

MINUTES
FLORIDA CLERKS OF COURT OPERATIONS CORPORATION
EXECUTIVE COUNCIL
FRIDAY, APRIL 16, 2010 – CONTINUATION OF 4/9/10 MEETING
TELEPHONIC

Mr. Forman called the April 16, 2010 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) to order at 12:00 pm. This is a continuation of the April 9, 2010 Executive Council meeting. Mr. Forman welcomed members and guests. Members of the Executive Council present were the Honorable Howard Forman, Honorable Harvey Ruvin, Honorable Richard Weiss, Honorable Sharon Bock, Honorable John Crawford, Honorable Scott Ellis, Honorable Bob Inzer, Honorable Buddy Irby, Honorable Tim Sanders, and Honorable Meg Steinbeck.

BUDGET METHODOLOGY

Mr. Weiss reported that the Finance and Budget Committee met Tuesday, April 13 in Tallahassee to consider the Senate's proposed FY 10-11 budget process using unit costs that decrease Clerk budgets by \$23 million. The committee developed its alternative to the senate's process. Mr. Weiss thanked the Committee for its hard work.

The committee realized that, given the current fiscal realities facing the State of Florida, the FY 10-11 budget appropriation cannot exceed an aggregate of \$451 million equal to that of FY 09-10. He emphasized that although the aggregate appropriation for FY 09-10 and FY 10-11 would be the same, the FY 10-11 is not a continuation budget because Clerks will be required to cover increases in health care premiums and Florida Retirement System costs within their budget authority.

The Committee applied the following parameters in developing their budget request. The aggregate statewide budget should be no less than the FY 09-10 budget authority. No Clerk will receive more budget authority than was previously approved by the Council at its November 2009 meeting. The Committee utilized the five peer groups originally approved by the Council rather than the four peer groups used in the Senate document. The Committee recognized that there are problems with the five peer group process that will need to be examined in the future. A benchmark budget was developed and used for comparison purposes. Adjustments made based on the benchmark. The Committee noted the problematic nature of peer group two with regard to these potential reductions. Peer group specific floors and ceilings for budget reductions or increases were utilized. The Committee utilized the FY 10-11 approved budget request data to develop the divisional benchmark budget for comparison purposes.

Mr. Dew reviewed the document provided. Page 1 lays out peer groups, these being the same peer groups used by CCOC in all budget deliberations. He noted that the peer groups may be problematic but they are the best we have. The spreadsheet lists the FY 09-10 budget authority and

estimated FRS and health insurance increases. These numbers are projections. Last column is request made to the Legislature in December.

Mr. Dew reported that Page 2 identifies divisional benchmark budgets. Staff calculated the benchmark and compared the benchmark budget to budget request in terms of percent over or under their benchmark budget. Committee followed principles listed above. If Clerks were under their benchmark, they took no reduction. The yellow column is the floor/ceiling total for 67 clerks. After adding back the Florida Retirement System dollars, staff arrived at the Committee's recommendation for each Clerk. They added a column with the Senate proposal for purposes of comparison. The Finance and Budget Committee made the decision that any Clerk with budget under \$1 million would take no budget cut. Additionally, the Finance & Budget Committee decided to have the statewide result come as close as possible to the FY 09-10 budget cap of \$451,380,312. In order to achieve this result, the additional dollars were distributed to Flagler, Bay, and Duval Counties. These counties were chosen due to the percent reduction of their current FY 10-11 approved budget versus their calculated FY 10-11 divisional budget.

Mr. Forman opened the floor for comments and questions from the members of the Executive Council. Mr. Weiss moved adoption of proposed budgets (green column) totaling \$451 million. Mr. Inzer seconded the motion. Mr. Irby noted that this has negated all the work done in Budget Workshops but he allowed that this does move us closer to the average unit costs.

There being no further discussion, Mr. Forman called for the vote. The motion passed by a vote of 10-1 with Mr. Ellis casting the dissenting vote.

Mr. Ruvin asked if this will be sent to Mr. Hendon in hopes he will agree with the numbers we are presenting and wondered when we will have an answer from Mr. Dew and Mr. Hendon. Mr. Forman noted that there are only two weeks left in the session.

OTHER

Mr. Ruvin thanked members of judiciary who are on the call and asked them for their support. He asked Judge Steinbeck to relay his plea for support. Judge Steinbeck stated that the judiciary vigorously supports funding of Clerks. She supported our LBR and supports and voted in favor of this today.

There being no further business, the meeting was adjourned.