



Brevard County Charter Review Commission's Management and Efficiency Proposal Committee

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

- I. Chairman Robert Ludwiczak called the meeting to order at 6:10 p.m.
- II. John Porter led the Pledge of Allegiance
- III. Roll Call: John Porter, District 2; Duwayne Lundgren, District 2; Robert Ludwiczak, District 4; Frank Zilaitis, District 5

Commission member absent: Matthew Nye, District 3

- IV. Approval of Minutes of Previous Meeting
A. November 12, 2009

Porter/Lundgren – APPROVED, as submitted. The vote was unanimous, 4-0.

- V. Public Comment (Speakers are limited to three (3) minutes after each agenda item)

Bryan Hein – He resides at 5161 Calamondin Avenue, Cocoa, Florida. He passed out a handout to the committee members. He spoke about wastewater being dumped into the coastal waters. He asked if this was something the committee would be dealing with.

John Porter – He stated that the committee is discussing the concept of setting up an Efficiency Commission so citizens could come in and make suggestions on efficiency.

Frank Zilaitis – He thinks the items mentioned in his handout should be brought before his commissioner.

Robert Ludwiczak – He mentioned that this committee is in the process of getting the Efficiency Commission started, and it probably won't happen until sometime after November, if this even gets on the ballot.

Bryan Hein – He stated that he would like to see citizens on the Efficiency Commission, and not just business people.

VI. New Business

A. Continue discussion and review of Proposal #4 Brevard County Efficiency Commission

Robert Ludwiczak – He mentioned that at the last CRC meeting, it was mandated for the committee to discuss establishing criteria with qualifications of who will serve on the Efficiency Commission, County Comptroller, mission statement, how the commission is formed, and who will be appointed to the commission. He stated that a purpose was established, as well as accountability was completed on November 12, 2009. He asked the members what kind of time frame they would like to have for the Efficiency Commission meeting.

John Porter – He suggested six years.

Frank Zilaitis – He agrees with six years, because the CRC meets in that time frame, which can determine an up or down for reestablishment for the Efficiency Commission. He also mentioned the County Commission elections, in that they can serve for eight years, which gives them the accountability of voting up or down on the recommendations.

Porter/Zilaitis – APPROVED, to have the Efficiency Commission meet every six years. The vote was unanimous, 4-0.

Robert Ludwiczak – He asked the members what kind of qualifications should be considered for people to serve on the commission.

John Porter – He mentioned that this is also an opportunity commission, and it's not just about efficiency. Efficiency is looking down and in, which is what are we doing that we shouldn't be doing and what we can do to make it better. Up and out is what opportunities are out there. He would like to consider changing the name to "Efficiency and Opportunity Commission."

Zilaitis/Porter – APPROVED, to change the Title to "Brevard County Efficiency and Opportunity Commission". The vote was unanimous, 4-0.

John Porter – He would like to have discussion on the make-up of the commission.

Frank Zilaitis – He mentioned that the Polk and Broward proposal are political appointments, which some members had grief about that. He's not sure how else to make appointments that are not related to the political process and be fair.

John Porter – He wants to ensure that there are the best and brightest minds to handle the issues of the county.

Frank Zilaitis – He stated that he focuses on the Broward County composition, because it states that all members shall have business-related or management experience in the public sector, private sector or in the organized labor, with minimum standards of experience determined by the County Commission. He sees a process in a process.

Robert Ludwiczak – He mentioned that from the qualification standpoint, people have to have sufficient educational experience to be able to look at some of the issues in the County. He thought the people serving on the commission could be college professors who are the heads of either business or public administration with years of academic

experience. He suggested looking into graduate programs that may have graduates to help in the process. He mentioned local colleges in the area to make the appointments. He agrees that it will be difficult not to have some political aspect.

Duwayne Lundgren – He mentioned the organizational chart having 27 departments, and six constitutional offices. He asked if the people would be looking at these particular departments, and constitutional offices.

Robert Ludwiczak – He stated that the last Efficiency Commission looked at all the departments. The CRC asked that this committee come back with criteria and qualifications for a selection, how it is formed, and who appoints.

Duwayne Lundgren – He stated that the CRC also wanted the committee to look at a County Comptroller.

John Porter – He would like more explanation of what a Comptroller does.

Duwayne Lundgren – He stated that a couple of counties have auditors that look at efficiencies issues. The auditors have full authority to look at anything that goes on in the county. This person is appointed by the County Commission. He stated that the Comptroller handles the budget, which would take some reorganization.

John Porter – He stated that this could be the perfect area for this to reside if you have an Efficiency and Opportunity Commission every six years, with the Comptroller running the commission.

Robert Ludwiczak – He thought it would be appropriate for the County Commission to appoint one individual of their choosing.

John Porter – He wanted to know what kind of brains should be appointed.

Robert Ludwiczak – He mentioned people to consider would be a CPA, Director of procurement, insurance person, academia and normal citizens.

Frank Zilaitis – He stated that he is going to bring a proposal forward that any expenditure by County Commission that exceeds some percentage of the annual budget had to be approved by a voter. He mentioned that it could be presented as looking for executives of the top five largest companies by dollar volume to nominate from among themselves some number of people to serve on the commission that way you collect by discernment.

John Porter – He mentioned three sectors, of which would be Public, Private and Academia. He also mentioned citizen as another sector. He stated if you use an algorithm, you increase your chance of getting the best and brightest of Brevard County.

Frank Zilaitis – He wanted to break the public sector down as to how it would be defined.

John Porter – He suggested the municipalities and the county. He also mentioned the Federal Government and State Government.

Robert Ludwiczak – He wanted to know at what point you have a conflict of interest where people who serve on the commission making recommendations that benefit their own entities.

Frank Zilaitis – He stated the best you can hope is to balance or offset the conflict with another conflict.

Robert Ludwiczak – He would like to include media as a sector.

Frank Zilaitis – He stated that no matter what is done vertically, that collection of entities would select five people. He mentioned that media will define a chairman or chairwoman to deal with the discernment process across the spectrum of radio, television and newspaper, and that body will nominate five bodies. It will be 25 people surfacing as nominees. This will effectively be a totally non-political discernment process to capture 25 nominees.

Robert Ludwiczak – He asked how the process will work. He also asked if the County Manager could be the lead to get the satisfied entities involved, or does that go back to the political problem.

Frank Zilaitis – He asked what was wrong with having the County Commission pull driver licenses by lottery to get the chairpersons.

John Porter – He mentioned that media gives a real understanding of communications.

Robert Ludwiczak – He thinks it also brings into play for the average citizen the understanding what's going on in the process on a continual basis.

Frank Zilaitis – He proposed putting the burden on the commissioners, by having each commissioner appoint one person to each category. Each category has to get together and select five other folks who are not them. He explained that when the commissioners make their appointment, that determines five different committees, which in turn, the five committees will select five different people to sit on the Efficiency and Opportunity Commission.

John Porter – He stated that maybe each County Commission can appoint one person to each of those classes, and that's the commission.

Duwayne Lundgren – He stated that there is a double-blind which has merit.

Frank Zilaitis – He stated you get the discernment process, because you give them an opportunity.

Robert Ludwiczak – He stated that he agrees that it takes the concern away from the political process. He mentioned that the political process is invited in, but not to the extent where it would control the process.

John Porter – He asked how you make sure you get the right combination of minds that fulfill all the needs of the organizational chart and opportunities.

Robert Ludwiczak – He stated that once the folks are chosen, they will gather together and look at what is needed.

John Porter – He mentioned that the county’s need could be different in six years than they are right now, and you may need 25 different individuals. He likes the fact that it can morph with time and be flexible.

Frank Zilaitis – He doesn’t want to fail to follow through with Mr. Porter’s original core intention. He stated that rather than saying county and municipalities, he would put titles such as, CEO’s, Controller or Information Technology.

John Porter – He asked why define the titles. He mentioned that the five people are going to be smart enough to look at the work chart and be able to determine the needs.

Frank Zilaitis – He stated that you would want to define them vertically as; President, Secretary, Treasurer and Controller. He mentioned that based on Mr. Porter’s suggestion, there might be a need for two Controllers, three CEO’s, and etc.

Robert Ludwiczak – He wants to make sure that he is taking everyone’s interest into account. He stated that this is not his amendment; it’s the committee’s amendment. He asked the committee members if they agree that the five categories; Public, Private, Academia, Citizens and Media are the ones in which they want to look at, and have each of the County Commissioners choose one person from each of those categories.

Porter/Zilaitis – APPROVED to have five categories that consist of Public, Private, Academia, Citizens and Media; with those five categories the County Commission must appoint one person from each category. The vote was unanimous, 4-0.

Duwayne Lundgren – He stated that the question he keeps asking himself is that if you have 25 different departments, and if there will be anybody that is qualified to review certain departments.

Robert Ludwiczak – He stated that you have to look at the level of confidence you want for the individuals.

John Porter – He envisions the 25 people appointed by the County Commission, break off by category to do their individual brainstorming; therefore, being able to choose later the five people for the Efficiency and Opportunity Commission in their category.

Frank Zilaitis – He explained that each County Commissioner picks one from each category, and then the five chosen will chose the next five in each category by a majority vote of three out of five.

Robert Ludwiczak – He mentioned that time frames need to be established.

Frank Zilaitis – He thinks no sooner than the second meeting from the present meeting, or no later than the third meeting from the present meeting to get the first set of bodies, and then an equivalent amount of time for the second set of individuals.

Duwayne Lundgren – He suggested that it would be a lot simpler if you worded to include from the time County Commission received the task that they would have completed a selection on the second following meeting.

Zilaitis/Porter – APPROVE to make the first selection of Efficiency and Opportunity Commission on the second meeting date of the County Commission, after the task has been assigned. The vote was unanimous, 4-0.

Zilaitis/Porter – APPROVE to give the Selection Committee 60 days to make their selections for the Efficiency and Opportunity Commission from the day they were appointed by the County Commission. The vote was unanimous, 4-0.

Robert Ludwiczak – He asked if the committee would like to give any guidance on criteria or qualifications for the selection process for educational ability.

Duwayne Lundgren – He stated that you need to establish the date the County Commission is given the task of coming up with the five individuals.

Frank Zilaitis – He stated that you also have to define when the body assembles and how much time they have.

Frank Zilaitis – He suggested that the Efficiency & Opportunity Commission assembles starting on October 1, 2011; therefore, all recommendations can be counted for in the next fiscal.

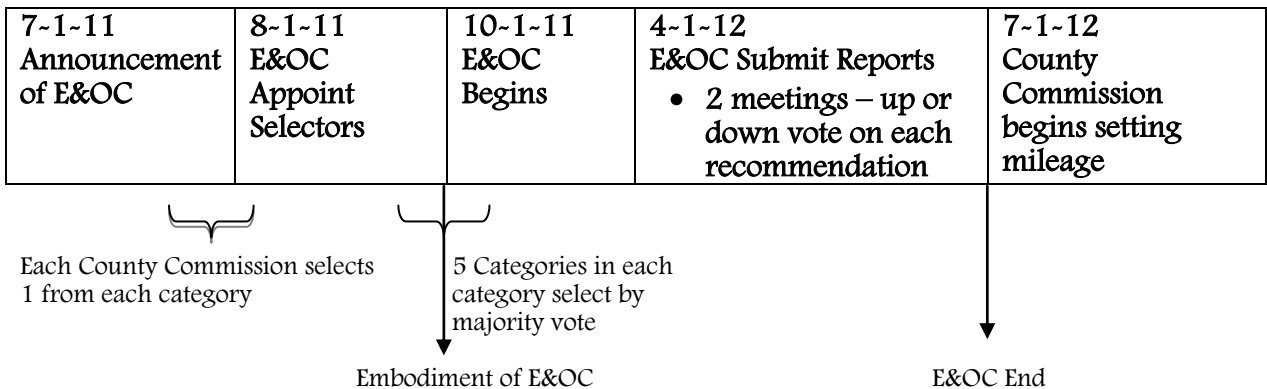
John Porter – He mentioned that the budget process starts nine months or more in advance.

Duwayne Lundgren – He mentioned that the mileage rates are set in July.

Frank Zilaitis – He stated that the commission has 180 days to do their work, and then three months to get their work into the budget for the setting of the mileage.

Robert Ludwiczak – He asked Mr. Zilaitis to map the dates out on the white board for clarification.

The following chart depicts the timeline for the process of the Efficiency & Opportunity Commission. (E&OC)



Robert Ludwiczak – He stated that how the committee is formed and who appoints has been addressed. The mission was addressed in the purpose.

John Porter – He asked about the concept of how the committee is approaching the Charter for soliciting everyone on ideas for proposals.

Robert Ludwiczak – He suggested having the E&OC hold one or two public meetings for public input.

Frank Zilaitis – He thinks that’s an excellent idea.

Duwayne Lundgren – He mentioned that you have the opportunity to have the public come in and make their presentations.

John Porter – He stated that he wasn’t seeing the E&OC as meeting publicly until after explanation. He thought it would be an opportunity for the county employees to brainstorm what they could bring to the table for the E&OC.

Robert Ludwiczak – He asked about assistance for the E&OC.

Frank Zilaitis – He feels that the committee’s mission is accomplished. It is also important for the concept to get voted up. He proposes granulating the most efficient operation of the E&OC.

John Porter – He thinks these questions will come up before the full CRC, and he would like to be able to speak to them and address them tonight.

Frank Zilaitis – He suggest stating that the E&OC will do the tactical equivalent of what the CRC is doing from a strategic standpoint.

John Porter – He stated that gives the opportunity for people in their expertise to make their pitch to the E&OC. He mentioned that having the media component on the commission will allow people that have great ideas to come forward. He sees the E&OC as a funnel to take the information of the best and brightest countywide to sort through what has merit to the County Commission.

Duwayne Lundgren – He asked what ideas, and how it will be determined to send forward to the County Commission.

John Porter – He stated there would have to be a vote. He would model it after the CRC.

Frank Zilaitis – He stated he doesn’t think it’s hard to implement the process of the CRC for the E&OC with proper public input. He wants to motivate people to participate more, and become involved in the process of the CRC. He is disappointed with the lack of public interest.

Duwayne Lundgren – He thinks the problem with the lack of public input could be due to the time frame the CRC is meeting. He mentioned the last CRC met around 1:00 p.m.

Robert Ludwiczak – He mentioned that at the last public hearings of the CRC there was hardly any standing room.

Frank Zilaitis – He would like Mr. Porter to discuss the process and points on efficiency and opportunity.

John Porter – He doesn’t think the purpose reflects the dichotomy. He stated it reflects the efficiency very well, but it does not speak to the entrepreneurial opportunity aspect. He stated that he could mention to the CRC that the committee would like to add more of an opportunity dimension, unless it’s fine the way it is. He would like to have another meeting to discuss the changes of the purpose so there’s not a rush on changing things. He would like a chance to wordsmith.

Elena Scruggs – She mentioned that since the committee would like to have another meeting, she has set it up for January 6, 2010 at 6:00 p.m.

Frank Zilaitis – He asked what the agenda would be on January 6th.

Robert Ludwiczak – He stated it would consist of what the full CRC advises.

John Porter – He mentioned it would also deal with how the E&OC works and gathers it information to make the recommendations to the County Commission.

Frank Zilaitis – He asked if the E&OC operate under a set of bylaws.

Robert Ludwiczak – He thinks that would be up to the attorney.

Frank Zilaitis – He stated that he can't tell if it's bylaws or rules of procedure.

John Porter – He thinks it's enough information to hand over to the attorney and let them finish.

Frank Zilaitis – He asked if at the meeting on January 6th, if the committee should be prepared to wordsmith a set of bylaws or rules of procedure.

Duwayne Lundgren – He mentioned that you will have to have some kind of procedures written out. He thinks that is a level of detail beyond what the committee was given.

Robert Ludwiczak – He stated that the committee will report to the full CRC and get their input and see what recommendations are made and go from there.

VII. Adjournment at 8:32 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.