



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

Dr. Keshan Hargrove, Chair

TRUE COMMISSION PRELIMINARY MEETING MINUTES

*(Note: these minutes are not official until reviewed and
Approved by the commission at a future meeting)*

April 3, 2025

4:00 p.m.

Lynwood Roberts Room, 1st floor, City Hall

Attendance: Commissioners Charles Barr (Acting Chair), Bruce Tyson, Stephanie Oglesby, Andrea Letizia, Daniel Henry, Velma Rounselle, Tony Zoubini, Ramon Day

Excused: Commissioners Dr. Keshan Hargrove (Chair) Kevin Luhrs, Kim Pryor, Alexander Hoffman, Chris McHugh.

Also: Nayeli Jimenez and Brandon Russell – City Council Research; Heather Reber – Council Auditor's Office; Michael Fackler – General Counsel

Acting Chair Charles Barr convened the meeting at 4:05 p.m. and the attendees introduced themselves for the record.

Approval of minutes

The minutes of the March 6, 2025 commission meeting were approved unanimously as distributed.

Office of General Counsel – Michael Fackler

Commissioner Zebouni introduced the topic by referencing a previous City Council resolution that raised concerns about morale in the Office of General Counsel (OGC).

Mr. Fackler began by addressing concerns raised in a recent City Council resolution regarding morale within the Office of General Counsel (OGC). He clarified that while the resolution initially referenced low morale, that language was ultimately removed. However, the issue remains relevant, particularly in relation to staffing and compensation challenges. Mr. Fackler explained that the office has experienced significant turnover, particularly over the past two administrations. While some attrition is expected in a large office of over 70 employees, he identified two major contributing factors to the current challenges: the elimination of pensions for new hires and pay disparities. Historically, pensions acted as a strong retention tool, providing attorneys with long-term financial security. Now, without those benefits, the office struggles to compete with the private sector and other public agencies in terms of compensation. To address morale and leadership capacity, Mr. Fackler hired a new Deputy General Counsel, Dylan Reingold, a former OGC attorney, who has brought fresh ideas and energy to the team. Despite internal efforts to improve workplace culture, compensation remains a major issue impacting both recruitment and retention.

To evaluate compensation equity, OGC commissioned a market study, which revealed that the office is approximately 26% below market compensation when compared to peer law firms and around 19% below market when compared to other public sector legal offices across the state. Mr. Fackler emphasized that these findings are likely understated due to internal classification constraints. For instance, an attorney with over 20 years of experience is still categorized as an “Attorney II,” placing her in comparison with attorneys who typically have only 3 to 6 years of experience. Ideally, such an attorney would be classified and compensated as an “Attorney IV” or higher. The structural limitations in promotion and classification further complicate pay equity and morale.

Commissioner Tony Zebouni initiated a discussion regarding the methodology used in the Office of General Counsel’s compensation study. He noted that during his time in the office, compensation comparisons were typically made with public sector general counsel offices, such as Miami-Dade and Hillsborough County, rather than private law firms with significantly higher billing rates. He asked whether this current study followed a similar approach.

Mr. Fackler responded that the Gallagher study incorporated both private and public sector comparisons. OGC reached out to comparable jurisdictions including Miami-Dade, Hillsborough County, Tampa, and Fort Lauderdale, and collected responses where available. He acknowledged that national law firms naturally pay more but emphasized the importance of remaining competitive enough to attract top-tier legal talent, especially given Jacksonville’s unique status as a consolidated government. He clarified that the goal was not to match private sector pay but to be within a reasonable range to recruit and retain high-performing attorneys. Mr. Fackler added that this issue is not the result of recent decisions but rather inherited structural challenges, and that elected officials have been receptive to discussions about improving the situation.

Commissioner Daniel Henry followed up, asking whether a full-scale review had been conducted with the City’s Employee Services to consider market adjustments across all OGC attorney pay scales. Mr. Fackler confirmed that the Gallagher study did include all attorney and staff classifications, breaking them down individually, including legal assistants, paralegals, and entry-level legal clerks. The study aimed to identify pay disparities across the board.

Commissioner Henry asked if Mr. Fackler could provide a cost estimate for bringing attorney salaries in line with market averages. Mr. Fackler estimated that with an \$8 million salary budget, a 10% adjustment would equate to approximately \$800,000. Commissioner Henry referenced similar efforts made recently by the Tax Collector and Property Appraiser’s Offices to address compensation disparities. He also argued that Jacksonville’s consolidated structure adds complexity and responsibility to legal work, supporting the case for higher comparative pay than jurisdictions like Hillsborough or Miami-Dade. Mr. Fackler noted that the Mayor’s Office has agreed to hold discussions about “right-sizing” OGC’s compensation in the upcoming budget process.

Commissioner Henry stressed the importance of including administrative and support staff in compensation discussions. He remarked that private sector pay for paralegals and legal assistants is often far more competitive. Mr. Fackler confirmed that those roles were included in the study and were broken down across five attorney levels and multiple staff tiers.

Commissioner Zebouni returned to the topic of billing and suggested that OGC consider increasing hourly billing rates—particularly for independent authorities such as JEA, the School Board, and JAXPORT, given that their work generates real revenue. He suggested this could help close the office’s budget shortfall. Mr. Fackler explained that OGC is structured as a central service department and does not operate to generate revenue.

Acting Chair Charles Barr asked when the pension benefit was eliminated for OGC attorneys and whether there was interest in reinstating it. Mr. Fackler said he was unsure of the exact date pensions ended but

confirmed that newer hires no longer receive pensions. Instead, they are offered a 401(a) defined contribution plan. He acknowledged that salaries have not been adequately adjusted to account for the loss of pension benefits, contributing to the compensation gap and retention concerns.

Commissioner Ramon Day inquired about attorney classification levels within the Office of General Counsel (OGC). Mr. Fackler explained that the office recently expanded to six attorney classifications. While progression is loosely based on tenure typically advancing every three years many long-serving attorneys remain at mid-level classifications due to limited promotional pathways. This creates compression, particularly when experienced attorneys are grouped with less experienced peers. Unlike private firms where attorneys receive routine step increases, OGC lacks that structure.

Commissioner Day asked whether OGC's salary bands had been updated recently. Mr. Fackler responded they had not been adjusted since his arrival but noted he had a meeting scheduled with Employee Services to address this. He also acknowledged the need for wider pay bands and confirmed some informal conversations with Council members had occurred.

Regarding billing practices, Commissioner Day asked whether OGC charges the same rate for high-complexity contracts as for routine city transactions. Mr. Fackler explained that billing varies by the staff member's classification, senior attorneys bill at higher rates than junior attorneys or paralegals. While some higher-level attorneys may occasionally handle routine tasks, OGC generally assigns work based on complexity and attorney experience.

Commissioner Day also asked what it would take to align OGC more closely with a private-sector law firm. Mr. Fackler said it would require a significant increase in the salary budget, roughly \$800,000. OGC currently employs around 45 attorneys, similar to Miami and Miami-Dade, although Jacksonville's population and consolidated government demands arguably require more. Mr. Fackler stated that he would like to increase staffing to 50–55 attorneys. He noted that JEA recently funded three new FTEs, which brought OGC from 42 to 45 positions, though several remain unfilled.

Commissioner Daniel Henry provided insight from his experience in corporate America, noting that many in-house attorneys accept lower compensation in exchange for work-life balance and relief from billable hour requirements. He emphasized the differences between in-house and private firm structures and asked whether this influenced OGC's staffing model. Mr. Fackler agreed, explaining that while OGC initially considered eliminating billable hours, it retained the model to fairly allocate costs across clients like JEA and City Council. He emphasized that OGC functions more like a corporation, with a defined management structure and cost-recovery billing, not profit-driven rates.

Commissioner Henry noted the complexity of legal work for independent authorities like JEA and JAXPORT and questioned whether a uniform billing rate fairly reflects that. Mr. Fackler said OGC uses senior attorneys for complex work and adjusts staffing accordingly. For example, five senior attorneys are assigned to JEA, while the school board receives support scaled to its needs. He affirmed the office aims to align staff experience with workload complexity.

Commissioner Zoubouni suggested that increasing billing rates—even modestly—might generate additional funds to close compensation gaps. Mr. Fackler clarified that billing rates are tied to cost recovery, not revenue generation. Any overage would revert to the General Fund, and he cannot raise salaries unless the overall budget increases.

Commissioner Henry shifted the discussion to contract management and asked how OGC is handling recent changes to procurement and document processing. Mr. Fackler said OGC tracks nearly all city contracts but acknowledged that integrating DocuSign with existing systems has created growing pains. He stressed that delays in contract execution are often due to external factors and not solely within OGC. Regarding training for contract administrators, he confirmed OGC was involved in developing the new framework.

He had no recent updates on program outcomes but indicated a generally cooperative relationship with Procurement.

Commissioner Zoubouni noted pending state legislation that would impose a 30-day limit on approving change orders, cautioning that OGC would need to adapt accordingly. Mr. Fackler agreed and emphasized OGC's commitment to efficiency.

Mr. Fackler concluded with two final points. First, he acknowledged that high turnover—averaging 1.7 departures per month—is problematic and threatens institutional knowledge and service delivery. Second, while OGC tries to avoid outsourcing, they occasionally rely on outside counsel due to staffing gaps, conflicts of interest, or highly specialized needs.

Commissioner Velma Rounselle asked whether compensation was the primary cause of turnover. Mr. Fackler said it was the leading factor but noted others, including lack of advancement, retirement, and personal circumstances, also contribute.

Commissioner Henry inquired about partnerships with local law schools. Mr. Fackler said OGC is working with JU to create an academic-credit internship and maintains recruitment relationships with UF, FSU, and FAMU. However, he noted the office typically hires attorneys with some prior experience due to the high responsibility and limited capacity for training new graduates. Commissioner Henry encouraged establishing at least one entry-level position per year to build a talent pipeline, arguing that molding early-career attorneys could address long-term staffing needs. Mr. Fackler acknowledged the idea and said while entry-level hiring is a risk, it's worth exploring further.

Public Comment

None

Council Auditor's Report

Heather Reber, Council Auditor's Office reported that two follow-up audit reports on Building Inspection and Real Estate were recently issued. Since they have not yet been presented to the Finance Committee, She stated that Mr. Carter will present them at the next TRUE Commission meeting.

Audit Committee

None

Legislative Tracking Committee

Commissioner Zoubouni reported that the Legislative Tracking Committee had not met. He noted the committee is considering a revised mission, shifting from reviewing all legislation to focusing on issues identified by the Commission. This would require redefining its mission. Acting Chair Charles Barr recommended postponing further discussion until Chair Hargrove returns, so she can participate. He also noted the Commission had just met quorum and expressed hope for stronger attendance at the next meeting.

Chair's Comments

None

Old Business

None

New Business

Commissioner Ramon Day initiated a broad discussion on the TRUE Commission's use of time and overall purpose. He questioned whether the current format, primarily receiving Council Auditor reports makes the best use of the Commission's expertise. He proposed shifting focus from retrospective audit reviews to more timely financial oversight, specifically through monthly departmental budget vs. actual expenditure reports with variance analyses. He emphasized this would offer a clearer picture of current city spending and provide early insight into potential budgetary issues.

Ms. Reber noted that while her office does not close the books, she is aware that the City's OneCloud system still presents timing challenges. Books are typically closed with a lag, but monthly financial reports become available with increasing regularity.

Commissioners Day and Barr acknowledged that TRUE's work is often overlooked by City Council, citing a past resolution on JSO staffing that appeared to receive no acknowledgement. Commissioner Day stressed the need to reevaluate the Commission's priorities and how meetings are structured, possibly including changes to meeting time or format.

Commissioner Henry added that while evening meetings might increase public engagement, any structural changes should be guided by purpose. He supported piloting the budget-to-actual report model to assess whether it adds value before advocating for schedule or mission changes. He also clarified that, per prior OGC opinion, the TRUE Commission has jurisdiction to inquire into independent authorities.

Commissioner Tyson highlighted the continued value of audit reports in identifying deficiencies and tracking corrective action but suggested condensing presentations into summary pages for efficiency. Commissioner Barr echoed this, adding that Commissioners sometimes overextend questioning of audit staff, which impedes time management.

Commissioner Zoubouni proposed formally redefining the Commission's mission through an amendment to the enabling ordinance and offered to help draft such a change with assistance from the Office of General Counsel. Commissioner Day agreed and committed to reviewing the ordinance, drafting a proposed agenda structure, and preparing a sample summary format to present in May. The group would then have time to refine and adopt any changes by the start of the new fiscal year in October.

Commissioner Letizia, a CPA, shared her initial interest in joining TRUE stemmed from a desire to examine budget flows and identify potential financial issues, affirming support for Commissioner Day's direction. Commissioner Day concluded that the Commission should focus more on expenditure oversight rather than revenue trends, which are largely predictable due to stable tax structures.

The group discussed possible changes to meeting times, including evening sessions, but acknowledged logistical issues with staffing, building access, and public awareness. They agreed the primary focus should be on the Commission's function rather than when it meets.

The Commissioners recalled past resolutions adopted by the TRUE Commission, including on JSO staffing, procurement staffing, and park funding. However, Commissioner Day expressed skepticism about their long-term impact or visibility among City Council members.

Commissioner Bruce Tyson announced he would be absent for the May and June meetings due to a long-planned trip.

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 – May 8, 2025

The meeting was adjourned at 5:30 p.m.

Nayeli Jimenez- Council Research Division

njimenez1@coj.net 904-255-5140

Posted 04/08/2025 10:30 AM