

CHARTER REVIEW COMMISSION MEETING

Thursday, August 04, 2022

1:00 p.m.

Brevard County Government Center
2725 Judge Fran Jamieson Way, 3rd

A. Call to Order

Mike Haridopolos: Thank you for joining us today for the Brevard Charter Review Commission, our last meeting before we turn it over to the voters. Why don't we stand for the Pledge of Allegiance, and we will ask Mr. Jenkins to lead us in the Pledge, please.

B. Pledge of Allegiance

Tom Jenkins: I pledge of allegiance to the flag, of the United States of America, and to the Republic for which it stands, one Nation, under God with Liberty and Justice for All.

Mike Haridopolos: All right, Melissa if you could please call the roll that would be great.

C. Roll Call:

Melissa Brandt:

Robin Fisher (District I) - Present

Kendall Moore (District I)- Present

Marcia Newell (District I)-Present

Mike Haridopolos (District II)-Present

Marie Rogerson (District II)-Absent

Blaise Trettis (District II)-Present

Bob White (District III)- Present

Matt Nye (District III)- Present

Gabriel Jacobs-Kierstein (District III)-Absent

Tom Jenkins (District IV)-Present

Cole Oliver (District IV)- Present

Sue Schmitt (District IV)-Present

Jordin Chandler (District V)- Present

Vic Luebker (District V)-Present

Dave Neuman (District V)-Present

Staff Members Present- Melissa Brandt, Jim Liesenfelt, Assistant County Manager,
Attorney Paul Gougelman

Melissa Brandt: We have a quorum.

D. Approval of Minutes:

Mike Haridopolos: We have a quorum present, Fantastic, if you would look under tab D we have the minutes from last time. Does anyone have any concerns about those

minutes before we move forward? All right. Without any objection, Mr. White moves it forward. I will second that, and we will approve the minutes.

E. Reports

Mike Haridopolos: All right, we have reports, but before I recognize our staff, I want to recognize our staff for the remarkable job that Melissa and Jim have done over the almost last year or so. I really applaud handling a lot of difficult issues and the bureaucracy of paperwork and chaos associated with it and dealing with lawyers and elected officials is not an easy task, and you all have done a remarkable job. I want to express our thanks for just a job well done. So, bravo. Thank you. (applause). I am wanting to ask our lawyer if we are allowed to collect a fund to give them a nicer gift. We'll see if that's allowed. Am I allowed to do that? That would be great. Thank you very much for your great work on that, and why don't we go to our staff first for their reports before we go over to our county attorney.

Jim Liesenfelt: Thank you Mr. Chair and members. This is the first time we've been back in this room in a number of months. Same type of microphones. Green light means you are on, red light you're off and the best way is keep the microphones off until you speak so the tv doesn't get feedback and everything. In your package there was the memo on -- you asked for the how different counties handle the commissioner vacancies. So, staff put it together. I want to emphasize this is what we knew at the time based on their charters and their websites that we could find everything. In case somebody has changed in the last few months, we may or may not have it but the information is there at your seat, we received this morning from the Supervisor of elections, you asked for a timeline to fill a seat, county commissioner seat. I'm going to summarize it a little bit. The supervisor, you would have one week of candidate qualifying. Supervisor's office needs 7-10 days to set and proof the ballots. They have to mail those out to the military 45 days prior to election day. Based on those two dead- lines, the timeline would be approximately 8-9 weeks for each election for primary and general. so you're looking at about four months to -- from the moment of vacancy fills, and the charter, there's language in there the board will sit down with the Supervisor of Elections and set the timeline. So, it will probably be a little longer from the four months from the moment you have a vacancy to you have an election to fill the seat. Of course, at the end of it, there's the week to qualify and make sure the election has been certified.

Mike Haridopolos: Thank you Jim. Any questions on that? Melissa did you have any additional information for us? Next, we'll turn to Mr. Gougelman for his materials. That's found in number E or letter E on proposal number 8 memo and vacancies. Mr. Gougelman.

Paul Gougelman: Yes sir, Mr. Chairman. In response to a question by Mr. Luebker is a memo of July 24th. it deals with issue proposal 8 and the filling of vacancies. It appears that there is in my estimation, a problem with the language in the current charter. And that language to my knowledge has been in the charter for a long time. It may go back to the original charter, but it's not the method of filling a vacancy is not consistent with the

constitution with state law. And what I did was I looked not only at the statutes and the institution, but I also sampled a number of charters from some of the larger counties that are not special charter cases like Duval or Dade, and I found that their charters are all consistent with the constitution and the statute. And basically, what that means is if it's 28 months or less, the governor fills it. If it's more than that, remaining in the term, a special election is called. That's the way it's basically set up. The root of that is actually in the state constitution. I had submitted a proposal based on that to amend the charter, and I tried to include in there some alternative language if the law was ever changed. The constitution was ever changed. They kind of parallel what this board had talked about last time as to how they'd like to see that filled. I don't see that unfortunately in the package. If it's more than that, remaining in the term, a special election is called, that's the way it's basically set up. And the root of that is actually in the state constitution. I had submitted a proposal based on that to amend the charter, and I tried to include in there some alternative language if the law was ever changed.

Mike Haridopolos: Jim do we have that language somewhere? Is it not in the packet?

Jim Liesenfelt: He is talking about the language he sent? We will have to check emails.

Mike Haridopolos: Before you start reading it over, make sure we get a copy of the right one, because there is no tomorrow in it. I think Blaise brought it up last time, to have something on paper, there is no tomorrow in this, so let's get it right today. In broad strokes Mr. Gougelman will you kind of walk us through how you drew it up. Then we will look at the language and of course bring it up later.

Paul Gougelman: Actually, I do see it, hang on just a second. Yeah basically, the way I tried to put it together was I followed language that is in a lot of other charters. That basically states if there's a vacancy, it will be filled according to state law and the constitution, and then I included some additional language in there. This is something that had been done with the Orange county charter. And that is, they put a proviso in Orange County as to how the vacancy would be filled if the law was changed to allow the local option to do it. The local option I put in was basically what we had talked about at our last charter review commission meeting, where you wanted to have the county commission have a chance to fill the vacancy. Give them about 90 days to try, if they didn't, it would revert to the governor and that's if there's I think a year or less in the time of the term. But that would only be an alternative that would come into effect if the state law were ever changed.

Mike Haridopolos: Mr. Trettis, you had a question, or a comment?

Blaise Trettis: I was going to comment I could not find your resolution in the email I got. I want to point that out. I looked for it, and I didn't find it.

Paul Gougelman: I will tell you what, I just found it, in here it is under Tab H. There's the Trettis version under tab H. and then, if you go to the next, next one, CRC resolution number 2022-005, is basically what I drafted, and the crux of it is on page two of that resolution.

Mike Haridopolos: Ms. Schmitt for a question.

Sue Schmitt: Oh yes, Paul in the spreadsheets we were sent, there's 21 counties listed, and of those, 14 have one simple statement that it will go according to Florida law.

Paul Gougelman: Right

Sue Schmitt: and the -- like Miami-Dade, Orange county, some of the larger counties, Volusia county has a council, Miami-Dade does. So, they're not exactly like Brevard county by any stretch.

Paul Gougelman: No, the....

Sue Schmitt: So, I was wondering, the simple statement that is listed in the sheets from what the counties have where they say a vacancy in the office of county commissioner shall be defined and filled as provided by general law, is that not good enough legal statement?

Paul Gougelman: It is.

Sue Schmitt: So that is really all we need.

Paul Gougelman: Technically, it really is all that you need. What I did with the draft resolution that I put together was to take the language, I am looking at page two of that. That is to take the language that's in our charter now and kind of modify it to basically reflect State constitution and State statute, which basically follows the law. Which you are correct, a simple way to do it would simply be

Sue Schmitt: I guess to me being a layperson, not one of the attorneys, and I won't say anything about attorneys, it seems to me the best solution is to have a simple solution that the average person that reads it can understand.

Paul Gougelman: You are following the KISS rule.

Mike Haridopolos: Mr. Gougelman for those watching on television, could you walk us through what the State law is currently and that will give us some perspective?

Paul Gougelman: I will be happy to do that.

Mike Haridopolos: Thank you.

Paul Gougelman: Basically, the root of this is the State constitution. And there are a couple of statutes that have been passed to basically implement that. And, what the State constitution provides is that if there is 28 months or more remaining in a term, then the vacancy is filled by special election. If there is less than that, then, the vacancy is filled by the Governor. And there have been a couple of statutes that are set forth in the memo that I sent you, and they basically implement that formula that is in the statute.

Mike Haridopolos: And then walk us through, what is the current language in Brevard County for those?

Paul Gougelman: The current language in the Brevard county charter is that if there is a vacancy that occurs, and there is one year or less remaining in the term, the Governor fills the term. If it is more than that, you have a special election. Basically, the crux of it is

it is inconsistent with the State constitution, which rather than one year, uses 28 months as the cut-off point.

Mike Haridopolos: Mr. Luebker, you have a question?

Vic Luebker: First of all, Mr. Gougelman, thanks for doing the research on this. I mean your opinion then, based on state law, would this even pass the three- attorney review process?

Paul Gougelman: Would which?

Vic Luebker: This proposal from Mr. Burns, he put a lot of work in there. We're on 6 and we got a legal challenge with the state constitution. It is whatever it is.

Paul Gougelman: I recommend to you whatever you do today, basically, you want to have something as Ms. Schmitt pointed out, which is basically to follow state law, and as it's -- as we've tried to discuss in the past with the various alternatives, they're basically all inconsistent with state legal requirements.

Vic Luebker: That put us in kind of a procedural problem here too, because potentially if we amended this -- I don't know what Mr. Burns has written up as far as ballot goes, but that's going to be impacted too, right?

Mike Haridopolos: we already had our three meetings. I think we agreed to with procedures from day one we're going to treat this as a legislative process. Whatever it starts as doesn't mean it finishes as. We have the ability today to write it up. It could be as straightforward as Ms. Schmitt brought up, which is we're going to have to put ballot language on and say we're going to change it from one year to 28 months. That would be one option. We could do nothing and do nothing. That's not a bad idea, current and have a fun debate on that. Such is the process. Why don't what we do -- I know Mr. Burns is here. he's here, isn't he? We could -- why don't we table -- we're going to go to active proposals, we're going number 8 first. Stew on that as we listen to proposal 17 on term limits. So, we'll kind of -- this is obviously a new monkey wrench thrown at us here. It's again, the will of what people want to do on the board. Remember, we only have 13 people here. 10 out of 13 have to vote yea on this to put it on the ballot. If we choose to do nothing and it goes by the wayside, the current situation would stand, which is one year or less. The governor, one year or more, a special election. is everyone clear on that?

We'll go to number 8. We'll temporarily pass number 8. At this point, we'll go to the second proposal on our agenda today, term limits pledge proposal number 17. Mr. Tomboulides, I believe you're here and come forward and remind people where you're at. There's a couple of options that we have on the term limits measures. You're recognized.

Nick Tomboulides: Thank you, Mr. Chairman. I think we can all agree it's been a quiet 48 hours on this issue. (laughter): Last time we checked in, I wanted to get input from you. Mr. Luebker pointed out we had an issue with partial terms. So, we took some steps to address that. My remedy was if a partial term is two years or longer, that would count as a full term for the purposes of term limits. If it were shorter than that, it would not count and

you would be able to go on and serve an additional two terms. We had issues how the language was structured. We did change it to a limit on consecutive elections and you had pointed out that rather than a limit on terms, so it would be more difficult for people to game the system. I thought we had a good proposal in place. Mr. Trettis offered his own proposal as well, which was a little different in the verbiage. The main difference between my version and Mr. Trettis's version is handling the partial terms. Under Mr. Trettis's version, no partial terms whatsoever would count as the purposes of term limits. If a county commissioner were to resign with three years remaining on the term, that individual would be able to serve those three years and two different terms before terming out. As I stated in the memo that I sent around. I don't think that's a huge stumbling block. I don't think that's a substantial enough issue to let this proposal go by the wayside. And I don't want the perfect be the enemy of the good. I am okay with either option proposed. I suggest the panel take an informal poll to see how people want to handle the partial terms issue and take a full vote after that.

Mike Haridopolos: All right, questions? Okay. we have some appearance cards before we go into our discussion. We have Ms. Sullivan.

Nick Tomboulides: May I just say one last thing?

Mike Haridopolos: Sure.

Nick Tomboulides: There have been some comments made in the last couple of days from the county commission about this issue, and I just wanted to remind everyone that the job of the charter review is not to be a rubber stamp for the county commissioners. You guys are supposed to be independent, objective decision-makers in your own right. That's why we've had these meetings so we can get independent ideas and thoughts and not just regurgitating what the county commissioners would like to see. If the job of the panel was just to regurgitate back to the county commissioners, we wouldn't need this panels of the county commissioners could stand in front of a mirror and ask for advice. Let's not forget the spirit of the panel and the integrity charter review commission.

Mike Haridopolos: Well said. Sandra Sullivan. Everybody publicly speaking, you're allocated three minutes. If you use it, great. if not, even better. We'll have questions as well that you can extend your time on. Welcome back.

Sandra Sullivan: Thank you. Sandra Sullivan from South Patrick Shores. In watching the county commissioner meeting is very concerning that they would like to do away with the two term and make it a three term. We know over the past months that this charter review board has been operating that in February former Commissioner Fisher presented first doing away with the term limits in the charter, and then, later revised it to extending it to three terms. So, I am very happy to see that this proposal was put forth to restricted to two terms without coming back and serving additional time after a gap. I think that is -- that there's a lot of support from the public on term limits. Over 77% of people supported term limits. It was very concerning to me at that commission meeting that it was suggested by one of the commissioners to the other commissioners to lean on their appointees to this board to not approve this term limit proposal, and so that's very

concerning. I thought that was very inappropriate. and then finally, I had a legal question for -- who is here from legal?

Paul Gougelman: I am.

Sandra Sullivan. Okay, thank you. (laughter) as there are former commissioners sitting on this board who potentially as its written now could come back and run again, whether they should recuse themselves from voting? Thank you.

Mike Haridopolos: Thank you. Any questions. All right, Katy Delaney.

Katy Delaney: Thank you. So, I too was a little surprised about the county commission meeting, and I hope that you all approve this proposal because like I have said many times before today, if the president of the united states has eight years, that should be plenty for our county commissioners, if the county commissioners say that there's a learning curve to this job, that they feel that they can't get it done within the eight years, maybe there could be a training that's brought forth to new commissioners or candidates. That could be some kind of compromise. But I think the people have spoken pretty clearly that we want term limits. We don't want people being career politicians. I hope that you approve this proposal. Thank you.

Mike Haridopolos: Thank you Ms. Delaney, any questions? All right, next we have Kristen Snyder.

Kristen Snyder: I am actually here to speak about the next one.

Mike Haridopolos: Okay, they gave me the card for this one. Mr. Burns. Robert Burns. Robert Burns, you are recognized on this issue.

Robert Burns: Thank you. Nick kind of alluded to what I was going to say. In had reference to commissioner Curt Smith's comments when he brought up that item, he said specifically he wanted the commissioners to reach out to their appointees to give them direction. And when I heard him say that, I was confused, because as Nick said, I thought the charter review commission acted independently of the county commission. So, I want today get clarification on that statement as well.

Mike Haridopolos: I have not been contacted. Anyone else been contacted?

Group: No.

Mike Haridopolos: Okay then I guess nobody listened to him (laughter). All right, so we are -- we have heard all the public comments. Those are the cards, Correct, Melissa? Okay. We have two options in front of us, and I will try to clarify those. If the sponsors want to clarify, they can as well. The one is by Mr. Trettis, which would give them the option of -- if they win a special election, they still get two additional terms, correct?

Blaise Trettis: Yes.

Mike Haridopolos: The option put forth by the sponsor, one which United States follows. That is if they come into that term with two or more years left, they can only serve that remaining term. If they're fortunate to get reelected, they would be done. We have those

options before us today. Really, it's a majority vote on the first part. We're going to pick one of those. Just laying it out and we'll get into questions. You could pick Mr. Trettis's option or Mr. Tomboulides option, and then, once those are done by majority, we have a final vote, and that final vote will require ten votes in order to get on the ballot. Mr. Trettis, why don't you go first to present yours in a better light if I haven't done a good enough job, and we can ask questions of you, from there, we'll have Nick come up and kind of give his. I know he's open either way. I have a stronger opinion one side than the other. We'll see where this debate takes us. You're recognized, Mr. Trettis.

Blaise Trettis: Thank you. Before I forget saying, I don't know that the 22nd amendment, the presidential example has really relevance here. That's the president of the United States. I guess that's the Vice President taking over office. I just don't think that's really a really important comparison or benchmark, whatever the 22nd amendment is. I think that what the really important thing understanding the difference between mine and Mr. Tomboulides proposal is that under my proposal, person who runs for office twice will be able to at least serve -- be on say six and a half years. Under Mr. Tomboulides proposal, if someone were to win a special election with two and a half years in the term remaining, they could run only once more, and that's it. That means they would serve on only six and a half years after having been elected twice. That seems patently unfair to me, especially if they had to go through an election, I think it's unfair. So, my proposal will allow that person to run again beyond six and a half years. So, does Mr. Tomboulides because if there were less than two years, then, they could run twice for a total of three elections for up to ten years in office. So, on the upside, the lengthier side, mine is up to 12 years, his is up to ten. That's an insignificant difference to me really. But what is significant is someone who is elected twice and can only serve six and a half years. It just seems completely unfair to me. So, I think I have a better proposal. and also, I didn't realize it until Mr. Gougelman's memorandum came out that it's a technical but important problem with Mr. Tomboulides wording, which is he says special election of less than two years. Well, there shouldn't be a special election of less than two years, because the governor appoints if it's 28 months or less. so that is a wording difficulty that is there. My proposal eliminates that. my proposal also takes care of the problem about as we discussed previously, gains Manship by resignation. My proposal includes the language that basically a resignation cannot defeat the whole scheme. So, I just think my proposal is better for those reasons. The sponsor, I think said he supports my proposal. If you're all in support of either proposal I think you should vote for mine. Thank you.

Mike Haridopolos: Well said. Questions?

Vic Luebker: I agree with Mr. Trettis.

Mike Haridopolos: Mr. Tomboulides, do you want to come forward and kind of walk us through. You are the sponsor of this. You work on it nationally. We want to be respectful of that. If you think Mr. Trettis is the way to go, we're willing to go that direction.

Nick Tomboulides: Sure, I agree with Mr. Trettis that it's an insignificant difference. I want to point out under my proposal, we don't appoint term limits by the governor. Mine is a limit on elections. If you're appointed, you haven't been elected. We address what happens with special election, if you're appointed by a governor, current one-year

framework or I think you guys were talking about 28 months possibly if things change, that wouldn't -- mine proposal would have no impact on that whatsoever, it's perfectly consistent with that rule, I think because there seems to be an emerging consensus behind Mr. Trettis's more flexible proposal I would like to endorse that one and go with that. Let's not let the perfect be the enemy of the good.

Mike Haridopolos: Without objection, we're going to take away the potential amendment put forth by Mr. Tomboulides, and we're going to exclusively first vote on getting this amendment in place. Once the amendment is in place, we will have the final vote on the - in order to get ten votes to place it before the voters. and later in the day, work on the ballot language and make sure that's consistent. Is that okay with you?

Nick Tomboulides: That is fine.

Mike Haridopolos: Without objection, you'll see amendment B has been removed from consideration. We are now on amendment number A which Mr. Trettis explained. Any questions? Mr. Fisher?

Robin Fisher: Mr. Chairman, I got up this morning thinking how my republican friends usually say in order to consider a lot of you all friends, we want less government, and I started thinking about what was in place today and what's in place today is no commissioner can run two consecutive terms. These other things are creating more issues. I originally suggested three terms. That got shot down. I respect that. I think there's also the option of doing nothing. The reason I think we're really talking about this -- somebody's word, it doesn't affect me one way or the other. I'm not running, but if I wanted to run, I could run. I don't think Mr. Gougelman or Blaise would say that. I have no desire to run. Let's make that clear. but I look at Mr. Jenkins, could you help me? When did we become a chartered county?

Paul Gougelman: '94.

Robin Fisher: '94. I don't know a lot before '94, there's no commissioners that ever served more than two terms. I think I am right on that.

Tom Jenkins: Truman

Robin Fisher: Truman did, but he didn't do it after the charter. No commissioner ever served two terms. To my knowledge, there's only two commissioners that ever tried to come back. And that was commissioner Nelson and commissioner Petini. And both of them got defeated. So, the system, if people wanted them back, they have the right to try to run. So, we're sitting here coming up with this whole new concept, when it's never been a problem. The current rule says you could only run two terms. That's what's happened. You haven't had any commissioner serve more than two terms. I don't understand why we're going through this whole deal. So, I say there's a third option to do nothing and leave it like it is.

Mike Haridopolos: We have the same option on number 8 earlier today, too. Did you want to respond to that?

Nick Tomboulides: Yeah. I think just because it hasn't occurred yet doesn't mean that it's not going to occur in the future where someone tries to run for a third term and is elected. Both of those candidates that you mentioned came very close actually to getting back onto the county commission. What we're seeing with the historical trends among elected officials everywhere is that tenure has exploded across the board, local officials, city councils, state legislators, members of congress. I think it would be reasonable to anticipate someone might try to run for office for a third time, and this would be very useful, as I mentioned before we live in one of the wealthiest and most well educated and vibrant counties in America. To me, it seems a little ridiculous to say that five people among 600,000 or so indispensable that we can't find a new voice to fill the role and offer creative solution to say modern problems. I disagree with you Mr. Fisher. I respect you immensely, I just fundamentally disagree with you on this.

Robin Fisher: Thank you, 600,000 people can decide someone should come back for a third term if they decide to run. The two candidates, commissioner Petini and Nelson, I don't believe it was close. I think they lost convincingly. I don't think there's really a problem.

Nick Tomboulides: May I address that?

Mike Haridopolos: Sure.

Nick Tomboulides: I would say we don't live in a pure majoritarian democracy founding fathers rejected that out of hand. Our government has respected people's rights to choose their elected officials but also to choose the parameters around who can be elected. For example, I know if you want to vote for someone who lives in Nevada to be the governor of Florida, you couldn't, even if that person got 80% of the vote statewide in Florida. We have restrictions. We have qualifications who could serve. Term limits happen to be qualification and indication that 82% of people support. I would say in this republic of ours, we have to respect not just who people want to elect but what parameters do people want governing public service.

Mike Haridopolos: Other questions?

Kendall Moore: Mr. Chairman, let me go down that road be able to help me get me there. Kind of going down the road that Mr. Fisher talked about, I probably thought about this one more than any other one that we've had. Around this table, we've had lots of good jokes and heated discussions since we've been here. One of the things that impacted me the most -- Mr. Jenkins said it and I am not sure if he said it on the record or under his breath that day when we were having the heated debate on this issue. He said some of the comments made by the board was almost as if all the propriety lived here as opposed to the elected body. As if we're right and elected individuals are wrong and almost as if you're tightening it down because elected officials are the worst among us. You said they could do this. It hasn't happened yet. I think there were Delray examples and other examples of people trying to skirt the system. It's happened plenty of time. Looking around the table, Mike Haridopolos was a great senate president. I'd take him back in a second. You have a great public defender sitting right there. You have got former county commissioners. You've got some of us that have served in other positions, good folks on

the table who have run and not been elected. And even for the future, people like yourself, Jordin, Dave Neuman, Marie, when you run one day. You've done hell of a job and I'd love to have you back. We already have eight-year term limits today. Even if we rejected out of hand Mr. Fisher's proposal of going to 12, I am not sure we need to continue to tighten it down and tighten it down and tighten it down farther than it is today. We have existing eight-year term limit. Could somebody skirt that system? You're right. They could. I think arguably it could happen. They haven't, but they could.

(speaker away from microphone)

Nick Tomboulides: Will you promise to support it if it does?

Kendall Moore: I'm a believer on the other side. We have term limits, called elections. I've served on a city council. Sue is well aware of this. When I was a first-year councilman, there was 75 years of service sitting around me. Three people that I think have been three of the best, Dick Blake, Joe Lee Smith and Mayor Larry Schultz. And there were many days I had great ideas that they told me we tried that in 1983 and here's what the hell went wrong, right. So, I'm not necessarily, you know, objectively opposed to the opportunity for people to go longer than that. I think your term limit scenario has merit. People today are gaming the system in ways they never have before. I agree with you on that. But I struggle that where we are today, we have existing term limits. And are we good enough where we are with the eight? or do we need to tighten even down further as you've proposal.

Nick Tomboulides: right. Well, I will tell you I do think what you say has a lot of merit in that there are some long-term public officials who have done an incredible job. And certainly, have earned another term. But I think when we're looking at this systematically, there is, on occasion, a corrosive impact of being in office too long. Look no further than united states congress for evidence of that where we've got people in power for 30-50 years. They're trying to regulate social media and bitcoin and might not know how to turn on a computer. So, there's a definite trend toward careerism in politics. I think we have to look at it sort of like a business analysis, a cost benefit analysis, where every proposal] that we make is going to have some costs. And the costs are going to be in this case losing some of those long-term statesmen and stateswomen who have done a really good job. But the benefit is of new ideas, new faces, competitive elections. That's a huge thing. you mentioned you think term limits are elections. I think in theory they are but in practice they are not because the power of income ben see are so strong. If you look at power incumbents have putting their name on the ballot, they get \$10 for every challenger. Every initiative they announce is going to be in the local paper. Incumbents can use taxpayer resources to campaign for reelection. It makes a tremendous sense in theory. I think in practice; the deck is stacked and when you go out and say why don't you run and why don't you beat an incumbent? it's like going to a casino and saying why don't you beat the dealer? It's not that hard why don't you win the game? the game is rigged because of the advantages of incumbency. I don't think the add van damages –

Kendall Moore: I appreciate that, it has been an extremely compelling argument for sure.

Robin Fisher: I hate to compare Brevard county to Washington, D.C. can you tell me where new faces haven't been able to arise in the county? Where you have a problem with not having new elected officials or the same faces all the time? I'm trying to get an example of that. The I don't know of one.

Nick Tomboulides: Well, I would say in this county, we do a pretty good job of turning seats over in large part because we have so many term limits here. we've got term limits on county commission. we've got term limits on several different offices, it hasn't prevented termed out county commissioners running again in recent vintage and we can expect that to happen again. I would say in this county, the only problematic areas, there are some city councils where members have served for a very, very long time because there are no term limits in place.

Robin Fisher: I think that is my concern Mr. Chairman, there is not a problem in this county. There is a rule in place that no commissioner can serve two consecutive terms. That is a term limit in itself. If he tries to do that, the voters will make the decision every four years on that. I think we're creating problem and creating more government. And I think less government is better.

Mike Haridopolos: Okay. Other ideas, comments? All right, so where we're at now since there's no other debate on this, if you vote for this -- first, we need to have the vote on the amendment to make it the potential item to vote on and from there the required ten votes to place it on the ballot. There's no other comments? Okay. with that we'll call the roll. Why don't we do nay or yea on Mr. Trettis's amendment. all those opposed -- in favor, say yea. (a chorus of ayes) Opposed? Nay. Yeas have it by the majority. This is the final vote. This takes ten votes to place it on the ballot. It codifies the idea you get two terms. If you're elect indeed the special election, you could serve that first one without penalty and get two terms after that. Which is similar I think to current law. So, with that, why don't we have the Melissa call the roll on this. It's going to require ten votes to pass this. if you're for the proposal terms limits measure, say yea. If you're opposed say nay. Melissa, call the role.

Melissa Brandt: Robin Fisher. Nay. Kendall Moore. No. Marcia Newell. No. Blaise Trettis. Yes. Bob White, yes. Matt Nye. Yes. Tom Jenkins. No. Cole Oliver. Yes. Sue Schmitt. No. Jordin Chandler. Yes. Vic Luebker. Yes. Dave Neuman. Yes. Mike Haridopolos. Yes.

Mike Haridopolos: By your vote there's failure to get ten votes so the status quo holds. There're two term limits. if a person is elected in the special election, they would get the full two terms.

Robin Fisher: I think we just leave what we have?

Mike Haridopolos: That is correct. So, proposal 17 is not adopted Nick, thank you for your time. you did a remarkable job explaining the issue. I think it was 8-5, right? Okay. Next, we're going to move to proposal number 24, dealing with the workforce housing trust fund. Mr. Chandler you're recognized.

Jordin Chandler: Thank you, Mr. Chair. I think this is the fifth hearing on this item. Let me go through the fundamental principles of this] proposal. number one, as stated before,

this creates a continuing non-lapsing fund for the county commissioners to fund through the sale of county surplus real property or any other funding sources that may be deemed viable options, and might I add that also does not create a new form of taxation. Addressing the fact that we should stick with the trust fund, that was established via ordinance back in 2007. I understand the rationale but disagree. My proposal does a few things that the current ordinances do not do. Number one, it establishes permanency. In two years from now, when there's through new county commissioners, they can say this issue is not a priority of mine. So, let's get rid of it. The funding within the trust fund could be swept and go back to the general fund. It actually identifies a funding source, which the current ordinance does not do. Also, it makes sure that the funds that are allocated to the fund are not reverted back to the general fund. And I spoke with Mr. Gougelman per the recommendation from the charter review commissioners the last time. We worked together to clear up some of the ambiguity raised by Mr. Trettis I believe in section E, which deals with implementation aspect of it, and as Mr. Neuman, someone who really has an extensive background of the non-profit sector said last time, this really is forward thinking. I think Mr. Luebker said it last time as well. We don't need to talk ourselves out of this, right? This simply gives the county commissioners another arrow in their quiver to tackle the problems and we should allow the voters to decide whether or not this should be placed indeed in our county charter. Mr. Jacobs-Kierstein is not here. he sent us an email. He stated you have to start somewhere, right? So, just like I said, we don't have a magic wand. but this framework is simply a piece to the puzzle to help us see the bigger picture and address the issue that we currently have on our hands. And I'm going to close with this. One of my favorite speeches is actually by Dr. King that he gave before a Memphis crowd April 3, 1968, next day he would be assassinated. Dr. King stood before the crowd and gave prophetic words. Mr. King said let us stand up with a greater readiness and stand with a greater determination. Let us move on in these powerful days. These days of challenge to make Brevard county what it ought to be. We have difficult days ahead but it really doesn't matter with me now because I've been to the mountain top and I've looked over and I've seen the promise land.] Hell, we may not get there in two years with this we may not address the issue in five or ten years, but slowly and surely, we'll get to the promise land. Thank you, Mr. Chair.

Mike Haridopolos: Thank you very much. We have a couple of appearance cards, one is Kristin Schneider and one by Tara. Welcome.

Kristin Schneider: Thank you. I attended last meeting and listened to Community of Hope and housing for homeless talk about their part in affordable housing and transitional housing they provide, and I'm the administrator of Genesis House. We are a homeless shelter. This year we're celebrating 45 years serving the homeless in Brevard county. And one of the things that I am very proud of personally is our founder Mary Allen is with us as the president of our board, and our board is willing to let us meet the challenges that are facing us. So, two years ago, the increase in the number of senior's homeless calls, we developed a program for senior women. Someone asked me the other day what we were working on, and I said you know, I am trying to see how I can develop a program because Genesis House isn't going to be able to be a shelter for much longer. We are becoming just because of the situation, a transitional housing. So, I just want today share just a few

things with you. So, in 2021, Genesis House housed 307 individuals. 86 of those we put in hotels because of Covid funds. Those aren't available anymore. Prior to that, our average was 182 people a year for like the last five years. So, we're way increased who we've served and the numbers we've served. Also, the length of stay last year, was 123 days. And we try to stay at 45. And in 2018, I went back before Covid, our average stay was 31 days. Currently, we usually serve up to about 50 people, and currently, we have two beds for seniors, and two rooms for families. Of all the people that we have which is probably about 37 I think today, I have absolutely no plan for any of them where they're going to go, and I still get nine to ten phone calls a day from people needing a place to go from women and children. So, I just encourage that we do take this as a first step because it's just trickling down to becoming more and more problems. we're seeing homeless that can't afford what is there, and really there isn't anything there. But shelter is backing up and it really is going to increase the number of people on our streets.

Mike Haridopolos: Thank you, Miss Schneider. Any questions? Thanks for what you do and thank you very much. All right. Tara from family promise of Brevard is here as well. Welcome.

Tara Paglarini: Hi. Tara Paglarini, Executive Director of family promise of Brevard. We help families who are experiencing homelessness or risk of losing housing. We receive about 250-300 calls each month. These are from families living in hotels, doubled up with other people, who are living in their vehicles or in campgrounds. and from families who are at risk of losing their homes. We receive about 250-300 calls each month. these are from families living in hotels, doubled up with other people, who are living in their vehicles or in campgrounds, and from families who are at risk of losing their housing, because they are paying 50-80% of their income on housing costs. It doesn't matter how good we are as a non-profit. Our programs are stellar. We help 90% of our families move into stable housing and stay there, but there isn't affordable housing for families to move into, and so two years ago, I went to the city of Cocoa and asked them if they would donate a firehouse to our organization, and they said no. but then, I went back for two years straight and asked them if they would donate firehouse number 1 sitting vacant for five years. asked them if we can turn it into a hub of services that would focus on increasing the residents of 32922. increase their economic mobility. so that they can at least have a fighting chance to stay up with the cost of housing. They said yes to 20 years. So, we're in that for 20 years. I was able to leverage that donation from the city to secure \$1.8 million in federal and private funding that I could not have done otherwise if the government had not stepped forward and offered that solution. They said no. They didn't see it. But I knew it could happen if we could work together across sectors to leverage our resources. Family Promise of Brevard, genesis house, community of hope, housing for homeless, all of us, we can't do it. The non-profit sector can't do by ourselves. It's a multisector issue affecting our business, affecting our residents, affecting our education. everyone, all of us play a part here. this is our community. So today, I want to just throw that out there, because what we're asking is you think creatively and innovatively as we have. That's what you're expecting of us. That's why we get investments in our work because they know we have great return. That's what I'm asking, consideration for how this could be leveraged to bring in more funding to address the housing issue. Thank you.

Mike Haridopolos: thank you. Are there questions? one question I have. You mentioned that you helped 90% of the families, what is the typical situation and how you help them? You can't get them a house obviously. What is the typical situation how you transition?

Tara Paglarini: There's so many ways. We have emergency shelter, housing stabilization and prevention. What we try to do is increase our family's tenancy education and incentivizing landlords with private and federal funds encouraging them to take on families in a higher rent situation. But we build their economic mobility over time. We might help buy down a rent for a year. We're creative in working with those who have housing, and those landlords that want to be part of a solution and can be part of the solution. A great example is Remy properties. Remy properties has housing outside of the affordable range. However, they donated a unit to our organization. We placed a family. They set it at fair market rate, and we're working with a family in that location. If it works well, they're going to expand it into each of their locations, and it's just a great example of thinking outside the box creatively. If everyone did a little bit, we could make a big impact on this issue.

Mike Haridopolos: To follow up, you're subsidize to go get to the number they need. I know Habitat for Humanity, shared a lot of the work in the past. Is it a situation where what's the obligation for the family that moves into there?] So that it is truly transitional housing. So, it's -- how does that work? What obligation do they have?

Tara Paglarini: I can't speak to Habitat Housing.

Mike Haridopolos: I'm speaking about yours. When they move into the facility, it's transitional. What obligation does the family have, to quote, if you want to use the term get back on their feet so they can get into traditional housing?

Tara Paganini: It could be long-term. Our goal is to reach -- help the family reach the economic mobility that they could afford housing within our community. That is the goal. So, a big focus of ours is through an initiative called Elevate Brevard to increase revenue, wages through education and training. We're looking at barriers. And at the last meeting, we said what is your highest need certification. They have cpt. We're connecting residents to that training to the employer. Will you hire residents of 32922 who are -- they don't have that social capital? Let's increase that pipe line. And then, ultimately, they're going to be a great asset to our community because they're part of our tax base and giving back to the community through what they've given.

Mike Haridopolos: Once they reach that income threshold it goes to the rate their neighbors might be paying?

Tara Paglarini: Yeah. we're working. We just started doing that. I don't know, Mark, if you have an answer to that. He's director of programs. We started it. A family moved in a couple of months ago. It's new establishing what that long-term goal will be and each landlord may have a different outcome they would like to see

Mike Haridopolos: This has been educational.

Tara Paglarini: Thank you.

Mike Haridopolos: Do you have a question?

Vic Lubker: Yes. What is the income threshold?

Tara Paglarini: Yeah, Mark is -- gosh. (LAUGHTER) This is Mark Saxton, Director of Programs.

Mark Saxton: The income threshold is based on family size. What we're looking a combination of different grants that we work through. So, for -- I'd have to check my paperwork. I would want to say for a family of two where they have a single child, that income threshold may be \$25,000 a year in order to qualify for government services.

(SPEAKER AWAY FROM MICROPHONE)

Mark Saxton: Correct. It's following -- based off the property guidelines HUD sends out so they get updated every year. That puts certain families in a pinch where they might make more what the federal guidelines might support -- but not enough -- right. Not enough to afford housing. Those are the situations we're trying to buy down rents to areas they can afford it, and then we're considering case management to work with the family to help build the economic stability. So, at the end of the year, we're able to take that service we offered to that family and move it to another family in a similar position.

Vic Lubker: Thank you, appreciate it.

Mike Haridopolos: Thank you. Any other questions? Very illuminating. Thank you.

All right, we have Sandra Sullivan. You are recognized.

Sandra Sullivan: Thank you. Sandra Sullivan. I am against this item for a couple of reasons. I attended the affordable housing presentation on community land trusts with private-public partnerships that would create housing opportunities. Also, we have within the county -- I do records cross for lands that have been set aside for affordable housing. There's an inventory of properties within the county for affordable housing which we are just not utilizing. We have an issue in Brevard county like other areas, we have an increasing number of investor-owned homes. It's near 20%, about 26% in Orlando. and close to 50% in some of our areas, and so that's contributing. Short-term rentals and changing of policies in certain areas have taken a lot of long-term rentals off the market. That market has increased over just in the past year, the income coming into the county is over 90%. So, these factors need to be considered because there are other means. I am very concerned about one of our commissioners communicating an intent that if the EELS program does not get passed by voters in the referendum, to take those lands that have the public interest to acquire for conservation, and to liquidate and sell them as surplus lands. And it raises a flag for me, especially when we have seen recent lobbyists developer influence with getting \$30 million here whether there's a deeper agenda here. So, I'm going to put that on the table. I think there are better means of accomplishing, addressing affordable housing with some other avenues. Thank you.

Mike Haridopolos: Thank you. Any questions? All right. There are no more appearance cards on this issue. Are there other questions for Mr. Chandler the sponsor of the item? Just one question, I just want to be clear with this, we talked about errors and quiver and

options and so forth. This does not require surplus land sold to be exclusively who are affordable housing correct?

Jordin Chandler: Correct.

Mike Haridopolos: The county commissioners say they pay attention to our meetings as well. Is, have you approached them regardless how the vote might not just go today but November about getting this in the books short of the charter?

Jordin Chandler: Yeah, I have had conversations with the commissioners, more especially the commissioner who appointed me. But I have talked to the other commissioners, and I mean, it's obviously undetermined at this point. This is the goal here, is to get this passed and put on the Charter to make sure it's permanent. If it doesn't pass here, I will obviously go a different route.

Mike Haridopolos: Okay, perfect. Mr. Luebker.

Vic Luebker: Thank you Mr. Chair. I have a couple of comments. One, from a procedural perspective, this would kind of spell the county commission to act. It mandates -- once the voters say I want this taken on as a problem, whether it's 60,000 or 600,000, they now have to take this on as a regular issue. I want to make that point clear to everybody. And then, secondly, the reason why I ask the question about the income threshold -- I didn't bring this up at last meeting, but I am going to now. Three months ago, I took someone in my house. Someone came to me, a mutual friend of this individual. She moved here from Texas to be with her best friend. A long story short, that best friend wasn't a good friend so she ended up going to one of these extended stay places, human trafficking, drugs. She had a boyfriend, he beat the crap out of her. This person came to me and said hey I know someone that needs help. The intention going into it wasn't to let her stay at my place for a period of time. It was to get her resources she needed advocate, police department, all that. Well, she had a full-time job. She's living in a hotel, technically homeless but has a job. It's a telecommuting job, \$36,000 a year and by herself. She wouldn't have met the income threshold but didn't have enough money to get a place here in Brevard county. That's what the problem is and what is going on. So, she stayed with me for about three and a half weeks. I didn't charge. I said put the money in the bank, and kind of came up with a plan to go back to Texas where your family is, and that's just one example of really what this problem is about. So, I want to share that.

Mike Haridopolos: Sure, thanks for sharing. Mr. White.

(APPLAUSE)

Bob White: What is interesting is that this is a problem that's been around Brevard county for a long time. In fact, back in 1990, Sue Schmitt appointed me to the Brevard County affordable housing task force. If you could believe that. So yeah, this has been around for a long time, and there's so many factors that impact this. It's not just somebody's income. It's the value of the dollar. Continually, is eroded year after year after year decade after decade. The buying power of the dollar goes down at the same time people's incomes are stuck and stagnant in many cases. I'm for the proposal. I think that

it is as its been characterized another arrow in the quiver. I think it's something that as a community needs to be addressed. So, I'm going to support it.

Mike Haridopolos: Others? Okay. We are prepared to vote on this now. As we have talked about, it requires ten votes in order to be placed on the ballot. I support it Mr. Chandler. I am glad you paired it to a succinct level, manageable and flexible to the County. Thank you. It gives people hope and accentuate the programs already in Brevard. Melissa, if you would please call the roll.

Melissa Brandt:

ROBIN FISHER.

>>YES.

KENDALL MOORE.

>> YES.

MARCIA NEWELL.

>> YES.

BLAISE TRETTIS.

>> NO.

BOB WHITE.

>> YES.

MATT NYE.

>> NO.

TOM JENKINS.

>> YES.

COLE OLIVER.

>> YES.

SUE SCHMITT.

>> YES.

JORDIN CHANDLER.

>> YES.

VIC LUEBKER.

>> YES.

DAVE NEUMAN.

>> YES.

AND MIKE HARIDOPOLOS.

>> YES.

(APPLAUSE)

Mike Haridopolos: I had that as 10-3 vote, correct? Okay. By your vote, the proposal passes and moves onto voters. Congratulations, Mr. Chandler. Okay. We are now going to return to our issue that we had some clarity on, and that is proposal number 8 by Mr. Burns. And with some competing amendments from Mr. Trettis. So, Mr. Burns, if you're still here, okay. So, I think Mr. Fisher brought up last time we can stick to the status quo and going to Ms. Schmitt's point go to state law if we want or adopt the proposal on the table to adjust accordingly. So, Mr. Burns, you're recognized. We have a couple of amendments to look at or look at a third amendment would be kind of going to the statute that is used in other parts ever the state.

Robert Burns: Thank you Mr. Chair. As Mr. Luebker pointed out, I put a lot of work into this. The reason I brought this forward is because I saw we had what I perceived to be an issue with filling vacancies on our commission when they occur. We've seen the effects of having that vacancy in practice during this particular vacancy. In the memo that I sent out, I know its kind of lengthy. I did bring up -- address the issue that this doesn't happen very often. Without sounding offensive or too brazen, I used the example of having two more vacancies in the next commission. So, I felt there was something that needed to be addressed. The memo that Mr. Gougelman put out, kind of, you know, stabbed me in the heart, because it makes me feel like the problem is even worse than I thought. Because I thought that we just had an issue if it was a year but now it's almost two and a half years. So according to the memo in the statute that's referenced, anyone who has more than two years and four months remaining, it's going to be appointed by the Governor. The keyword that I wanted to -- the operative word I want to look at in that statute is shall. Because one of the things that we argued at the very beginning of this was that we can't make the governor do anything. So, the way our charter currently reads is that the Governor shall appoint. So, the county doesn't have the power to tell the Governor what he shall or shall not do. It was argued that some felt the Governor made the right decision leaving the office vacant at the time being because it could be interpreted to an endorsement was one of the arguments or close to an election was one of the arguments. However, just referencing the statute that Mr. Gougelman references in his memo, the operative word is shall. So, we can't tell the Governor what to do, but certainly, the constitution does. So, that statute says that the Governor shall make the appointment. And as we know it right now, there has not been an appointment. So, does the Governor has the discretion of whether to follow that part of the constitution or not? I don't think that he does. And I may be wrong. But I don't think that he does, but it says shall, and he has not. It doesn't appear that he's going to. I don't want to try to predict the future, but he made a bunch of appointments over the next week to several county commissions in I think Lee county, a couple of other counties. But we were left off that list. So, I don't think that there's going to be a shall appointment. But, I also think that goes against the whole spirit of the home rule act from 1973 I believe, because if we are going to fill a vacancy for

an elected office, especially for a single member district with over half of their term remaining with someone who is not elected, I don't see how that is democratic. I don't see how that's a representation for the people who elected their -- the person to that office to begin with. So, the first part of that statute says unless otherwise provided by the constitution. My argument the home rule charter act is that exception. So, I believe the home rule charter gives us authority to make those appointments. Otherwise, what would be the point of having that first language in the statute? It says also -- one of my questions for Mr. Gougelman, is there a difference between county officers versus county commissioners? Article 8 of the constitution, it's separated. So, I don't know if this is -- if the statute applies directly to constitutional officers, like Mr. Trettis, or is it separate and apart from county commissioners? I think those are two different things that might be identified here vaguely in the statute. It says exempt for the legislator, he doesn't make appointments. I know I'm grasping at straws here. I would say the county commission is the legislative branch of the county government. I don't know if that would count as legislator when it comes to that statute. So, those are just my thoughts. My goal was to try to make sure that the people have the representation, you know, that they are supposed to have according to the charter. That it's filled as quickly as possible, and that it's filled as close to the people as possible. This statute in the constitution, negates all those things and extends it to even twice the amount of time. and then, we don't know if it will even happen even though the constitution says that it has to happen. So those are my thoughts, I don't know where we are going to go from here, or if all those things in the memo are correct. I am completely fine with it being amended today just like some of those other charters say that it's just filled in accordance with state law. But I did not see what was referenced in the memo to Orange county, the exception that he pointed out, the language where he said that if it -- if the constitution were to change, I didn't see that in the charter. I was looking for clarification on that. When I read the charter, I saw it had been appointment process. I didn't see -- I am not sure the proper legal term for it. If something was changed for the constitution. That's all I have.

Mike Haridopolos: Questions for Mr. Burns? Mr. Oliver, please go ahead.

Cole Oliver: I just had a question for the attorney here. I guess theoretically, could the county file a writ of mandamus seeking to since the constitution says the governor shall appoint for the vacancy, had the county file a writ of mandamus directing he has to? And then what happens if he still decides not to?

Paul Gougelman: I don't know any case that's done. I suppose it is a possibility. What the success would be, is anybody's guess.

Cole Oliver: Sure. Thank you.

Matt Nye: I got a follow-up question. Who would have standing to do that, do you know Mr. Gougelman?

Paul Gougelman: Maybe the County Commission.

Mike Haridopolos: Okay. So, Mr. Trettis, did you want to walk through a little bit your proposal on the table and we can have this discussion and see where it takes us. Again,

there is the option to do nothing and status quo and move to a modified version which could come under constitutional assault, based on the latest information that's come in. We can probably look at modifying and saying 28 months or less we give the governor x amount of time. If he or she has not made the appointment we will allow the county commission. There's a lot of things we could do. Mr. Trettis, what is your pleasure?

Blaise Trettis: Thank you. I made my strike amendment because I am of the firm opinion you should not leave an unlawful provision in the charter and this currently-worded charter is unlawful because it directly contradicts the constitution and the Florida statute. So, I am definitely not in favor of leaving that unlawful wording in the charter, that's why I made my strike all amendment. I made two of them. The first one was before I got Mr. Gougelman's memo, so I won't address that. The one I think -- should be passed in my opinion is seven pages in to tab F. And I'll simply read it. It's as my amendment would have the section 2.7 read –

Mike Haridopolos: Before you get there, let me make sure everyone gets to that page. Which email is this?

Blaise Trettis: I am going on tab F. Email from August 1st. In the middle of that page, you will see the bold type. Section 2.7 Vacancy.

Mike Haridopolos: Everyone on that? Let them get there. Everyone there? Okay.

Blaise Trettis: What it is, is what commissioner Schmitt says it follows the simplest language in county after county in Florida. It says a vacancy in the office of county commission shall be defined and filled as provided by general law. I followed it with this sentence, a vacancy is filled created by recall shall be filled provided in section 5.2 of this charter, because our charter provides for the possible recall of county commissioners. And that is a completely separate process. It would take place under the Charter. So, that's why I left that in there. That sentence is in the charter. I took out the word in suspensions from the title because I didn't see how suspensions has any application whatsoever. The word suspensions isn't in the current charter. It just seems like it was a complete waste of words. And maybe it just wasn't needed. So, I took that out. What it does is makes it the simplest version I think there is. It's used like I said in county after county after county, and that's why I made it. That's all.

Mike Haridopolos: Any questions?

Cole Oliver: I agree with Mr. Trettis. I agree with Mr. Trettis. We know this is a problem highlighted by our charter review council. I agree we should address it and agree with the straight forward language Mr. Trettis proposed.

Mike Haridopolos: Others? Yea, go ahead Vic.

Vic Luebker: I apologize. I should have asked this question earlier on because you put a lot of work into this. I really appreciate what you're trying to do. but one of my rules is was it legal? It doesn't meet the bar. I'm in agreement with Blaise on this.

Mike Haridopolos: Mr. Gougelman.

Paul Gougelman: One question for Mr. Trettis. Would you have any objection to striking the word "general" as in general law? So, it would read as provided by law?

Blaise Trettis: I have no objection to that.

Paul Gougelman: And the reason for that is to not only include general law, but the Constitution.

Blaise Trettis: Yes, right. I would amend my strike all amendment in that regard.

Mike Haridopolos: Ms. Schmitt.

Sue Schmitt: Rather than saying general law could we just say Florida law?

Paul Gougelman: What you are saying as provided by law. There are any number of court cases out there that talk about what that means, and what you do is you look to general law and you look to the constitution.

Sue Schmitt: I know that. Okay. I am looking at it from the standpoint of the average person picks something up, are they going to understand it? That was my only question. I didn't know.

Mike Haridopolos: Does it make any difference? I think that's more the ballot language question maybe. It sounds like Mr. Gougelman is saying by law. On the ballot language you might want to put Florida law which covers constitutional and statutory language, correct?

Paul Gougelman: Yes.

Mike Haridopolos: Do you want to add something.

Robert Burns: In response to striking suspensions, we had a major suspension today over in Hillsboro county. Should a suspension occur, if we strike that, I don't think we have language to talk about how to fill that vacancy for the suspension. Unless vacancy is defined as also a suspension, but I don't think that it is.

Blaise Trettis: Yeah, I thought the same thing today when I heard that the Governor suspended State Attorney Andrew Warren in Tampa for saying he's not going to follow the law. I wrote this before that obviously this morning, but I just never heard of a suspension, and I also -- I think the Governor today said this suspension is going to be followed by removal from office. I don't know how long that process takes. So, again, I just think it's such an outlier possibility, it's just not worth bringing up.

Robert Burns: I think in practical exercise what could happen say a sitting commissioner was to be charged with a felony, and pending the outcome of the disposition of that case, he's suspended until he's found guilty, he or she is found guilty, and then, eventually removed. I don't think you could serve while you're pending felony charges, that would count as a suspension. So that office is now vacant for however many years the felony charges could exist for.

Blaise Trettis: I would be glad to add suspension back in and say vacancy or suspension in the office of county commission shall be defined and filed as provided by law. Mr.

Gougelman, suspension is that scenario, is that scenario play out where someone is arrested for a felony and the Governor could suspend and he could take a while? If I could see that's a possibility.

Paul Gougelman: It happens occasionally.

Mike Haridopolos: What happened with the Sheriff in Broward county removed the Governor? He had to be officially removed by the senate. Didn't something...

Paul Gougelman: Yeah.

Mike Haridopolos: He did not appoint -- did he appoint a new sheriff in the interim?

Paul Gougelman: I think he did, yes.

Mike Haridopolos: So, for practical terms where we're at now, we would go to the current Florida law, 28 months or less the Governor would appoint for the remainder of that term, unless you want to add on anything to that if the Governor does not make an appointment by a certain period of time. I think you're going to run into legal hurdles here. I personally think that the governor -- going back to our term limits discussion, I think the governor did not appoint in this scenario because of the limited time. and I think he recognized that whoever he appointed would have the upper hand in an election. much like the debate we've had for weeks now on the term limits issue and why the incumbent is a powerful device. Normal times you would see the governor appoint quickly. Because of the limited time that remained, he was willing to go with four county commissions. I think that's probably the logic he took. Let's have the discussion as far as -- first, let's have a vote on -- let's see, which one is first? Mr. Trettis, you get the first bite at this. If yours is adopted, it would take the place -- I'm sorry, which amendment was filed last, Melissa?

Blaise Trettis: The one I am talking about.

Mike Haridopolos: Okay. Mr. Trettis, yours is in play. If we adopt your amendment, it would in essence defeat Mr. Burns' amendment moving forward.

Blaise Trettis: Can I make a comment about that?

Mike Haridopolos: Of course.

Blaise Trettis: Thank you. Again, I think it should be changed whether it's my amendment or something else for the reason I stated. I just want to make sure that mine would read this: section 2.7 vacancy and suspension, a vacancy or suspension in the office of county commission shall be defined and provided by law and recall filled as provided by section 5.2 of this charter, end quote.

Mike Haridopolos: Questions for the sponsor? Mr. Gougelman, do you feel this meets our language?

Paul Gougelman: I do. I think it is right on. It is as Ms. Schmitt would point out, it is simple.

Mike Haridopolos: Mr. Burns, that would eliminate yours. You're welcome to speak whether you like this considering the factors in play or make the arguments that maybe your amendment is stronger. it's up to you.

Robert Burns: Well, I definitely don't like the word defeat. I like the word alternative. (laughter) for the record, but --

Mike Haridopolos: We'll call Wikipedia and see what they say.

Robert Burns: I completely agree what is said. I have concern, and I don't know if we need to address it with the shall part of the constitution. I think I agree with your rationale if it is the governor's rational to have some discernment to fill a vacancy, I think that makes sense. But I don't think he has that authority to do so according to what has been referenced here today. I think we might need some kind of mechanism within the charter in order to do a writ of mandamus or cause of action to force that should it not happen. I think the political reasons the county commission might not do that on their own unless they're forced to do so by the charter. I don't think the county commissioner wants to voluntarily go against a governor of maybe the same party unless they're being required to do so. I think we have to have some kind of resource if we feel the governor is not executing, you know, the constitution on our behalf as the constitution states. I don't know if that's something to be added into this amendment or not.

Blaise Trettis: I won't. Thank you.

Mike Haridopolos: Anybody else?

Robin Fisher: I have a concern. If you take the scenario we have being a charter county, sometimes the issue comes up of super majority and majority and what is a super majority and because no appointment has been made, there's been some debate. you got to act like you got five commissioners when you only have four, and then you got to go declare super majority on that four, you know. I think we do need to address that if the governor doesn't do something. because we're a charter county, and I think the charter says you got to have four votes when you're operating for six or nine months with four commissioners. That makes it very difficult. And I would really like to see somehow if the governor doesn't appoint that the county commissioners go back to my other position that appoints somebody.

Mike Haridopolos: Okay, let me ask one question. When I referenced that earlier I think to your point, if we -- can we, Mr. Gougelman, put a parameter on this, meaning if the governor has not appointed within x number of days, a county commission to unanimously appoint without running afoul of law?

Paul Gougelman: I don't think you could, no. Unfortunately. I think that's the problem. The constitution and the state statute is straightforward. If it's 28 months or less in the term, then, it's strictly up to the governor to go ahead and fill it.

Mike Haridopolos: Okay. I know you've done a lot of research. This is a unique situation again. I gave the reasons why I think the governor made this choice so you have an open election cycle. In most cases I have seen in years passed, the governor has been quick to

appoint. This is a unique situation obviously given the proximity to the election, but, you know, again, just because our lawyer says so, that's not the legislator. Why should it stop us? does anyone want to go down this road? (laughter)

Paul Gougelman: Mr. Chairman, the lack of appointment may have been a result -- may have been a quiet message by the governor that somebody needs to look at our charter to see if it squares with the law.

Mike Haridopolos: There you go.

Sue Schmitt: The Governor may have decided he wants to stay out of politics in Brevard County.

Mike Haridopolos: I think that is the call here. I am sorry, Mr. Nye go ahead.

Matt Nye: I apologize. we're saying there's nothing we can put into the charter for standing, they may not want to challenge the sitting governor. I'm not talking about this one, anyone in the future. So, the question is, is there any mechanism we can put in the charter to compel them to action to remove the political aspect of it? We're saying there's not anything that says they would seek all legal remedies or whatever to compel the governor to appoint should this circumstance come up again? Isn't there a way we could phrase that to take any political pressure off of them but at the same time, you know, achieve

Cole Oliver: I think any citizen within a jurisdiction would have standing.

Matt Nye: Right, someone in district 2 could essentially say hey.

Cole Oliver: Anyone in the county could, a city official would have to be someone in the city I think would have arguable standing.

Matt Nye: I agree with commissioner Fisher that the super majority is an issue.

Robin Fisher: So, you're saying Mr. Gougelman, there is no way to get around the less than 28 months rule with -- if the governor doesn't make an appointment, that the county commissioners could not make a decision?

Paul Gougelman: I don't think they can, no.

Robin Fisher: What do other counties do?

Paul Gougelman: Other counties put provisions in their charter that simply say the vacancy will be filled as provided by law.

Robin Fisher: So, there is no counties ever --

Paul Gougelman: In the case of Orange County, Orange county included that, the vacancy will be filled as provided by law, and then, they put another little kicker in there, which says if the law is ever amended to allow local option, then the following can process will occur.

Robin Fisher: So, let me ask this way. Are you saying in the 67 counties, any county commission has never appointed anybody to serve other than the governor to fill a vacancy?

Paul Gougelman: Well, first of all, we're only looking at charter counties, so it's less than 67, and I couldn't opine as to Dade or Duval, because those two counties as you are probably aware, are constitutionally sanctioned. They have their own process that is completely different from, you know, other counties.

Robin Fisher: Okay.

Vic Luebker: Again, I brought this legal question up opening this can of worms. As I look at it and base on your opinion, I think we all agree we want the position filled. I think there's two pathways to get there, through the courts, which anybody can do. They can drop a lawsuit, or work through our local delegation when they're in session and say we'd like you to look at this part of the constitution and tweak it.

Robert Burns: So, with the 28 months, you have a vacancy that could occur for two years plus, which means we have two budgets brought forth, major decisions going on over half the term of that elected office. Does the charter or does the county commission have the ability then to fill a vacancy temporarily until the governor should make an appointment? Because I did see some language in some of the other charters that has that temporary vacancy being filled until the special election occurs. Could we temporarily fill the vacancy?

Paul Gougelman: No.

Robert Burns: I knew the answer was no.

(Laughter)

Mike Haridopolos: Tell me there is a chance. The point is well taken. If you want to change this law, it would take an act of the legislator. I never was brought this in my ten years in the legislator. And so, I think we're in the box now where it makes a lot of sense to follow what current law is if this is legitimate issue, we have the Brevard county delegation meeting. We can bring this up and do more homework to see if there's been prolonged vacancies. I would be shocked if the governor went substantial amount of time. historically leaving a vacancy be like that because of the importance as you and Mr. Burns and others have brought up. So, we could move forward. Is there any objection to the proposal put forth by Mr. Trettis? Okay, without objection, we'll show that amendment adopted thus taking the place of the Burns' amendment. We're on final passage which requires ten votes in order to place this on the ballot to comport ourselves well with state law. Any debate on that? okay. Getting close to that. We can have fun with this, but I think we recognize what the reality is. Melissa, why don't you call the roll on this measure. Again, it will take ten votes to be passed and placed on the ballot for the voters this fall.

Melissa Brandt:

ROBIN FISHER.

>>YES.

KENDALL MOORE.

>> YES.

MARCIA NEWELL.

>> YES.

BLAISE TRETTIS.

>> YES

BOB WHITE.

>> YES.

MATT NYE.

>> YES

TOM JENKINS.

>> YES.

COLE OLIVER.

>> YES.

SUE SCHMITT.

>> YES.

JORDIN CHANDLER.

>> YES.

VIC LUEBKER.

>> YES.

DAVE NEUMAN.

>> YES.

AND MIKE HARIDOPOLOS.

>> YES.

Mike Haridopolos: And by your vote, the proposal passes and will be on the ballot pending the three-judge panel.

Robert Burns: I prefer the dialogue. We talked about important things and identified things. My only ask is when Florida today writes it up saying Mr. Burn's proposal was adopted with Mr. Trettis's amendment. (laughter) thanks.

Mike Haridopolos: That's Montgomery Burns (laughter). Congratulation to everyone for following the law. That's great. We're doing a lot of -- what's the term? okay. So, all right. we have now finished with our active proposals. We now move to public comment, which is G. We do not have cards in front of us. We now have unfinished business with which is tab H. and that's dealing with the language we have to make sure that we have that there are measures in order. Let's first go to proposal number 4. The three-attorney process. It was passed 12-1 on July 7th. That's under tab H. Mr. Jacobs-Kierstein is not here. Mr. Gougelman, why don't you take over for him and walk through what the proposed language is for the ballot, and we'll go from there.

Paul Gougelman: okay. Which one are we looking at? I'm trying to find which one we're looking at.

Mike Haridopolos: I'm looking at proposal number 20, resolution 4, it was the 20th proposal, right?

Paul Gougelman: Yeah

Mike Haridopolos: Are we going to call this number 4 or number 20? Number 4 on the ballot then? Okay, perfect.

Paul Gougelman: Thank you. This is a two-part amendment. the first part indicates when there's a charter review amendment proposal going for an attorney review, the attorney review panel shall be picked by the charter review commission, and it shall have a fiduciary duty to the charter review commission. The second part of the proposal indicates that the attorney review panel will have to review the proposal within 15 days to prepare a comprehensive report. and if two members of the three-person panel reject the proposed amendment, the proposal shall be returned to the charter review commission for reasonable opportunity to cure any defect. The panel's report to help the charter review commission has to include with specificity any rationale for rejecting the proposed language, and suggested manner in which the defect can be cured. And this proposal also would extend the term of the charter review commission for the purpose of considering any item that's been rejected by the attorney review panel and returned to the charter review commission.

Mike Haridopolos: All right, questions for Mr. Gougelman on the language? For the adopt the language, we need a simple majority because we voted the ten already. Is there any objection to adopting the language proposed? All right. Let's just do a voice vote. All those in favor of the language say yea. (a chorus of ayes) those opposed, say nay. show that language adopted. Okay. next, we move to proposal number 5, which is found in tab I, dealing with vacancies and suspensions, which we just covered. Mr. Trettis, this is yours. So why don't you go ahead and just read that again for us so we can adopt that language if everyone is comfortable with it.

Blaise Trettis: Section 2.7, vacancy and suspension, a vacancy or suspension in the office of county commission shall be defined and filled as provided by law. The vacancy created by recall shall be filled as provided in section 5.2 of this charter, end quote.

Mike Haridopolos: All right. Any questions? Mr. Jenkins.

Tom Jenkins: (away from microphone)

Mike Haridopolos: I'm open with whatever you want to do. A lot of people wouldn't know that. It wouldn't hurt to use Ms. Schmitt's term to make sure every day voters understand what we're doing.

Paul Gougelman: Mr. Chairman, what we can do when we turn this into formal resolution, into our formal standard resolution format for your execution, we can include a recital in there that explains that the purpose of it is to correct an inconsistency with the law.

Speaker: Away from microphone

Paul Gougelman: We would have to make sure that gets into the ballot summary. That's what you're looking for to see it in the ballot summary.

Mike Haridopolos: I think you're right. I think the voters need to understand what they're doing. and we do. But no one else is watching this. So, I think it's a good idea, and we don't do it here. We'll do it -- we have to do it right now?

Paul Gougelman: No. It will be in the final resolution we present for your signature. It would sound along the lines to correct an inconsistency with the law in the current charter, the following amendment will occur.

Mike Haridopolos: So, moved. Is that okay? I just want to make sure. okay. So, everyone approves of that, say yea.

(a chorus of ayes)

Mike Haridopolos: So, I can sign with confidence. Thank you. So, we have approved that ballot language as well. the other item under tab I was defeated today, that is proposal number 6 dealing with term limits. We do not have that. Our final issue of course is proposal -- will this become number 6 or stay as number 7, Melissa?

Paul Gougelman: It will become six.

Melissa Brandt: Six.

Mike Haridopolos: This will become number six and it has to do with Workforce Housing Trust Fund. You see the language before you. Does anyone have concerns about the language before them? What page is that on?

Paul Gougelman: proposal number 24 halfway through Tab I. proposal 17, which is the proposal towards the end of section I. In particular, you want to look at the ballot language as well. 2022-007. Which we're going to read as number 6.

Mike Haridopolos: 2022-007, it says on the top item 3 with approval of F-3. Proposal number 6, I'm assuming it to be? workforce and supportive housing amendment establishing the housing trust fund to assist in establishing affordable housing for renters and homeowners to create workforce opportunities throughout the county. The trust fund shall fund directed by the commission as revenue and does not create a new form of taxation.

Paul Gougelman: Yes.

Blaise Trettis: How do we know it is not going to create a new form of taxation? It doesn't say that in the proposal.

Paul Gougelman: Well, the reason that we know that is because local government cannot create a new tax, only the legislator can authorize a new tax.

Blaise Trettis: The public wouldn't know that reading this, though. They would think the county commission cannot raise taxes to pay for this.

Paul Gougelman: Well, I don't think it says that. It says will not create a new form of taxation.

Blaise Trettis: Right, I know, but the implication is I think that county commission is not going to be able to increase taxes because of this, which I don't think is

Paul Gougelman: if the alternative is to strike the ballot language.

Blaise Trettis: I think it should be stricken, that's the inference I get. literally, it may be correct, but the I inference is don't worry about the county raising your taxes.

(speaker away from microphone)

Blaise Trettis: so, if it takes a motion, I move to strike and does not create a new form of taxation.

Matt Nye: I'll second that.

Mike Haridopolos: Mr. Chandler, it's your proposal. Let us know why you think it should or should not be.

Jordin Chandler: I'm fine with that, Mr. Chair

Kendall Moore: Mr. Chandler, I think you might want that language in there. that really helps some voters in this county understand the economic consequences you know.

(laughter)

Kendall Moore: that's not a legal challenge. That's a separate issue.

Jordin Chandler: you know, I'm in agreement. I think you do have to spell it out. yeah, I just...

(speaker away from microphone)

Jordin Chandler: general fund.

Blaise Trettis: But they could.

(speaker away from microphone)

Blaise Trettis: So, this says it's not going to happen. I know literally that what Mr. Gougelman said, but] again i think the inference is to the voter -- and this is it, this is the

ballot language, your taxes are not going to be increased because of this. and that's not literally true. I don't know what's going to happen. Maybe they will increase it.

(speaker away from microphone)

Bob White: that may be the case. but there's something on the ballot that the voter is reading and infers to the voter, the voter has a reasonable expectation what it's saying it's not going to raise taxes, but it actually could, that's the issue.

Vic Luebker: I mean, yeah, you could say it. We're saying it on the ballot inducing people to vote a particular way.

Robin Fisher: I don't think it's going to raise their taxes.

(speaker away from microphone) right.

Cole Oliver: Mr. Chair.

Mike Haridopolos: I think -- I think what we all agreed on is that the only source of revenues for this is the surplus lands program. so, I think -- so that people -- I'm sorry?

(speaker away from microphone)

Mike Haridopolos: correct. so, I think you're going to have to -- because I think it's a little broad in this language, and I think you need to put in approximate there about surplus lands somewhere. I think. because that's the reason I voted for it. because I only recognize this as surplus lands, and it's the option and it's not required. I think you have to get more clarity. this is what voters see. I think the only reason you have ten votes for this thing is because the expectation is that it would not] be new revenues created or dollars moved around that would force a higher tax.

Cole Oliver: Mr. Chair. procedural question on. the as I understand t. We're voting on language for the ballot, correct?

Mike Haridopolos: uh-huh.

Cole Oliver: is that a ten vote again or majority vote?

Mike Haridopolos: the simple majority. we can also move to reconsider.

Cole Oliver: sure.

Mike Haridopolos: and I know there's only one vote needed to kill it. so, I think it should be more clarity as to -- I voted for this because it's an option not as another way of spending money one place so you could raise taxes somewhere else. let's just be clear here where I would go if we can't make this language very clear.

Jordin Chandler: correct. some valid points have been raised here. in our discussions here, and as I stated many times, the proposal itself as I stated my intend was never to increase or move taxation forward, right? this was simply looking at when I provided the original proposal, litany of funding sources the county currently has available. so, if the language that we need to put in there is the trust fund shall be funded as directed by the county commission from the sale of surplus real property, but now the kicker clause in my

proposal was or any other sources as established by ordinance.so... once again, I think the question here is that in order for a taxation to happen, is that it would have to go on the ballot. this is not a half cent sales tax or anything like that to address this issue.

Mike Haridopolos: let the people -- again, I sense some concern here. the people who have the concerns, Mr. White and Mr. Trettis and Nye walk me through where you're comfortable what language would you be comfortable with. because it's important because no one is going to vote for a tax increase. if you lose, if there is one, and no one on this board wants to see taxes go up to do this.

Jordin Chandler: absolutely

Mike Haridopolos: work through this. those folks who are concerned, what language you would be okay with, so we can put this on the ballot and be comfortable. if not, we need to have a vote on the ten and it will go down.

Tom Jenkins: Mr. Chairman, why not -- no tax dollars.

Vic Luebker: you can't do that because you're using general fund dollars potentially.

Tom Jenkins: well, no but you're not using tax dollars. you're not using sales tax. you're not using tax. you could be getting grant dollars. you could be getting private donations. you could get a lot of things. I think your concern is the tax.

Mike Haridopolos: it is. and I think what we want to do is get them more tools. this is another bucket they can create money without taxing people. that's why they got the ten. so, what I'm asking is the folks that had concerns because of this, to help Mr. Chandler with the language so we can compromise. Mr. Jenkins has a valid point. if you're comfortable with his language, I'll go with it. I want to make sure it's clear, this is not raising a tax. because in my mind, but Mr. Trettis, you brought up the thing if they start maneuvering existing dollars, it could put pressure to raise the tax in the fight.] i think is what your argument might be.

Blaise Trettis: yes. the county commission can do that under what was just passed because it says other sources as established by ordinance. if the ordinance is \$1 million in general revenue, that's what's going to happen.

Mike Haridopolos: it doesn't create a new tax that if they feel pressure because they're moving dollars from a to b, there could be a tax -- or pressure to put a tax.

Blaise Trettis: True.

Mike Haridopolos: help me with the ballot language so we can make this tighter.

Blaise Trettis: I am Mr. helper, and said what it is I thought and does not create a new form of taxation.

Mike Haridopolos: Mr. Nye.

Matt Nye: I seconded the motion that Mr. Trettis

Mike Haridopolos: and Mr. Moore says he thinks it needs to be from.

Kendall Moore: I said it from a pure political context. to remain there, it has to be legal and true. if you raised an issue that it does raise tax or legal issue, you need to strike it but I think clearly, it was there because the basis for everybody that voted for it was that it wasn't going to create a new tax.

Matt Nye: that's the fundamental given.

(speaker away from microphone)

Paul Gougelman: just from listening to your discussion, I think the best solution is to do exactly as Mr. Trettis has recommended. that is at the end of the ballot question, to strike the la language and does not create a new form of taxation.

(speaker away from microphone)

Jordin Chandler: I'm not opposed to it, but I don't want the thought process from my conservative friends to be okay this is identified as another tax. right? when voters look at that on the ballot, it's going to appear it's another tax. I'm not opposed to striking that language from it. I mean, obviously I wanted to get there. so, I think Mr. Neuman.

Dave Neuman: I don't think that's going to change anything particularly crazy. For me when it says as directed by the county commission, that's also not necessarily what we voted on either. can we put the trust fund shall be funded through the sale of surplus lands or predominantly through the sale of surplus lands and that includes the strike through of the -- and does not create a form of taxation so serve happy saying where it's coming from?

(speaker away from microphone)

Dave Neuman: the other source is anything. that's a catchall clause. that's not necessarily a second source in my opinion. is it a second source?

Paul Gougelman: yeah.

Dave Neuman: I thought it was a catchall clause.

(speaker away from microphone)

Vic Luebker: I know where my good friend is coming from. but we got to be careful. we're not sitting here trying to -- votes as well to get it over the finish line. I think the integrity of this and work Jordin has put in, we need to go with what your intent was. your intent was never to raise taxes. that's how you got our votes.

Bob White: if we went with what attorney Gougelman said, strike everything after the word sources and then added the word existing, between the words from and revenue. The trust fund shall be funded as directed by the county commission from existing revenue sources, period.

Robin Fisher: I think you could take out the trust fund shall be funded by the county commission. Put a period and this will stop everything else.

Dave Neuman: I like Bob's idea.

Blaise Trettis: that's what the proposal says, it's going to be funded as directed by the county commission. that's what it says. doesn't force them to anything. Doesn't require them to do a thing. just says they shall do it, so I think striking from revenue is good, too.

Bob White: so, you would put the period at the end of the world commission?

Blaise Trettis: right.

Paul Gougelman: cleaner.

(speaker away from microphone)

Bob White: the trust fund shall be directed by the county commission, period. that still provides and allows for tax increase.

Blaise Trettis: which they can do.

Robin Fisher: you have to go through a whole budget process, you can't just

Bob White: true, true. that's true.

Tom Jenkins: You know, from a pragmatic standpoint, the sale of surplus property is not going to be sufficient to do a lot. you're going have to have alternative funding to make an impact.

Mike Haridopolos: I think that's well established.

Jordin Chandler: so once again, I think it's two valid points I think it's back to the language of what Mr. Bob white said, the trust fund shall be funded by the county commission and same thing Mr. Fisher said and period. cutting out the --

(laughter)

Cole Oliver: motion and second on the floor, right?

Jordin Chandler: correct.

Cole Oliver: It will be up to Mr. Trettis.

Vic Luebker: that's a huge hypothetical. that has to be done via us, the citizens. to imply that's what's going on is not the case.

Mike Haridopolos: Mr. Nye.

Matt Nye: you look at the school board referendum and they swore they're not going to shuffle things around and they did think it's a valid concern. that piece of it.

Mike Haridopolos: I agree.

Robin Fisher: Who has a problem stopping with county commission period.

Mike Haridopolos: I mean, that whole sentence went away, Mr. Chandler created. and Mr. Moore said you might want to keep that in there.

Kendall Moore: there's a motion. (speaker away from microphone)

(laughter)

Mike Haridopolos: okay. so, I just want to -- one, I want to show the intent of ten voters here. so that the 600,000 people that live in the county understand that we are giving the county commission a tool to help out with affordable housing, and one of the tools we hope they use is this surplus land. But as Mr. Jenkins said perfectly, that's not much money. and it goes back to our earlier point, which is this should be something that, you know, codified this in the charter or not. I think that's the concern a lot of people have. I voted for it because it was a tool. but now as we open up more of these cans of worms, I think it's -- I just want it clear that people recognize what our intent was, and if they want to pass this, understand that the county commission might spend more money here, which might put more pressure to raise taxes. That's just the truth. if you don't believe it, as Mr. Nye said, it happens. So, let's figure out this language that gives comfort to folks who want to do the right thing and help folks out but not subject themselves to another requirement that can come into play.

Kendall Moore: Mr. Chairman, we have a motion on the floor and seconded by Mr. nye.

Blaise Trettis: it's to eliminate, end at county commission and delete from revenue sources and does not create a new form of taxation. I think again, that is a literally true. that is what -- when that's deleted, you can't argue, because that's exactly what is done by the proposal. It's going to be funded as -- the proposal says it shall be funded by the county commission. and that's where it says there.

(speaker away from microphone)

Mike Haridopolos: mike Haridopolos: Mr. Nye, are you okay now?

Matt Nye: yes.

Mike Haridopolos: Mr. White? okay?

Bob White: I am okay.

Mike Haridopolos: Okay. all those in favor read by Mr. trettis where the period will come after commission and we will strike from revenue sources and does not create a new form of taxation. is everyone comfortable with that? without objection, adopted. we're on the final version for the vote. all those in favor of the adopted measure, which instruct from revenue sources and does not create a new taxation, say yea.

(a chorus of ayes)

Mike Haridopolos: those no, say nay. adopted. So, the ballot language is approved. striking that language after commission. okay. That was fun.

(laughter)

Mike Haridopolos: just want to make sure everyone is clear. okay. so, we have come to all of the issues before us today. so we have a total of six measures heading to the ballot.

Paul Gougelman: yes

Mike Haridopolos: Mr. Trettis.

Blaise Trettis: do we know when the three- attorney review panel is going to finish their work and will their conclusions be sent to us? I'm not talking the whole legal opinions but what the final answer is?

Jim Liesenfelt: the one firm asked for five days.so a week from nowish, and yes, we will send the agenda, I believe it's the county attorney that will put the agenda to the county commissioners august 16th. we will email agenda to every member of the review committee.

Blaise Trettis: thank you.

Mike Haridopolos: other things for discussion? well, I want to thank again the staff for a remarkable job, they did a super job are. and keeping us well informed and in order. I want to thank everyone for being such gentlemen and women for handling this in a thoughtful way unlike in Washington and Tallahassee we get along. I appreciate everyone's patience with me and the team. and wish you all the best this summer. with that, Mr. Nye moves you arise.

Sue Schmitt: before we do that, are we now free from sunshine over there?

(laughter)

Paul Gougelman: I think we are, because I think we're done.

Sue Schmitt: thank you. Hurrah.

Mike Haridopolos: they made this new booklet that's nice and pretty.

So, thank you.

Meeting adjourned. 3:06 pm