

MINUTES

FLORIDA CLERKS OF COURT OPERATIONS CORPORATION

DECEMBER 20, 2018 10:00 AM EST

EXECUTIVE COUNCIL MEETING

CONFERENCE CALL

The December 20, 2018 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) was called to order by Executive Council Chair Stacy Butterfield at 10:02 AM EST. She called upon Clerk Peacock to call roll. Those present on the phone were Chair Butterfield, Clerk Green, Clerk Peacock, Clerk Newton, Clerk O'Neil, Clerk Ruvin, and Judge Ficarrota joined the meeting later. Those that were not present were Clerk Crawford, Clerk Frank and Clerk Hudson. Mr. Dew stated there was a quorum. Chair Butterfield asked that the agenda be approved. Clerk Ruvin made the motion to approve the agenda. Clerk Newton seconded the motion. The Chair asked if there were any questions, hearing none the vote was taken. The motion carried.

THE CCOC OFFICE CONTRACTS

Chair Butterfield called upon Clerk Peacock to present this item. He began by stating that the contracts were referenced in Agenda Item 2. He explained that CCOC works on a one-year contract cycle for each with the opportunity for two additional years. It is a three-year cycle before we are mandated to go back out and start the contract process again. This year will be the end of a three-year cycle on all the contracts. The CCOC sent out requests for proposals and quotes. That was accomplished by staff. He thanked Mr. Dew and his staff for their work. Proposals and quotes for Clerk Education Services; Internal Auditing Services; External Auditing and Financial Services; IT Services; Webhosting and Development services; Revenue Compliance and Training Services; and Janitorial services were sent out. Of those, we have recommendations for all but the compliance and training services. This was a new contract this year and the PIE Committee wanted to do some additional review of the contract. So today we are not going forward with that contract.

The matrix of the contracts shows a little increase on some of the contracts but that is due primarily to the fact that it has been about 3 years after the last contract cycle and operational costs have increased. There are some incumbents. The FCCC for Clerk Education was the only bidder. The committee that reviewed these thought they were doing a good job. Our Internal Auditor, Bill Sittig did a great job for the CCOC helping to review bill payments, payroll, etc. The IT Services are now going from an in-house operation to a contractual service. The IT Services contract was looked at closely to make sure it provided for all the needs of the office. It shows on the matrix the provider the team selected and recommended to you today and the amounts.

Clerk Peacock asked if there were any questions. He recommended that the Council approve the contracts as presented. Chair Butterfield noted that she would take that in the form of a motion. Clerk O'Neil seconded the motion. The Chair asked if there was any discussion from the Council members. Clerk Newton had a couple of questions. On the Janitorial it shows the proposed annual maximum at \$2530 and \$190 bi-weekly, would that make the amount close to \$5000? John Dew said that it would be \$190 X 26 and yes, that amount needed to be fixed. He thanked Clerk Newton for catching that. The new figure should be \$4940. The other question was on IT Services. Epyon is CCOC's current provider. They were at \$1350 monthly. Did the group decide they were not providing adequate services? Clerk Peacock answered and said Doug Isabelle could respond also. CCOC is looking to add more services to this because we are still shifting from

in-house to outside support. It was felt the response from this vendor was better than the response from Epyon. He personally felt like the change from a technology standpoint was positive and that is why he supported the vendor recommended. He asked Doug to speak from the staff perspective. Mr. Isabelle stated that Clerk Peacock is correct. The CCOC is trying to move to a more full-service contract instead of what is termed a break/fix contract. He added that CCOC is trying to get to the front end, more of a full service which he calls an insurance policy that is monitoring all the computers and making sure they are all up and running on a regular basis. We are trying to handle the technology plus what Clerk Peacock said that the vendor provided a lot more for what we are trying to do. Mr. Dew wanted to make sure of the full disclosure here. For the IT Services the recommended vendor does have a relationship at the office. The Administrative Assistant is married to this individual. He wanted to make sure that it was clearly understood that she had no role in any of the decision made here. In addition, there will be no role as far as oversight with this contract. He wanted to put that out there so everyone understood that.

Clerk Peacock added that the group had talked about the relationship and for good practice let the auditors know to check for the internal controls on the IT systems that might touch dollars as well. Chair Butterfield thanked him and John Dew for disclosing this. She stated as for clarification, she asked the General Counsel who was on the phone, Rob Boyd to speak on this requirement and putting it on the record and making it clear and accountable. She asked him if that was sufficient? He stated that it was okay as long as there was full disclosure. She thanked him and asked if there were any comments from the Council or from anyone attending the meeting today. Clerk Green asked for one clarification. She asked if all these contracts were within the current budget? Clerk Peacock said they were. Chair Butterfield noted that the new figure with the correction should be a grand total of \$390, 040. Mr. Dew said that we are well within the contractual budget. One of the ways we did this is we had a budget for the past number of years related to budget modification and things of that nature. You may remember Glenn Robertson's contract. We now have staff that have the expertise. He noted that CCOC is in good shape contractually with dollars.

Callers were unmuted at this time. Chair Butterfield asked if there was anyone on this phone call or Webex that had questions or comments on this agenda item? Hearing none, she called for the motion by Clerk Peacock and a second by Clerk O'Neil to approve the contracts that have been presented and included the clarification of the amount for janitorial. Clerk Peacock said that he amended his motion to include the correction to the janitorial. Clerk O'Neil was ok with that also. The vote was taken, and the motion carried. She thanked Clerk Peacock and the team at CCOC who worked on these contracts, John Dew and Doug Isabelle.

4th QUARTER PERFORMANCE REPORT

Chair Butterfield called upon Clerk Green. She asked to go to page 173 in the packet and see the quarterly report. There are a couple notable points. Forty-five clerks' offices required action plans for collections. This was the same number as the previous quarter. Specifics on collections can be found on page 182. We are slightly below circuit criminal collection standard of 9%. However, when we adjust for the mandatory criminal assessments, we are above the standard of 15%. County Criminal dropped below the 40% standard at 38%. Civil traffic remained below the 90% standard at 83%. There is also statistics for timeliness on page 191 and 192. Basically, what we are seeing is that the continuation of shifting resources to meet the priorities on any given quarter. As we all know that we are limited in

resources, so we do see depending on the areas we are focused while other areas continue to decline. In the Circuit Civil Court Division, it came up to 87% for filing new cases timely.

After the 3rd quarter standard was missed, this was an offset of the performance due to Circuit Criminal, County Criminal and Dependency. Circuit Civil Court Division improved with docketing, but the performance slipped for Circuit Criminal, County Criminal and other Civil Court Divisions. As we have seen quarter over quarter, our measures continue to slip. They may go up in some areas and go down in other areas. The next quarter slips and the main reason why is we do not have appropriate staffing. That was her report and a motion was needed to approve the report, so it can be posted. Clerk Newton made the motion to approve the report. Clerk Peacock seconded the motion. Chair Butterfield asked if there was any discussion from our Council members and from those attending the meeting. She thanked Clerk Green and noted that the slippage of our timeliness especially is certainly directly related to our resource issues and the workload. She continued that the workload has continually been added to and with the most recent legislation last year have asked our staff to try keep our measures up, but inevitably we must prioritize those things. The most important is related to public safety issues and so therefore something must give. Clerk Green wanted to remind the Council that the PIE Committee is looking at the performance measures which are a large part of this report to identify measures that better reflect the work that we do in our offices and the performance associated with that work whether it be a statutory standard or just a good policy standard. We are looking at that this coming year. We should see work recommendations how we better document our performance based on internal and external controls. The vote was taken, and the motion passed.

THE CCOC ANNUAL REPORT

Chair Butterfield began by saying that the report is found on page 205 of the packet. This is regarding the Annual Report that is due. In the Florida Statutes Section 28.35(2), there is stated that one of the duties of the CCOC is “Preparing and submitting a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees by January 1 of each year on the operations and activities of the corporation and detailing the budget development for the clerks of the court and the end-of-year reconciliation of actual expenditures versus projected expenditures for each clerk of court.” This is a requirement and we have until January 1st to complete this report. She thanked John Dew and staff members Jason Welty, Marleni Bruner and Doug Isabelle who have been working on the draft. The draft report has been made available to you prior to this meeting and it is also posted on the CCOC website. Currently, it is simply a draft. There are a few more days to complete this and at this point Chair Butterfield would like to ask the Council to give her the authority to continue to work with staff and finalize this draft. She would also like to say that anyone that has input on the report and would like to submit those, if you would submit those additions or deletions whatever they might be to Jason Welty by next week, Thursday, December 27th no later than noon. Clerk Green made the motion to give the Chair the authority to work with staff and finalize the draft, so it can be submitted by January 1st. Clerk O’Neil seconded the motion. The Chair asked if there was any discussion. Hearing none, the vote was called. The vote was unanimous, and the motion carried.

OTHER BUSINESS

Chair Butterfield had a couple of items to mention. First, the Annual Assessment and Collections report that is required by statute. The report that is produced by all the Clerks statewide and then is compiled by the FCCC into a statewide report. Part of the requirement is a copy which is required by law to be given to the CCOC. We have received that copy. John Dew stated that Doug Isabelle is going to write a summary to the Council members and the summary will have a link to the report. This is for information only.

Also, Council members will be receiving a letter from the Chair shortly after the start of the new year asking for their input on the annual evaluation of the Executive Director. The letter will be coming from CCOC's General Counsel, Joe Boyd. There is a short turnaround time for their input. Mr. Boyd will have that out on January 2nd. She asked the members to have that on their radar. Her third item is that the Council may need to have a meeting in mid-January probably after the January 9th Budget Committee meeting. If so, a Doodle poll will be sent out on potential dates.

The Chair asked if there was any other business the Council or the Executive Director might have. John Dew, the Executive Director wished everyone Happy Holidays and stated that the CCOC will be closed December 24th and 25th as well as January 1st.

Clerk O'Neil said at the last council meeting that a workgroup would be formed to go over HR policies and issues. She has not gotten it organized due to the storm. She asked that if anyone would like to serve on that workgroup to please let her know so she can get this going at the start of 2019.

Clerk Newton made a motion for the meeting to close. There was a second by Clerk O'Neil. Vote was taken, and the motion carried unanimously.