



Brevard County Charter Review Commission's County Commission Composition and Qualification Proposal Committee

SYNOPSIS MINUTES
NOVEMBER 16, 2009 6:00 P.M.
Brevard County Government Center
Florida Room, Building C
2725 Judge Fran Jamieson Way
Viera, Florida 32940

- I. Ronald Bobay called the meeting to order at 6:09 p.m.
- II. Neta Harris led the Pledge of Allegiance
- III. Roll Call: Ronald Bobay, District 1; Neta Harris, District 1; Sue Schmitt, District 4, Frank Zilaitis, District 5

Committee Members Absent: Matthew Nye, District 3; Tommy Redmond, District 4

Staff Member Present: Elena Scruggs, Administrative Secretary

- IV. Public Comment (Speakers are limited to three (3) minutes after each agenda item)
No public comment during this time.
- V. New Business
 - A. Discussion and review of Proposal #12 Composition
 - B. Discussion and review of Proposal #13 Qualifications

Both items were discussed. They were not taken as separate items.

Ronald Bobay – He prepared a word document, which he passed out to each committee member, as well as the Administrative Secretary. (This document is part of the public record) He read the document into the record. He mentioned that there were three proposals that were discussed at the last CRC meeting. He was open for discussion on other proposals from the committee members.

Frank Zilaitis – He is the originator for reconfiguring the commission to have three commissioner elected by electoral district and two commissioner elected at large by the entire county. He has had an opportunity to talk with people, and would add an additional item: Reconfigure to have four commissioner elected by electoral district, and one at-large, to maintain the current size of government. He mentioned that a 3-2, having two at-large in the same district as another commissioner, they would have a three out of five majority to make decisions. He would also like to consider a one-four arrangement.

Neta Harris – She asked if the committee is looking to reconfigure the districts. She mentioned that the set-up of the office, and where their districts are drawn. She does not feel it is set-up in a manner that is conducive to being convenient for the public.

Ronald Bobay – He mentioned the upcoming census, and there will be the reconfiguring happening then.

Sue Schmitt – She stated that the staff starts the analysis in 2010, and has to have it back for redistricting in 2011. She mentioned that there has always been a larger population to the south. She stated that sometimes you have to gerrymander around a commissioner where they happen to live to be able to get the population figures, because you must be within a certain percentage for the state to approve it.

Ronald Bobay – He asked if that's statutory that you have to configure around the current commissioner.

Sue Schmitt – She stated it is statutory, but you can't make a commissioner move if they were elected. She thinks every area of the county needs to be represented.

Neta Harris – She thinks this gives an opportunity to change people's perspectives. She mentioned her concern with the location of where the commissioner's offices are located based on their districts.

Sue Schmitt – She stated that when the Viera complex was built, it was built to house all five commissioners. Two commissioners did not want to move into the complex.

Neta Harris – She is not suggesting the commissioner's move to Viera.

Frank Zilaitis – He stated that when the redistricting is done, if you're out of the district, you're out, according to the Charter; however you can serve the balance of your term. He mentioned that the Charter states redistricting can happen at any time. He wants to take into account, Ms. Harris's comment regarding the location of the commissioner's offices and place a component in the Charter that says when a redistricting occurs anyone elected from their district has to set-up their office at the population epicenter of their district whereabouts.

Neta Harris – She stated that if you're representing the people, you need to be centrally located where the people can get to you easily.

Ronald Bobay – He mentioned the four proposals suggested, and asked the committee members if they would like to look at other alternatives. He would like to use the white board and have a plus delta in terms of the advantages and disadvantages for each one, and take a look at them in a visual form.

Frank Zilaitis – He suggested analyzing five at-large positions.

Ronald Bobay – He would like to know how that would differ from the current composition.

Frank Zilaitis – He stated that districting in the county would go away. He would like to hear from the public.

A woman spoke from the audience, which later identified herself as, Sandra Karwel. She commented on five at-large commissioners, stating that it would be a complete disaster.

Ronald Bobay – He would like to have discussion with the committee members first, and then take public comment.

Sue Schmitt – She stated that when it was at-large before, there were district lines that you had to live in to run, but you ran countywide.

Ronald Bobay – He stated that there are five proposal suggestions. He asked if there were any other proposals the committee suggested.

Neta Harris – She asked the thought of five at-large positions, wouldn't that make the whole county their district.

Frank Zilaitis – He responded, "Yes." He stated that you would stop discrimination against a specific district.

Neta Harris – She likes the fact of discussing five at-large positions.

Sue Schmitt – She mentioned that you could possibly have five commissioners from Palm Bay.

The committee discussed and analyzed ten proposals with the pros and cons to each one. They are listed below:

PROS	CONS
1. <u>MAINTAIN CURRENT COMPOSITION OF COMMISSION</u> <ul style="list-style-type: none"> • All geographic regions are represented • Cost less to candidates • Encourages candidates to become involved for financial reasons 	<ul style="list-style-type: none"> • Disincentive to think as a County • Dampens decision on merit
2. <u>ADD (2) TWO COMMISSIONERS AT-LARGE</u> <ul style="list-style-type: none"> • Increase countywide perspective • Does not disrupt current configuration 	<ul style="list-style-type: none"> • Increases costs • Expands government • Coalition becomes harder
3. <u>RECONFIGURE COMMISSION TO HAVE (3) THREE ELECTED COMMISSIONERS & (2) TWO AT-LARGE</u> <ul style="list-style-type: none"> • Balance • No expansion of government 	<ul style="list-style-type: none"> • Potentially creates 3 out of 5 coalition from one district • Increase costs to candidates
4. <u>FOUR ELECTED COMMISSIONERS & (1) ONE AT-LARGE</u> <ul style="list-style-type: none"> • No expansion of government • Increase countywide perspective • No 3 out of 5 coalition 	<ul style="list-style-type: none"> • Not significant enough for countywide perspective • Increase costs to candidates
5. <u>FIVE AT-LARGE COMMISSIONERS – NO RESIDENCY RESTRICTION IN THE COUNTY</u> <ul style="list-style-type: none"> • No expansion of government • Maximize countywide perspective • Positive approach to coalition 	<ul style="list-style-type: none"> • Increase costs to candidates • All geographic regions may not be represented

<p>6. <u>FIVE AT-LARGE WITH A DISTRICT RESIDENCY REQUIREMENT</u></p> <ul style="list-style-type: none"> • All geographic regions are represented • Provides countywide perspective • Balance benefit from proposal 1-5 	<ul style="list-style-type: none"> • Increase costs to candidates • Non district area potential adversely impact an income within a district
<p>7. <u>THREE MEMBER COMMISSION BY DISTRICT</u></p> <ul style="list-style-type: none"> • All geographic regions are represented • Cost less to candidates • Encourages candidates to become involved for financial reasons 	<ul style="list-style-type: none"> • Disincentive to think as a County • Dampens decision on merit
<p>8. <u>THREE MEMBER COMMISSION, ONE (1) AT-LARGE, TWO (2) ELECTED DISTRICTS</u></p> <ul style="list-style-type: none"> • Balance • No expansion of government 	<ul style="list-style-type: none"> • Potentially creates 3 out of 5 coalition from one district • Increase costs to candidates
<p>9. <u>THREE MEMBER COMMISSION, ALL AT LARGE</u></p> <ul style="list-style-type: none"> • No expansion of government • Maximize countywide perspective • Positive approach to coalition 	<ul style="list-style-type: none"> • Increase costs to candidates • All geographic regions may not be represented
<p>10. <u>THREE MEMBER COMMISSION, ALL AT-LARGE WITH RESIDENCY RESTRICTION</u></p> <ul style="list-style-type: none"> • All geographic regions are represented • Provides countywide perspective • Balance benefit from proposal 1-5 	<ul style="list-style-type: none"> • Increase costs to candidates • Non district area potential adversely impact an income within a district

Ronald Bobay – He asked Ms. Scruggs to prepare the pros and cons of the suggested proposals to present to the full CRC on November 19th.

Sandra Karwel – She resides at 1142 Bianca Drive in Palm Bay, Florida. She stated that she is running for the City of Palm Bay, City Council, Seat 5. She mentioned that the City Council is open, and there is a lot of corruption. She likes the county commissioner in their local area district. She likes the current composition, and the accountability it gives to that commissioner.

Frank Zilaitis – He asked if she was in objection with a three member commission.

Sandra Karwel – She stated that she is not comfortable with that, because there is no benefit to the community.

Jim Sondey – He resides at 3105 Hield Road in Melbourne, Florida. He is not in favor of at-large commissioners with commissioners from a district. He believes there will not be equal representation. He likes the County Commissioners in their own districts.

Ronald Bobay – He suggested ranking on the white board, one through ten.

It was a consensus that the committee members rank one through ten. One, being the best choice, and ten being the least favorite.

Ronald Bobay – He mentioned that the committee was supposed to address Section 2.1 and 2.3; however, Section 2.3 deals with qualifications stating that the office being vacant until the next regularly scheduled election. He stated that it didn't appear to him to be substantial to discuss. He mentioned that it integrated with Section 2.1 proposal, and that

it should be consistent. He asked if the committee was in agreement. He didn't feel it was necessary to do address the proposal, other than to say it would need to be consistent with the proposal that was chosen by the full CRC. He mentioned suggestions on how to present the proposals to the full CRC, such as showing the alternatives that were developed, and the rankings.

Frank Zilaitis – He made a matrix of the votes. The vertical line of 1-10 would be the proposals, and the horizontal line of 1-10 would be the number of first place votes.

The calculation was determined by Mr. Zilaitis and Ms. Scruggs. The calculation showed that proposal #4 and #6 have an equal number of votes.

Elena Scruggs – She asked for clarification that her tasks would be to create a document with the ten proposals showing the pros and cons, as well as the ranking results, for presentation to the CRC for November 19, 2009 meeting.

Ronald Bobay – He confirmed her tasks. He stated that he will mention campaign contributions, salary, and non-partisan elections, at the November 19, 2009 CRC meeting, as well.

Frank Zilaitis – He mentioned that if other ideas come out of discussion, he suggested bringing them up as an individual proposal.

Neta Harris – She asked how we should include the salary and non-partisan elections discussion.

Ronald Bobay – He suggested submitting them as proposals. He asked for the next cut-off for submitting proposals.

Elena Scruggs – She stated that it was Wednesday, November 25, 2009, at noon.

Frank Zilaitis – He stated that you can get a feel from the CRC to see if the odds are against the proposal or in favor, before submitting the agenda report.

Neta Harris – She asked if she should raise the question, or if Mr. Bobay should.

Ronald Bobay – He suggested that she submit the proposal by the deadline. He stated that he is going to mention to the CRC that there were three points of interest, and there was dialogue about them before adjourning.

VI. Adjournment at 8:39 p.m.

Pursuant to Section 286.0105 Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she will need to ensure that a verbatim record of the proceedings is made, at his or her own expense, which record includes the testimony and evidence upon which any such appeal is to be based. Such person may provide a court reporter, stenographer, or a tape recorder for such verbatim record. In accordance with the Americans Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings, the County's Manager's Office, (321) 633-2001, at least 48 hours in advance.