



Employees' Advisory Council – Representative Meeting Minutes

County Office Annex, Room 429, Clearwater, FL

Wednesday, February 20, 2019, 3:20 p.m. – 4:30 p.m.

Prepared by Leena Delli Paoli

Call to Order

The EAC Representative meeting was called to order at 3:20 p.m. by Chair Lisa Arispe.

Approval of Minutes

- The December 19, 2018 Representative meeting minutes were approved with a motion by Clare McGrane, seconded by Richard Carvale.
- The January 16, 2019 Representative meeting minutes were approved with a motion by Charles Toney, seconded by Bill Gorman.
- The January 24, 2019 Delegates meeting minutes were approved with a motion by Marion Nuraj, seconded by Charles Toney.
- The December 19, 2018 Merit Pay Committee minutes were approved with a motion by Charles Toney, seconded by Lisa Arispe.
- The January 16, 2019 Merit Pay Committee minutes were approved with a motion by Charles Toney, seconded by Bill Gorman.

Comments from Holly Schoenherr, Director of Human Resources

- The Classification and Compensation Study Secondary Review process is still underway. We are hopeful that we will have the results soon, however there is not a specific end date. All employees who submitted a request for a secondary review will receive their results at the same time.
- Part of Phase II of the Classification and Compensation Study will include looking at alternatives to career ladders. Phase II will not begin until after the secondary reviews are complete.
- Each of the EAC Representatives received the attached Memo regarding the results of the possible Sunshine Law Violation. It was determined that there was no violation.
- The Appointing Authorities Advance Retreat was successful. There was discussion of what the Appointing Authorities would like to see in a benefits committee. There was a slight change to the benefits committee, the committee will still include two EAC appointees; however it will be limited to not more than one EAC Representative due to Sunshine restrictions.
- Total Rewards Manager – The Application and Interview process was unsuccessful, and we were unable to find a suitable candidate. Instead of continuing the search, the responsibilities of this position are being distributed to other areas, and multiple level positions will be filled instead.
- We will look at scheduling the Appointing Authority and EAC Meeting for late April.

Comments from Carl Brody, Senior Assistant County Attorney

- Mr. Brody discussed the Sunshine Law with the EAC Reps
- The EAC is subject to the Sunshine Law and so the following applies:

- Reasonable notice and minutes are required for all Sunshine Meetings and the meeting place must be open to the public
- If you write a note and no one sees it is a personal note and not subject to the Sunshine Law
- If you write a note and share it with other members it is a public record and subject to the Sunshine Law
- Text messages on your private phone can be considered a public record if you discuss EAC business
- Members must not discuss matters that might come before the EAC outside of a duly called EAC meeting
- Reasonable notice and minutes are required for all Sunshine Meetings

Committee Reports

- Advocates – No updates at this time
- Legislative – The second meeting of the Local Council will be held on February 27, 2019 from 9:00 A.M. – 12:00 P.M. at John Hopkins in St Petersburg.
- Awards Committee – No updates at this time
- Other - Merit Pay Committee – No updates at this time

Old Business

- Goals for 2019 and the List of Delegate Concerns will be moved to the next meeting due to time constraints.

New Business

- The March 28, 2019 Delegate meeting will be moved to March 21, 2019 which was approved with a motion by Linda Cahill, seconded by Clare McGrane.
- Question was asked regarding an employee who comes back after a Break in Service caused by a reduction in force
 - When an employee has a break in service caused by a reduction in force that lasts less than twelve (12) months then their years of service, leave and benefits continue from where they left off
 - When an employee has a break in service caused by a reduction in force that lasts more than twelve (12) months their years of service, leave and benefits will start over with their new hire date
 - This is not the same as with the Florida Retirement System (FRS) as that is over the employees lifetime and continues from where the employee left off regardless of the length of separation [For more information regarding FRS, see <http://www.myfrs.com/>]

Adjourned

Donna Beim made a motion to adjourn at 4:40 p.m., seconded by Richard Carvale.

Lisa Arispe*	Donna Beim*	Linda Cahill*	Richard Carvale*	Kevin Connelly*
Leena Delli Paoli*	Henry Gomez*	Bill Gorman*	Clare McGrane*	Doris McHugh*
Marion Nuraj*	Randy Rose*	Ashley Skubal*	Christian Steiermann*	Charles Toney*

*EAC Representatives in attendance at this meeting.



M E M O R A N D U M

TO: Holly J. Schoenherr, Director, Human Resources
Lisa M. Arispe, EAC Chair/Employee Advocate Chair

FROM: Carole Sanzeri, Senior Assistant County Attorney 

SUBJECT: Sunshine Issue

DATE: February 6, 2019

I have been asked to look at the data collected regarding the EAC's decision-making in supporting the Board of County Commissioners' resolution creating a benefits advisory committee to determine if a sunshine violation occurred. The concern was raised because prior to discussion at an EAC (sunshine) meeting, statements were made indicating that there was consensus between members of the EAC.

The information provided for review included the minutes of EAC meetings, emails between EAC members, and emails among EAC members and other staff. EAC members were also asked to provide any emails, texts, documentation of conversations, or other public records relating to the subject. Those that had responsive documents provided them.

The background appears to be as follows:

At the June EAC meeting, Lisa Arispe shared that she learned that other organizations had benefits advisory committees. At the September EAC meeting there was discussion about topics to bring to the joint EAC – Appointing Authorities' meeting scheduled for October 15, 2018. There is nothing indicating that the EAC took a position on the benefits advisory committee in either meeting.

At the October 15, 2018 EAC – Appointing Authorities' meeting the concept of a benefits advisory committee was presented to the group. I was not at this meeting, but was advised that Lisa Arispe presented the idea as an EAC proposal. I understand that some discussion ensued on the topic, but no clear consensus was reached by the EAC and no EAC action was taken. After the October 15, 2018 EAC – Appointing Authorities' meeting but before the October 17, 2018 EAC meeting, Canaan McCaslin from County Administration had an email exchange with Charles Toney and Lisa Arispe about whether the EAC could provide a statement of support on the benefits advisory committee to be shared with the Board of County Commissioners. The resolution establishing that benefits advisory committee was scheduled for October 23, 2018.

The email exchange consisted of Canaan asking if the EAC could provide a statement of support and saying that they were looking for EAC consensus, if possible, and Lisa replying that there was consensus. There was additional email discussion about having a vote at the October 17, 2018 EAC meeting. These emails do not violate the sunshine.

At the October 17, 2018 EAC meeting, the EAC voted to support the concept of a benefits advisory committee.

During the December EAC meeting concerns about a possible sunshine violation were discussed in relation to the EAC consensus reported prior to the October 17, 2018 EAC vote on the issue. Lisa Arispe said her statement that there was consensus among the EAC on the benefits advisory committee was based on the input the EAC members gave by nodding during the October 15, 2018 EAC- Appointing Authorities' meeting. The EAC ultimately had a full discussion about supporting the concept of a benefits advisory committee on October 17, 2018.

Conclusion: Although the basis for the statements that there was EAC consensus before formal EAC action at the October 17, 2018 meeting is unclear, I found no evidence of discussions among EAC members outside of the sunshine concerning the EAC's support of, or consensus about, the benefits advisory committee prior to the October 17, 2018 meeting where the subject appears to have been first discussed.

CS/elb

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