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Minutes of May 26, 2022, Budget Committee Meeting

Approved by the Budget Committee at the meeting held on August 24, 2022.

The Budget Committee of the Clerks of Court Operations Corporation (CCOC) held a meeting via WebEx on May 26, 2022. An agenda and materials were distributed in advance of the meeting and posted on the CCOC website. Provided below is a summary of staff notes from the meeting. These 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.

Agenda Item 1 – Call to Order and Introduction

Clerk Tiffany Moore Russell, Chair of the Budget Committee, called the meeting to order at 2:00 PM. The meeting was turned over to Griffin Kolchakian, CCOC Budget and Communications Director, to conduct roll call.

Present via WebEx: Clerk Tiffany Moore Russell, Clerk Nikki Alvarez-Sowles, Clerk Stacy Butterfield, Clerk Pam Childers, Clerk Gary Cooney, Clerk John Crawford, Clerk Nadia K. Daughtrey, Clerk Brenda Forman, Clerk Greg Godwin, Clerk Tara S. Green, Clerk Carla Hand, Clerk Grant Maloy, Clerk Brandon Patty, Clerk Clayton Rooks, III, Clerk Donald Spencer, Clerk Cindy Stuart, Clerk Carolyn Timmann, Clerk Angela Vick.

Absent from meeting: Clerk Jeffrey Smith, Clerk Joseph Abruzzo, Clerk Tom Bexley, Clerk Ken Burke, Clerk Bill Kinsaul.

Agenda Item 2 – Approve Agenda

A motion was made to approve the agenda by Clerk Butterfield and seconded by Clerk Maloy; the motion was adopted without objection.

Agenda Item 3 – Approve Minutes from 4/21/22 Meeting

Mr. Kolchakian presented the minutes of the April 21, 2022, meeting to committee members. Chair Russell stated that all committee members should have received and reviewed these minutes in the meeting packet and asked committee members if there were any corrections to the minutes.

A motion was made to adopt the minutes by Clerk Maloy and seconded by Clerk Daughtrey; the motion was adopted without objection.

Agenda Item 4 – Approve Updated Juror Management Policy

Chair Russell turned the meeting over to Clerk Vick to provide an update on the Juror Management Policy. Clerk Vick mentioned that the updated Jury Management Reimbursement form and Juror Management Policy would be addressed today. In SFY 2021-22, the Legislature changed the funding process to a reimbursement model rather than a pre-imbursement model. The policy had to be updated to reflect these changes. Language was added to cover meals, tips, and delivery fees.

A motion was made to approve the Juror Management Policy as presented by Clerk Vick and seconded by Clerk Maloy; the motion was adopted without objection.

Clerk Alvarez-Sowles asked a question regarding the language in the policy, specifically for clarification on language used concerning statewide available funding. Clerk Vick stated that the clerks are appropriated \$11.7 million on an annual basis for Jury reimbursement funding beginning back in SFY 2016-17. Clerk Vick stated that this funding has never fully covered the total costs of jury expenses statewide. Clerk Alvarez-Sowles asked who holds these funds, the JAC or CCOC. Clerk Vick clarified that it is the JAC. Clerk Maloy asked a question regarding the issue of reimbursement for meals. Clerk Vick stated that there was discussion regarding meal reimbursements. Clerk Vick asked Jason L. Welty, CCOC Deputy Executive Director, to provide details on the JAC reimbursement documentation that is submitted and whether it would be necessary to create more detailed guidelines as discussed. Mr. Welty commented that he did not believe it was necessary to create additional guidelines and that the current detailed guidelines should be sufficient. If an auditor requires justification, you can refer to this policy and explain that nowadays you cannot buy lunch anywhere for \$11. He informed committee members that JAC does not require a breakdown of individual meals or individual costs. JAC will look at how much individual counties are spending on jury reimbursement and compare similarly sized counties. JAC looks at this data for their own internal purposes but do not require an individual breakdown. Clerk Roth asked what the origin is on the \$11 amount. Clerk Roth believes that this amount is a statutory limit for employee travel and asked how counties are tied to that for jury meals. Clerk Vick stated that the statute does not speak to a specific amount for reimbursement. In the policy, it has been designated that reasonably priced meals should be obtained for jurors and that we have chosen to align with the standard state employee allowance because that was the logical reference that was available.

Agenda Item 5 – Approve Jury Management Reimbursement Form

Clerk Vick stated that the SFY 2022-23 Jury Management Reimbursement Form goes along with the policy that was just approved and reflects the change from a pre-imbursement to a reimbursement process. This form is very similar to the form used

in the current year and is including in the meeting packet for committee review. Clerk Vick addressed the updates made on the Jury Management Reimbursement Form.

A motion was made to approve the Jury Management Reimbursement Form as presented by Clerk Vick and seconded by Clerk Alvarez-Sowles; the motion was adopted without objection.

Agenda Item 6 – Revenue and Expenditures Update

Chair Russell called on Mr. Kolchakian to present the revenue and expenditures update. Mr. Kolchakian stated that included in the meeting packet is the standard monthly update for both the revenues and expenditures. Mr. Kolchakian walked through the update on year-to-date actuals.

Agenda Item 7 – Determine Pandemic Recovery Plan (PRP) Distribution

Chair Russell presented and discussed the proposed Pandemic Recovery Plan distribution. In the current year, the Legislature provided \$6.25 million in non-recurring funds for the PRP to address the back log of cases. To allocate this funding, CCOC worked with the courts to establish the distribution methodology which is based on weighted workload statewide. The Budget Committee then approved this methodology and implemented the allocation last July. For this upcoming fiscal year, the Legislature again provided \$6.25 million in non-recurring funds for year two of the clerks' PRP to continue addressing the back log of cases. If approved by the Governor, this funding will take effect on July 1, 2022. CCOC communicated with the courts on how they plan to use their funding as well. The courts are not changing the distribution methodology. To allocate this funding, since this amount for CFY 2022-23 is the same as the current year, Chair Russell is recommending continuing to implement the current year allocation for year two. A breakdown of this allocation is included on page 20 of the meeting packet.

A motion was made to use the same methodology for pandemic funds in the next State Fiscal Year by Clerk Butterfield and seconded by Clerk Vick; the motion was adopted without objection.

Clerk Kinzel asked about the consideration made when the allocation of these funds was originally determined. Mr. Welty reviewed what went into the original allocation. Clerk Kinzel asked about the revenue projection for CFY 2023-24 reflecting a reduction. Mr. Kolchakian stated that we will keep an eye on revenues and that the REC revenue projections change throughout the year. Clerk Stuart asked what happens if there are leftover PRP dollars. Mr. Welty stated that dollars that are not used will be reverted to the State. CCOC staff has stated from the beginning to fully spend these dollars. Clerk Butterfield asked if there was a way to ensure that there is not any PRP money left over, including possibly reallocating the funds. Mr. Kolchakian stated that the CCOC tracks these expenditures quarterly and almost 100% of the released funds to date have been spent.

Agenda Item 8 – Other Business

Chair Russell called on each workgroup to provide a status update.

Mike Murphy presented the proposed formula on behalf of Clerk Abruzzo and the New Judges Funding Workgroup. Clerk Cooney asked about the case counts that are included and how the new cases were measured. Mr. Murphy stated that he believes they are based on hearings held. The workgroup will send the committee exactly what was used for case counts and how those values were calculated.

Clerk Godwin provided an update on the Cost of Living Component Workgroup. Clerk Godwin stated that the workgroup has a meeting scheduled on June 2nd and that he and Mr. Kolchakian have been working on putting information together. Clerk Cooney asked if the workgroup had looked at the cost of living study that the University of Florida puts out. Mr. Kolchakian stated that there is nothing that the workgroup has identified that has the cost of living broken down by county based on the criteria that we are looking into. Mr. Murphy stated that the workgroup has reviewed the Florida Price Level Index (FPLI) which is what the schools are using for their calculations. Clerk Alvarez-Sowles wanted to confirm that the workgroup is also looking into a living wage and asked if that will be part of the review. Clerk Godwin confirmed.

Clerk Maloy provided an update on the Compliance Workgroup. Clerk Maloy stated that there is nothing substantial to report on and that he is currently addressing the best practices checklist. There is also a FCCC poll that is currently being distributed that we can potentially obtain data from.

During a previous committee meeting, Clerk Alvarez-Sowles requested that the committee consider creating a new workgroup to review CCOC forms and certification letters to expand the data collected as it relates to the revenue and expenditures sources outside the CCOC court-side funds. The forms that will be examined include the Operational Budget submission forms, the Budget Issue Request forms, and the monthly EC Report spreadsheet. The intent of this proposed workgroup would be to gather additional information that is not currently collected.

A motion was made to create a workgroup to review CCOC forms and certification letters to expand data collected as it relates to the revenue and expenditures sources outside CCOC court-side funds by Clerk Alvarez-Sowles and seconded by Clerk Vick; the motion was not approved (Yea votes included Clerks Alvarez-Sowles and Vick; Nay vote included Clerks Butterfield, Cooney, Childers, Crawford, Daughtrey, Godwin, Green, Hand, Maloy, Rooks, Stuart, Timmann, and Spencer).

Chair Russell asked Mr. Kolchakian to report on information that was requested at the last Budget Committee meeting. Mr. Kolchakian stated that Clerk Burke asked a great question regarding the effect of revenue during the Great Recession; a chart detailing revenue during this time-period was provided in the meeting packet. Clerk Maloy asked how the data in the weighted workload measure applied to 100% of the total budget

amount spreadsheet included in the meeting packet is determined. Mr. Kolchakian stated that the data is based on every county's current budget as part of the statewide total, and the rolled up weighted workload measure by county is applied to the entire budget. Clerk Maloy asked if the formulas used were available. Clerk Cooney wanted to clarify that the data in the packet didn't include any reviewed case numbers and stated that he believes that the weighted case numbers are not currently validated or accurate. Chair Russell asked staff to get with Clerk Maloy after the meeting to address his request.

Mr. Welty stated that the REC is not projecting to meet until the second week in August. Chair Russell asked committee members if they wanted to have a July meeting or wait to discuss everything in August. Chair Russell stated that we likely won't have REC numbers in July. Clerk Vick stated that, if we don't have the REC numbers, it is better to wait until August. Clerk Green asked if during budget deliberations compliance efforts and revenue increases were factored into granting additional budget dollars to a particular county. Chair Russell responded that nothing has been formally developed yet, but that this is something that the Compliance Workgroup is looking into. Clerk Green stated that compliance factors should start playing into which counties receive additional funding. Clerk Kinzel stated that the counties leading the way in compliance should have special consideration when it comes to additional funding requests.

A motion was made that, at an upcoming Budget Committee meeting, clerks would have the opportunity to present their budget requests to the committee by Clerk Daughtrey and seconded by Clerk Vick. After discussion, it was decided that this could be done by request and did not require an official motion. Therefore, the motion was removed, and the Chair will work with staff to ensure this is achieved.

Mr. Kolchakian informed the committee that the budget amendment for distribution of the settle-up funds, Cumulative Excess, and Unspent Budgeted Funds for the current year totaling \$16.4 million is still awaiting the Governor's signature of the State budget.

Chair Russell adjourned the meeting at 3:44 PM.
