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FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION

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Minutes of January 21st CCOC Budget Committee Meeting

Approved by the Budget Committee at their meeting on February 19, 2020.

The Budget Committee of the Clerks of Court Operation Corporation (CCOC) held a meeting via WebEx and in person on January 21, 2020. An agenda and materials were distributed prior to the meeting and posted on the CCOC website on the Budget Committee page: <https://flccoc.org/committees/budget/>. Provided below is a summary of staff notes from the meeting. These staff notes are designed to document committee action, not to be a full record of committee discussions. All motions adopted by the committee are in **bold** text. All action items based on committee direction are in **red** and bold **text**.

1. Agenda Item 1 – Call to Order and Introduction

The workshop was called to order by Clerk JD Peacock, Chair of the Budget Committee. He thanked the past chair and vice chair for their work last year. Clerk Crawford was asked to lead the invocation. Marleni Bruner, CCOC Senior Budget Manager called the roll.

Present for meeting: Clerk Peacock, Clerk Smith, Clerk Burke, Clerk Butterfield, Clerk Cooney, Clerk Crawford, Clerk Kinsaul (arrived to meeting in-person late, but was on call before arrival), Clerk Moore Russell, Clerk Spencer, Clerk Timmann, and Clerk Vick

On Call for meeting: Clerk Bexley, Clerk Childers, Clerk Green, and Clerk Hand

Absent from meeting and call: Clerk Bock, Clerk Connell, Clerk Forman, and Clerk Godwin

2. Agenda Item 2 – Approve Agenda

A motion was made by Clerk Cooney to approve the agenda and seconded by Clerk Spencer. The motion was approved after no discussion.

3. Agenda Item 3 – Approval of Minutes

Clerk Peacock addressed the committee with updates to how the current and future meeting would operate. All meetings and workshops will be available via WebEx/conference call whether in person or not. He noted that all meetings will be

open and honest with full decorum, honor, and respect given to each other and the process. He asked that all decision making be kept for in-person meetings because he felt the members needed to be able to look at each other. The Web-Ex only meetings will be for committee discussions or to provide direction to CCOC staff. The Committee will also utilize Robert's Rules as needed for debate. Clerk Burke and Clerk Peacock thanked CCOC Staff for the detailed minutes from the last meeting.

The minutes from the September 26, 2019 meeting were presented for approval. **Motion to approve the minutes was made by Clerk Burke and seconded by Clerk Cooney. With no further discussion the motion was approved unanimously.**

4. Agenda Item 4 – Sunshine Law Review

Clerk Peacock outlined his goals for the committee, the first of which was to make the process open, transparent, and professional. He would like the Budget Committee to be the policy setting entity then rely on CCOC staff to provide the professional support to those policies.

Clerk Peacock wants all the members to be informed and the process open and transparent. He noted that the Committee will follow their statutory responsibilities to get their job done. He also wants to look for new ideas that simplify the process for clerks and their staff. He wants to focus on outputs instead of inputs. Everyone does things differently so there are 67 different inputs, but everyone gets the job done and that's the output that should be evaluated.

He stressed that the committee needs to be able to trust the data they are using and that means the work of the case counting and case weighting is so important. He also stated that the committee would stay in their lane and not focus on legislative funding issues but focus on the budget specifics and follow statutes.

On the revenue side, the area the Budget Committee specifically funded last year, the committee will focus on revenue trends, collection and compliance efforts for evaluations against your own performance and not to other's performance.

Base budget will be developed from the current Operational Budget and requires a reduction exercise. The legislature and business partners need to see the impact that a 5% reduction would have on court operations to help tell the clerk's story. The reduction is also necessary because last year the Cumulative Excess was \$10 M and the projection is nowhere near that for this year.

Clerk Butterfield spoke up regarding the collection rate and self-comparison as there are many differences and Clerk Green's work with the PIE committee will look to bring more consistency statewide. Also, the clerks only recent received relief with an increase in budgets. Clerk Peacock assured her that he wanted the current budget process to live in the true numbers.

Clerk Smith pointed out that he can't do all online in his county like Clerk Kinsaul is able to do in his county. Clerk Peacock pointed out that the comparisons would be against your own growth for that reason. The Committee specifically awarded funds to counties for compliance and collection efforts and there should be increases seen as the result.

Clerk Spencer wanted to know if the committee would be looking at just increased revenue or increase in payment plans as well. He used his additional funding to bump up his collection efforts and his revenue from December was up \$50 K.

Clerk Vick stated that she liked to new ideas and direction for the committee. She said she wanted to see how performance measurements will be applied during the budget process. Clerk Peacock said that was too premature at this time but would be something the committee needed to discuss and decide on.

Jason Welty reviewed Sunshine Law PowerPoint from the Office of Open Government as outlined by Pat Gleason. The information is being included in all committees first-meetings for CCOC this year. The information was updated from when it was last presented. He also noted that the memo included some additional resources.

5. Agenda Item 5 – Peer Group Review Process

Clerk Peacock asked Clerk Cooney to be the lead clerk on the peer group review process. Clerk Cooney indicated that the review can go quickly with the staff's help. He noted that the prior review created so many peer groups that it eliminated outliers instead of understanding why they are there.

Clerk Smith wanted to know the timeframe for the project and Clerk Cooney said he anticipated it taking several months. Smith expressed concern with that putting the review to end about the same time as Session. Clerk Burke also expressed his concern that 12 was too many Peer Groups and 6 was too few and that we should be about 8 Peer Groups as that would be better for comparisons.

Clerk Peacock stated that Clerk Cooney will start the work with staff and asked clerks to identify their staff that could volunteer to work with Clerk Cooney. Clerk Peacock also said he wanted to make sure everyone had the ability to provide input.

Clerk Butterfield noted that according the plan of operations this should be reviewed every two years and, in the past, they have contracted with a statistician to provide the work. Clerk Peacock stated the workgroup will bring a recommendation forward to the Committee and they will approve any changes to the current Peer Groups or leave it alone. John Dew, CCOC Executive Director, mentioned that in the past CCOC did not have the staff to perform the evaluation of the Peer Groups and now we have the staff on board with the appropriate skill set.

Orange County volunteered a staff member to assist on the project. Others are encouraged to reach out to Clerk Cooney.

6. Agenda Item 6 – CFY 2019-20 Budget Committee Plan – Calendar

Clerk Peacock presented the plan that would provide the baseline for analysis and what the committee wants to accomplish this budget cycle. The calendar dates and proposed agenda items are listed in the meeting packet. Clerk Peacock noted that July would be a two-day in-person meeting.

Discuss draft recommendations from SSC workgroup was moved from February to March meeting.

It was also pointed out that the July meeting would be late July or potentially August as the REC met last year in early August. Session and REC will always impact the committee's calendar, especially with session starting in January every other year.

Jason Welty also gave a brief report on the current revenues. Cumulative excess is currently estimated at \$1.1 M available for the CFY 2020-21 budget cycle. The REC came in at a higher amount that did not include Operation Green Light revenues because it was June through October 2019.

7. Agenda Item 7 – CFY 2020-21 Budget Development Process

Jason Welty presented a summary of the proposed process:

The CCOC staff would take the current operational budget for each county and back out non-recurring funding related to Unspent Budgeted Funds, Cumulative Excess, as well as any non-recurring amounts from special funding requests that were awarded. The final amount would become the Base Budget. Counties would then submit specific issues for funding using a template that resembles the Special Funding Request form that was used last year, to include reduction items. The Budget Committee would determine which issues to fund and which reductions to take as they build towards the final budget request. The final budget request would be compared to the available revenues and adjusted accordingly.

There was a significant amount of discussion and debate on this agenda item.

- Jason Welty reviewed items that could be considered for Base Budget Review of current year data.
 - It was determined that in order for true comparisons to be made each county needed to review their Operational Budget submissions to make sure the gross amounts had the total court-related costs and any county or supplemental funding was identified on the net budget tab. CCOC staff is currently performing technical reviews on Operational Budget submissions and contacting counties with any issues.
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- Examples of Adjustments to Base
 - Nonrecurring special funding requests from prior year
 - Adjustment of Unspent Budgeted Funds
 - Weighted Workload Benchmark Budget
 - Judge allocation
 - Vacant Positions over 180 days
 - Cumulative Excess

An amended motion was made by Clerk Cooney and seconded by Clerk Smith for CCOC staff to consider the following items as adjustments to base budget and bring back to the committee for approval:

- **Nonrecurring special funding requests from prior year**
- **Judge allocation**
- **Vacant Positions over 180 days**
- **Cumulative Excess**

Clerk Peacock shared how once a base budget amount is determined clerks will then complete Issue-Based Funding Requests to add up to their total needs-based budget request. This process would take the place of the Original Budget Request. Some items for targeted funding areas were listed.

Clerk Butterfield made a motion that CCOC staff add a 3% salary increase with associated benefits to the base budget, seconded by Clerk Crawford. After much discussion the motion was passed unanimously.

CCOC staff was directed to bring back to the committee the sample forms for the committee to review at the February meeting.

CCOC staff was directed to bring back to the committee a listing of all the DFS findings at the March meeting.

Clerk Peacock also reviewed the remaining items of the CFY 2020-21 Budget Development Process document that would be decided upon at a later date and went through further discussion. No further direction was given to CCOC staff.

8. Agenda Item 8 – Budget Committee Workgroups

Did not address.

9. Agenda Item 9 – Other Business

None.

Clerk Peacock informed the audience and committee that the next meeting will be only on WebEx and adjourned the meeting.
