

CHARTER REVIEW COMMISSION MINUTES

The Charter Review Commission met in session at 3:00 P.M. on Thursday September 17, 2015, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida, Bldg. "C", 3rd Floor, Florida Room.

Kendall Moore - Chairman Kendall Moore called the meeting to order at 3:07 p.m. and proceeded with the roll call.

Board members present:

- Mr. Kendall Moore, Chairman, District 1
- Dr. Ronald Bobay, District 1
- Ms. Maureen Rupe, District 1
- Mr. Chuck Nelson, District 2
- Mr. Cole Oliver, District 2
- Mr. Henry Minneboo, Jr., District 2
- Mr. Matthew Nye, District 3
- Mr. James Rosasco, District 3
- Mr. Tom Jenkins, District 4
- Mr. Peter Fusscas, District 4
- Mr. Marty Adams, District 4
- Mr. Jason Steele, District 5

Chairman Moore stated that, for the record, the Board members absent from the meeting today are: Mr. Dale Young (District 3), Mr. Jack Ryals (District 5), and Mr. Scott Sorensen (District 5). He noted that there are twelve Board Members present who will be voting throughout the meeting.

Staff members present: Ms. Shannon Wilson, Deputy County Attorney
Ms. Leslie Rothering, Purchasing Manager
Ms. Sandy Smith, Administrative Secretary

Kendall Moore – Chairman Moore stated that, based upon a request for louder volume in the meeting room, the Staff has turned on the microphones and the recording system will be recording every single thing said. He added that he simply wanted the Board to be aware of this change, and hopefully everyone will be able to hear what is being said during the meeting.

Chairman Moore said that Item II on the agenda is the approval of the minutes from the August 13, 2015 meeting. He stated that the Staff should have provided an e-mail copy of the draft minutes from this meeting. Chairman Moore asked the pleasure of the Board.

Jason Steele – Mr. Steele made a motion to approve the minutes as presented.

Matthew Nye – Mr. Nye seconded the motion.

Kendall Moore – Chairman Moore asked if there were any questions, concerns, or anything? Seeing none, he asked all those in favor of the motion to please signify by raising your right hand, and those opposed by the same. Chairman Moore said the motion passed unanimously. He recognized Dr. Bobay.

Ronald Bobay - Dr. Bobay said he doesn't know if it reflects the opinion of some of the others, but he felt the minutes were outstanding in terms of the detail; however, he would advocate for them to be more concise as it takes a great deal of time to put this all together.

Kendall Moore – Chairman Moore stated that in the past we had action item minutes and to Ms. Smith's credit, I'm sure she was trying to be more thorough rather than get complaints from this Board. He asked the Board for their thoughts on this subject. He recognized Ms. Rupe.

Maureen Rupe – Ms. Rupe stated she was extremely impressed as many times the minutes from various committee meetings do not provide enough detailed information. She said that although she was unable to attend the first meeting, she thought the minutes were very good. Ms. Rupe added that as we get further into this process, we may be glad of a little extra information. She acknowledged the fact that the minutes do not need to be verbatim.

Kendall Moore – Chairman Moore asked if there were any other comments. He recognized Mr. Rosasco.

James Rosasco – Mr. Rosasco stated that since he was not present at the last meeting, he also agrees that the detailed minutes gave him the opportunity to see what action and discussion was taken among the Board members. He said he would be concerned with just having action minutes, because many times they have to go back and review them to see what action was taken. Mr. Rosasco stated that he thinks the format of the minutes as presented was great.

Kendall Moore – Chairman Moore stated there have been comments on both sides, and he asked if anybody would like to make a motion relative to this subject. He added that if no action is taken, the minutes will continue just as they are.

Chairman Moore said next on the agenda is Item III, which is discussion and review of the Request for Qualifications for Independent Legal Services. He stated the Board agreed at the last meeting to move forward in procuring independent legal counsel for the 2015/2016 Charter Review Commission. Chairman Moore advised that Shannon Wilson, from the County Attorney's Office, as well as Leslie Rothering, from the Purchasing Department, is here to help us throughout the selection and ranking process. He asked if there was anyone who did not receive the applications that were submitted by the eleven firms, as well as the ranking sheet. He recognized Mr. Adams.

Marty Adams – Mr. Adams said he did not see the application submitted by Melissa Anderson.

Jason Steele – Mr. Steele stated that all the applications were sent to you by Sandy on September 11th at 4:01 p.m.

Marty Adams – Mr. Adams said he looked through everything, but he must have missed that proposal.

Kendall Moore – Chairman Moore asked Leslie Rothering if he could turn the meeting over to her for some direction and discussion as to how this ranking process will work. He advised that there was a condition added on the agenda item sent to the Board of County Commissioners that the CRC may choose to shorten the list, and then personally hear from the applicants.

Leslie Rothering – Leslie Rothering said yes, that would be fine, adding that she would be happy to explain to the Board how the ranking process works. She stated that each Board member should have received the applications and ranking sheet prior to the meeting today. Ms. Rothering said there was a member who had mentioned that he had not received all of the applications. She advised that she has the original copies of all the applications with her, and she will make them available for review, so that the Board can proceed. Ms. Rothering explained that the ranking sheet has the name of each board member across the top, and the attorneys and/or firms are listed on the left-hand side of the sheet. She said you will rank them in order of 1 through eleven, with the ranking of 1 being your top applicant. Ms. Rothering stated that after the Board has finished, she will total all the rankings, and report to the Board as to the order of ranking of each applicant.

Kendall Moore – Chairman Moore recognized Mr. Jenkins.

Tom Jenkins – Mr. Jenkins said there are a lot of firms, and although he had all the applications, he did not bring them to the meeting. He asked if it was possible to reduce the number of applicants and only rank the top 3 or 5.

Leslie Rothering – Ms. Rothering stated that the Board needs to rank all the applications in order to find out who are the top 3 or 5. She said they all

submitted applications, so you'll need to rank them all so they will know where they fall in the ranking order. Ms. Rothering added that they are interested in knowing where they fall in the ranking order.

James Rosasco – Mr. Rosasco said he made the observation that if you only ranked 1 or 2 of the firms, they could actually end up having a lower score. He stated that he thinks this is the reason we have to rank them all, 1 through eleven.

Leslie Rothering – Ms. Rothering said yes, that is correct.

Cole Oliver – Mr. Oliver stated that you could always do it in reverse order where the top score.....

James Rosasco – Mr. Rosasco said he is only going by the instructions.

Kendall Moore – Chairman Moore recognized Mr. Steele.

Jason Steele – Mr. Steele pointed out that Melissa Anderson is from Charlotte, North Carolina, and in his opinion, is not what we are looking for. He said his suggestion is that everyone take a look at this applicant and decide for themselves as to her experience and qualifications. Mr. Steele added that he does not see this applicant as one the Board should entertain.

Kendall Moore – Chairman Moore stated that he thinks the Board needs to start ranking the applicants as Ms. Rothering suggested because the longer we continue to discuss this, the more questions arise. He advised that there are a couple of sets of applications that are available for anyone who would like to use them during the ranking process.

Shannon Wilson – Ms. Wilson stated that anyone who has submitted an application, should be scored appropriately. She added that the actual ranking has to occur here in the context of the Sunshine meeting. Ms. Wilson stated that there are copies of the applications that the Board can review, but again, the ranking needs to be done in the confines of the Sunshine meeting.

Kendall Moore – Chairman Moore recognized Mr. Minneboo.

Henry Minneboo – Mr. Minneboo said he is assuming that we are not going to hear all eleven presentations, and that we are only going to hear presentations from the top 5 applicants who are selected. He asked if he understands this correctly. Mr. Minneboo also asked if this comes under the professional status, where we can't ask for an hourly rate.

Shannon Wilson – Ms. Wilson said that at some point and time you could ask that question.

Leslie Rothering – Ms. Rothering said she believes what Mr. Minneboo is referring to is CCNA.

Shannon Wilson - Ms. Wilson advised that attorneys are not covered by that. That applies to architects, engineers, and landscape architects. Ms. Wilson said yes, that can be a factor in how you evaluate your ranking.

Henry Minneboo – Mr. Minneboo said then that could be part of their criteria – the hourly rate?

Shannon Wilson – Ms. Wilson stated yes.

Leslie Rothering – Ms. Rothering said yes, she agrees with Ms. Wilson.

Kendall Moore – Chairman Moore recognized Mr. Rosasco.

James Rosasco – Mr. Rosasco pointed out that the hourly rates were quoted in the applications, and the hourly rate needed to be just that, the hourly rate. He stated that he feels we need to be conscious of our expenditures here, and when we narrow this down to the potential applicants, we need to determine exactly what the compensation factors might look like.

Kendall Moore – Chairman Moore stated that if there aren't anymore questions, he thinks what we will do is allow each Board member to fill out their ranking sheet.

Cole Oliver – Mr. Oliver asked if one of the criteria of the RFQ is that the applicants couldn't be a resident attorney of Brevard County. He stated

that he believes Skip Fowler, with the firm of Fowler, O'Quinn, Feeney & Sneed, lists that he is presently the City Attorney for the City of Cocoa Beach.

Kendall Moore – Chairman Moore stated that he does not have a copy of the RFQ solicitation in front of him.

Shannon Wilson – Ms. Wilson said the solicitation states, “Applicants shall not be resident attorneys of Brevard County, shall not be attorneys with firms with offices in Brevard County, and shall not be attorneys with litigation pending against any government or local government official in Brevard County within the past one (1) year. Applicants shall have no current pending litigation in Brevard County, Florida, and shall disclose any past or potential litigation interests in Brevard County indicating party represented and nature of action”.

Matthew Nye – Mr. Nye said the only comment he would make is, this is similar to when his firm submits an RFP. If there is an exception, you would simply list it. Mr. Nye said fact that the applicant submitted the RFQ without any sort of note, would imply there is no conflict.

Kendall Moore – Chairman Moore asked if there were any further comments.

Cole Oliver – Mr. Oliver stated that he didn't have the RFQ in front him and was not exactly certain of what it said.

Kendall Moore – Chairman Moore said he would agree with his connotation there. He asked everyone to take as long as needed to fill out the ranking sheet, and to please do so under your name. Mr. Moore said he would like to confirm with Ms. Rothering - that 1 would be your highest rank.

Leslie Rothering – Ms. Rothering said yes, number 1 is your top rank, and the number 1 applicant. She added when they are finished with the ranking process, if they will raise their hand, she'll come and get the score sheet. Ms. Rothering added that when she receives all the score sheets, she will total them and announce the rankings.

Peter Fuscas – Mr. Fuscas asked for copies of the applications.

Leslie Rothering – Ms. Rothering said she has the originals with her that she can provide to him; however, she will need them back.

Henry Minneboo – Mr. Minneboo asked if there was another copy he could use for review as he has everything in his telephone.

Sandy Smith – Ms. Smith said she had a copy Mr. Minneboo could use while he is working on his ranking sheet. Mr. Minneboo also shared the applications with Mr. Jenkins and Ms. Rupe.

Leslie Rothering – Ms. Rothering said although there is not a signature line provided on the ranking sheet, she asked that each member sign their ranking sheet before giving it to her.

Maureen Rupe – Ms. Rupe said she was on the Charter Review Commission twice before and she can't remember going through this process to select an attorney for the Board.

Shannon Wilson – Ms. Wilson stated that she was not a part of this process the last time but she would think you did something quite similar. She said the Commission made a decision after the very first charter review commission that the selection for legal counsel should be done by this committee.

Kendall Moore – Chairman Moore stated that, as he recalls, the last time the attorney selection list was narrowed down to 5, and then those 5 attorneys were given 10-minutes each to give their presentations to the Board. He added that this was based upon like a two week notice, and then the following week the contract was negotiated, and then the attorney was on board. Chairman Moore stated this was for the 2009 schedule.

Shannon Wilson – Ms. Wilson said she thinks for the very first one, the County Attorney's Office started out, initially, providing some advice, and then it became apparent that there was potentially an inherent conflict. She added that the Board established a budget and then it became a selection process by the Charter Review Commission.

Tom Jenkins – Mr. Jenkins asked if it would be possible to continue on with the meeting while we are waiting for the ranking to be completed and then we can come back to this.

Kendall Moore – Chairman Moore said Item IV is a little bit long, but let's talk about Item V regarding a meeting schedule. He advised that in 2009, there were 29 meetings, 2 in August, 2 in September, 3 in October, 4 in November, then time off for Thanksgiving, 3 in December, time off for the Christmas and New Year holidays, and then we were on a pace of 2-3 meetings per month until the July time frame. Chairman Moore stated he thinks there are a couple of things we need to consider before setting a permanent schedule. He said the first one is that at the very end, the whole idea is that we have a product that is ready to go on the ballot. Chairman Moore stated that we have asked for a memo from the Supervisor of Elections office giving us our deadline time frame to get on the 2016 ballot. He added that we would then have to back that up another 30-60 days because there is a required County Commission approval process that must be complied with. Chairman Moore stated that this would give us a time window from October until the deadline date to get on the ballot for our meetings schedule. He asked if anyone has ever used a program called "Doodle".

Matthew Nye – Mr. Nye said yes, he has used it.

Kendall Moore – Chairman Moore advised that "Doodle" is a calendar that Ms. Smith would email to you with a list of potential dates. You would simply respond to the email indicating "yes" or "no", based upon your schedule. He added that she would have a poll report her hand, and would quickly know what dates works and what doesn't to schedule meetings. Chairman Moore stated that this would allow us to schedule out 2-3 months of meeting dates, and prevent us from scheduling a meeting where we potentially would not have a quorum. He asked if anybody was opposed to that.

Matthew Nye – Mr. Nye said he will make a motion to use “Doodle” because it is very nice and user friendly.

Kendall Moore – Chairman Moore reiterated that “Doodle” is very simple to use. You simply open an email which will have a laundry list of dates; you look your calendar and then simply click either “yes” or “no”. Mr. Moore stated that Ms. Smith will end up with a report that she will bring back at the next meeting.

Chairman Moore said that, based on the 2009 schedule, the next meeting will be an entire meeting by itself, if we decide to hear presentations and select an attorney. He added that each attorney will have an opportunity to give their 10-minute presentation, and then we have our deliberations.

He asked if anyone was opposed to this. Hearing no one, he advised that the Board should expect to get the “Doodle” document via an e-mail. He added that he will work with Ms. Smith on a proposed meeting schedule for the next meeting, as well as with a memo from the Supervisor of Elections relative to the time schedule to get on the 2016 ballot. He stated that there was also a question from Mr. Fusscas relative to prior proposals, so at the next meeting we will provide a list from 2009 of all 54 proposals that were submitted. Mr. Moore said that, from a meeting standpoint, if anyone has a desire to resurrect issues that were brought before this Board previously, you will at least have that information available to you. He stated that if you wish to go back and review the agendas and minutes from 2009, that would be up to you.

Chairman Moore said that another thing we need to think through about our meeting schedule is how we wish to proceed. Do we want to literally go through every single charter section one by one; do we go through none and open the floor up for proposals; or do we break it up into pieces where there would be a committee structure which would take certain sections. He asked for general thoughts relating to this, as this will be an agenda item next meeting that will dictate the number of meetings we will schedule – this will be the big driver in terms of how we go forward.

Matthew Nye – Mr. Nye said if we go section by section, is the premise you would set a meeting to cover a particular section, or more than one section? Because we could possibly have a section where there are no proposals and then we're done.

Kendall Moore – Chairman Moore stated that it was done that way at least once in the past.

Matthew Nye – Mr. Nye said he actually likes that in the sense if you have something for a particular section, then you'll know when you need to be ready to submit it. He added that way you have a beginning and ending point and then we can pace ourselves. Mr. Nye stated that he felt that as the 2009 meeting schedule progressed, we became more and more crunched, and felt more and more pressure. He added that if we could even out the work load over the long haul, that would be his preference.

Kendall Moore – Chairman Moore stated the last time we also sent out a letter from this committee to a mailing list that included county managers, every director, all of your charter offices, school board superintendent, as well as a series interest groups, i.e. league of cities and the like. He said it was a simple form letter saying this is what is going on here and if you are interested or have something you would like to bring forward, feel free to contact us and we would be happy to add you to the agenda. Chairman Moore asked if this is something the Board wished to do again to spread the word.

Matthew Nye – Mr. Nye said yes, he would agree.

Maureen Rupe – Ms. Rupe stated yes, she would like to get the word out to as many people as we can. She added that there are other interest groups, like the League of Women Voters, who should be notified.

Kendall Moore – Chairman Moore stated that they were on the list the last time. He said this is probably motion worthy, Matt, so that in 2021, they don't think the Chairman went rogue to do that on his own.

Matthew Nye – Mr. Nye made a motion that we use the same letter that was used in 2009, to advertise the proceedings to these groups.

Dr. Ronald Bobay – Mr. Bobay said he would second the motion.

Kendall Moore – Mr. Moore stated there is a motion by Mr. Nye, seconded Dr. Bobay, that we would send out letters of notice to the prior list from 2009, relative to advertising the Charter Review process.

Maureen Rupe – Ms. Rupe said she writes for a couple of papers like the League of Women Voters, and the Progressive Alliance etc. and she asked if it is ok if she advertised to these groups.

Kendall Moore – Chairman Moore stated that was what we did last time and if others are ok with that, we created a press release and sent it out through whatever media list the County had, urging anybody and everybody they could get, to spread the word about the Board's endeavor. He said if everyone is open to that, then the letter will also include a press release. Chairman Moore asked if there was further discussion, seeing none, he called the question. Mr. Moore said the motion passes unanimously.

Chairman Moore asked Ms. Rothering if she was ready to address the Board with the results of the attorney ranking report.

Leslie Rothering – Ms. Rothering said yes, she is ready to proceed. She said she will read the names 1 through eleven. Ms. Rothering said Number 1 is Wade Vose; Number 2 is Samuel Goren; Number 3 is Usher "Larry" Brown; Number 4 is Lonnie Groot; Number 5 is Michael Ciocchetti; Number 6 is Theodore Doran; Number 7 is Fred Van Vonno; Number 8 is Marsha Segal-George and James Fowler; Number 9 is Jonathan Comnes; Number 10 is Melissa Anderson; and Number 11 is Steven Lorenzo.

Kendall Moore – Chairman Moore said you have received the calculations of the rankings from Ms. Rothering, and he asked the pleasure of the Board.

Jason Steele – Mr. Steele said he thinks we should interview the top 5 candidates, as soon as physically possible, taking into consideration the legal advertisement requirements.

Kendall Moore – Mr. Moore asked Mr. Steele if that was a motion.

Jason Steele – Mr. Steele stated, yes sir it is.

Kendall Moore – Chairman Moore asked if there is a second to the motion.

Matthew Nye – Mr. Nye said he would second the motion.

Kendall Moore – Chairman Moore asked for discussion on the motion. He recognized Dr. Bobay.

Dr. Bobay – Dr. Bobay said he would be curious as to whether there is a big spread in the actual scoring, to see if there is a natural breaking point in that top 5. He added that he does not object to the top 5, but he just wondered if there is a significant break point.

Leslie Rothering – Ms. Rothering stated there is not, there is a 1 point difference between 3 and 4; the number 1 firm has several number 1 rankings and so does the number 2. Ms. Rothering added that when you go to 3, 4 & 5, those are really close in the total number of points, and 5 & 6 there is a 1 point difference, and then the spread starts to go from there.

James Fusscas – Mr. Fusscas said he would suggest we consider increasing the applicants to 6, as 1 point is not a significant gap.

Jason Steele – Mr. Steele stated he would amend his motion to include 6 applicants.

Matthew Nye – Mr. Nye said he would agree to the amended motion.

Kendall Moore – Chairman Moore asked for discussion on the amended motion. He recognized Mr. Rosasco.

James Rosasco – Mr. Rosasco said just as an observation, there is a difference between 5 & 6, and it is \$200.00 an hour as opposed to \$295.00 an hour.

Jason Steele – Mr. Steele stated he recognizes that we need to be frugal and that cost is very important, but the most important thing, at least to him is the protection of this committee. He added that he recognizes that

everybody has their own criteria, but he gets concerned when we start thinking about who is the cheapest. Mr. Steele stated that who is the cheapest, may not be the best. He said that he doesn't want the only consideration to be a number, and this would be a major concern to him.

Kendall Moore – Chairman Moore recognized Mr. Fuscas.

James Fuscas – Mr. Fuscas stated he would concur with Mr. Steele.

Kendall Moore – Chairman Moore asked if there is further discussion or concerns. He said the current amended motion on the floor is that we would invite the top 6 firms on the ranking sheet back for 10-minute interviews at our next meeting. Chairman Moore asked if there was any discussion on the motion. He recognized Chuck Nelson.

Chuck Nelson – Mr. Nelson said he thought 5 was kind of excessive, adding that he actually had hoped for 4. He added that he believes there was a break as far as experience is concerned at about 3 to 4, and beyond that we are just interviewing for the sake of ethic.

Kendall Moore recognized Cole Oliver.

Cole Oliver – Mr. Oliver stated that if he remembers correctly, the candidates from 5 & 6 are from the same Law Firm. He added that he just wanted to put that on the table.

Kendall Moore – Chairman Moore asked Leslie Rothering to check that for clarification for Board. He recognized Mr. Jenkins and then Mr. Rosasco.

Tom Jenkins – Mr. Jenkins said he is comfortable with 5 as well.

James Rosasco – Mr. Rosasco said he tends to agree with Mr. Nelson, we narrowed the list from eleven applicants, down to 5, and it is his observation that 5 appears to be a bit of overkill.

Kendall Moore – Chairman Moore stated that the motion on the floor is that we would bring back the top 6 firms for 10-minutes presentations at our next meeting.

Tom Jenkins – Mr. Jenkins asked if we’ve had an answer yet from Ms. Rothering.

Leslie Rothering – Ms. Rothering said yes, 5 & 6 are from the same firm, Doran and Sims.

Kendall Moore – Chairman Moore advised that the amended motion has been withdrawn, so again there are 5 firms. He stated that the original motion for was to bring back the top 5 firms for 10-minute presentations at our next meeting. He recognized Ms. Wilson.

Shannon Wilson – Ms. Wilson said the only comment she would make is that the last contract for legal services for the Charter Review Commission, actually contemplated two attorneys from the same firm - the Goren firm. She added that you wouldn’t be in much of a different position if you did a joint contract with the Doran firm this time.

Kendall Moore – Mr. Moore said there is a motion to bring back the top 5 firms for 10-minute presentations at our next meeting. He said he will go ahead and call the question. All of those in favor of the motion please signify by raising your hand. Those opposed, by the same. Chairman Moore said the motion passes unanimously. He asked Ms. Rothering if her office would be in charge of notifying the firms to come back for their presentations to the Board at our next meeting.

Leslie Rothering – Ms. Rothering replied yes, her office will take care of notifying the candidates.

Matthew Nye – Mr. Nye said, just as a point of order, would the Chairman please not say “call the question” because that automatically makes him think you should take a vote to end discussion.

Kendall Moore – Chairman Moore asked Mr. Nye what he would like him to say.

Matthew Nye – Mr. Nye said to just say, “If there is no further discussion, we’ll take a vote”. He stated that technically according to Robert’s Rules of Order, if you say “call the question”, we should be taking a vote.

Kendall Moore – Chairman Moore stated that at our next meeting we will have the Top 5 firms return to give their presentations to the Board. He noted that last time in 2009; this was the only item on the agenda. Chairman Moore asked if the Board wish to have additional items placed on the agenda for the next meeting. He asked the pleasure of the Board.

Chuck Nelson – Mr. Nelson said unless they are just short administrative items, he does not think we want to take anything else of any substance.

Kendall Moore – Chairman Moore instructed Ms. Smith to see if there are any short items we can add to the agenda, otherwise this will be the only item for the next meeting. Chairman Moore said the next order of business is to set a meeting schedule.

Jason Steele – Mr. Steele stated he would move to set the next meeting for October 15, 2015, at 3:00 p.m.

Matthew Nye – Mr. Nye asked what day that is.

Jason Steele – Mr. Steele said that is a Thursday.

Matthew Nye – Mr. Nye said he will second the motion.

Kendall Moore – Chairman Moore asked for discussion on the motion.

Maureen Rupe – Ms. Rupe stated that she can see what's going to happen. We are leaving this month to month, and if we get a lot of people coming with proposals, we are going to be meeting weekly. She added that this is what has happened in the past, as at the end of the line there was so much work to do that we ended up meeting weekly.

Jason Steele – Mr. Steele stated that he appreciates Ms. Rupe's input; however, the reason he projected the meeting date out, is due to time constraints because of legal notices.

Kendall Moore – Chairman Moore said he will ask Ms. Wilson what is required for that meeting.

Shannon Wilson – Ms. Wilson said typically at this stage, this only requires reasonable notice. We have a staff person that advertises almost all of the

upcoming meetings. Ms. Wilson stated however, that she believes when you get to the point of discussing proposals there are timeframe requirements that must be met for advertising purposes. She added that while you are discussing proposals and taking input, that is considered reasonable notice. Ms. Wilson said, theoretically, if you scheduled something for early next week, we could probably get that advertised and that would be sufficient reasonable notice under the law. Ms. Wilson added that may not be the case for those of you who want to get the word out.

Kendall Moore – Chairman Moore stated that a minimum of a week is sufficient notice then.

Matthew Nye – Mr. Nye stated that to address Ms. Rupe’s concern about going on month to month. He said this will not go on because the Chairman is going to have Ms. Smith send out the “Doodle” calendar program so that we can project out the meeting schedule over the long haul. He added that this should be the last time we are projecting out a month at a time.

Maureen Rupe – Ms. Rupe said, so there may be a time in the future where we will meet more than once a month.

Matthew Nye – Mr. Nye said absolutely.

Tom Jenkins – Mr. Jenkins stated that we also need to give the attorney firms sufficient time to schedule the attorneys for their presentations at our meeting.

Kendall Moore - Chairman Moore said he agrees with Mr. Jenkins comment. He recognized Mr. Minneboo.

Henry Minneboo – Mr. Minneboo asked if all the attorneys will be in the room at the same time.

Kendall Moore – Chairman Moore said he would ask Ms. Wilson for her interpretation.

Shannon Wilson – Ms. Wilson advised that under the current status of the Florida law, you can meet with them individually while they are making presentations, and you are asking questions. She noted that it used to be

quite different where every respondent had the opportunity to be in the meeting. Ms. Wilson stated that once you are done with those presentations and the individual questions, your open discussion, should you have it, is in the Sunshine. If you have individual negotiations, it's closed again during that negotiation. Ms. Wilson said if you do not come to an agreement with that person, then you go on to close the negotiations with the second person. She added that once you are all done, then all the records become public records.

Kendall Moore – Chairman Moore asked if there was other discussion? Clarification on the motion is that the next meeting of the Charter Review Commission will be held on Thursday, October 15, 2015; at 3:00 p.m. Mr. Moore said if there is not further discussion, all those in favor, please signify by raising your right hand, opposed by the same. Mr. Moore stated the motion passes unanimously.

Chairman Moore asked Ms. Rothering if there was anything else she needed from this body.

Leslie Rothering – Ms. Rothering said no, there is nothing else she needs at this time. She added that she will send the notices out to the top 5 Law firms with designated times for their presentations for the October 15th meeting.

Kendall Moore – Chairman Moore stated that we skipped Item IV on the agenda, so we will go back to that item. He said this was for discussion and review of the Charter Review Commission Rules of Procedure from 2009, and 2003, and was brought up by Mr. Young. Chairman Moore said both in 2003 and 2009, the CRC voted to govern themselves by a set of rules which was almost like a by-law style document. He added that he thinks these two documents from 2003 and 2009 were provided to you for your consideration. Chairman Moore pointed out that this is not a requirement, but is something those two Commissions decided to do previously. He asked for any discussion, comments or actions relative to this subject. Chairman Moore recognized Mr. Jenkins.

Tom Jenkins – Mr. Jenkins stated he would make a motion to approve the Charter Review Commission Rules of Procedure from 2009.

Kendall Moore – Chairman Moore said there is a motion that the Charter Review Commission Rules of Procedure (as amended on October 15, 2009), be adopted for the 2015 Charter Review.

Chuck Nelson – Mr. Nelson seconded the motion.

Kendall Moore – Chairman Moore asked for discussion on the motion. He recognized Mr. Rosasco.

James Rosasco – Mr. Rosasco stated that in speaking with the Staff secretary, he recommended that she needs to say that if we are going to make the meeting, let her know. He said, this way, if she doesn't get an affirmative response from someone, she'll know that is the person she needs to follow up with, so they don't miss the meeting. Mr. Rosasco advised that this is how it is done with the Board of Adjustment, and he feels this is a much better way of doing this. He pointed out that on the 2009 Rules of Procedure, on page 3, under Rule 10; it references Robert's Rules of Order Revised 10th Edition. Mr. Rosasco stated that this needs to be revised or amended to the 11th Edition, since that is what was voted on last month. He also said that he noticed on the agenda for the regular meetings, the public comments are coming in as Item VI, right after reports. He stated that he is not exactly sure of how this works. Will the public have an opportunity to speak before we vote on a proposal in order to have their comments heard? Mr. Rosasco said he just wanted to get some clarification on what our intent is on public comment before we vote on an issue.

Maureen Rupe – Ms. Rupe said she believes on October 31, 2014, the right to speak came out in the State.

Shannon Wilson – Ms. Wilson advised that the County has always had that, as it requires that there be public comment. She said she thinks what Mr. Rosasco is talking about is not so much under the public comment section, but it sounds like he wants public comment after each proposal.

Ms. Wilson stated that she thinks the right to speak is more general, it doesn't have to be for each individual one.

Maureen Rupe – Ms. Rupe stated that she believes that is just if a decision is being made. When the people come to speak, then they will be allowed to speak after every proposal is discussed, right?

Shannon Wilson – Ms. Wilson stated that she is not sure the law is that specific, and she will go back and take a second look at it.

Maureen Rupe – Ms. Rupe said ok.

Matthew Nye – Mr. Nye said whether the law is or isn't, as he recalls last time, if someone showed up from the public because they were aware we were discussing something, we gave them an opportunity to weigh in and speak before we voted. He added that, to him, this is just common sense.

Kendall Moore – Chairman Moore said, as he recalls, we were pretty liberal with our interpretation of our rules.....

Matthew Nye – Mr. Nye added, and friendly.

Kendall Moore – Chairman Moore said yes, and friendly of the rules as long as it was germane to the topic. He stated that we chose to hear from the people who came out to participate, and he believes you will find this body to be very open to hearing from the public. Mr. Moore said he didn't bring his copy of the rules, but he thought they specified time limits.

James Rosasco – Mr. Rosasco said yes, there is a 3-minute time limit.

Kendall Moore – Chairman Moore stated that if you were one of the people who brought forward a proposal, or were one of the groups that we requested, we amended our rules to allow additional time for those presentations. He recognized Mr. Rosasco.

James Rosasco – Mr. Rosasco said that in the 2004 Rules, they had a procedure in place addressing concepts and proposals that are presented. He stated that it talked about how proposals are provided to the committee members a week in advance so they have a chance to review them. Mr.

Rosasco said he is just wondering if we don't want to include that section in our 2015 Rules as he feels this would be beneficial. He added that this is just a suggestion.

Kendall Moore – Chairman Moore asked for further discussion. He said hearing none; the original motion is that we would approve the 2009 version of the CRC Rules of Procedure for utilization in 2015.

Tom Jenkins – Mr. Jenkins stated that he thinks we have to make a correction to the 2009 Rules of Procedure to include the 11th Edition of Robert's Rules of Order.

Kendall Moore – Chairman Moore stated a correction to the motion to include the 11th Edition of Robert's Rules of Order as opposed to the 10th Edition. He said all those in favor of the motion; please signify by raising your right hand, all opposed by the same. Chairman Moore stated that the motion passes unanimously. He asked for public comment. He noted there was no one wanting to speak for the record.

Jason Steele – Mr. Steele stated he would like the record to reflect that Mr. Vose is here today, and he added that he was also in the audience at the last meeting.

Kendall Moore – Chairman Moore thanked Mr. Vose for his participation. He asked if there is any other business to come before the Board.

Tom Jenkins – Mr. Jenkins said, just as a suggestion, when we have items on the agenda like the rules and so forth, he knows they get them on their computers, but it would be helpful to have hard copies at the meetings, to look at.

Kendall Moore – Mr. Moore asked Mr. Jenkins if he wants a full agenda copy.

Tom Jenkins - Mr. Jenkins stated that he thinks you need to look at it item by item, but if we are going to be voting on rules, then we should have a copy to look at. He said, with the minutes, they have time to read those and he doesn't think that is needed.

Kendall Moore – Chairman Moore stated that he understands. He asked if there is any other business to come before the Board. He stated that he and Mr. Nye joke about it, but the procedures that we just approved today, you will notice, that they have a super majority requirement for an item to move forward. Chairman Moore said that although they have joking debates, there are going to be votes that come before this committee where they will become very, very close, and increasing or limiting discussion will become a tactical issue used during the meetings.

He asked if there was any further discussion, if not, we will consider ourselves adjourned at 4:14 p.m.