tony Zebouni said he has a long history with City procurement from his years in the Office of General Counsel and will be happy to share his expertise with the commission when his appointment is finalized.

Approval of minutes

The minutes of the August 3 and September 7, 2023 commission meeting were **approved unanimously as distributed**.

Public Comment

None

Council Auditor's Report

Tommy Carter of the Auditor's Office reported that no new reports or audits have been released since the last commission meeting since the staff was heavily involved in the annual budget process. Commissioner Pryor asked about a response to questions she posed two meetings ago about tracking audit findings and recommendations; Mr. Carter said now that the budget process is complete, he will pose those questions to the audit manager and report back at the next meeting.

Legislative Tracking Committee

None

Audit Committee

None

Chair's Comments

None

Old Business

- By-laws revision
Motion (Henry) – approve the by-laws revision as distributed – died for lack of a second.

New Business

None

Commissioner Comments

Commissioner Tyson said it appears that the Public Works Department is understaffed to do the construction management work that needs to be done.

Next meetings

Audit Committee – at the call of the Chair as needed when new audits/reports are released

Legislative Tracking Committee – at the call of the Chair as needed

Full commission – November 9, 2023.

The meeting was adjourned at 5:11 p.m.

Jeff Clements, City Council Research Division

jeffc@coj.net 904-255-5137

Posted 11.16.23 10:30 a.m.