

ITEM VIII.C., REPORTS, RE: COMMISSIONER FISHER – 1/26/16 BCC MEETING

Barfield: Mr. Fisher.

Fisher: Yes, sir. I'm going to hand out a resolution I'd like this Board to approve. You know, unfortunately we have dragged people to several meetings over the last . . . through the budget process, through December 10th workshop, through the workshop of, whatever the next one was January or whatever, and then we're back again today; and people are taking time out of their lives to come and have to defend things that probably should have been handled through the budgeting process, and they're contiguous issues. So, this is, I would like this Board to consider . . . Commissioner Infantini put, you know, on the Agenda Friday, make people miss work, come out here and take off dealing with defunding of Community Redevelopment Agencies (CRA), dealing with defunding of MIRA, dealing with cash incentives and stuff, and it's really unfair to the public. So, this resolution is addressing the issue of this Board putting a resolution together that says that we're not going to ask the County Manager to no longer place any item on the County Commission Agenda until a majority of the Board votes to do so if it's related to funding and defunding of our CRAs, our tax increment districts, if it's the funding of incentives for Economic Development grants. There's no need, unless a majority of the Commission want to hash this out every other two weeks or three weeks, you know, that we have a meeting that we ought to be having to do that; and staff is having to take time and do all these things. So, I'd like, and if you want to take a five-minute break and read it and then come back, or if we can get a vote on it, but I don't see any reason why we got to keep having these discussions and bringing people out to discuss them when actually you need three members of the Board to do something anyway. So, if Commissioners got something and he can get three votes to put it on the Agenda again in the future, that's good, but if they don't have it, then let's continue to stop looking, I want to stop looking in the rear view mirror and start looking out of the windshield and move this County forward.

Barfield: Commissioner Infantini.

Infantini: Well, the nice thing that I did was I followed County rules and I got my items on the Agenda before noon on Friday so that everybody, actually they were put out very, very late after 5:00 on Thursday, so it would be out there before noon on Friday so that anybody, any Commissioner up here that wanted to garner support or press for their item, they could have gotten that out over the weekend. When you're given a last minute resolution that can't be vetted to the public, I would encourage this Board not to vote on it yet. Now, if you want to bring this back when the whole County Commission and the public has a chance to vet the resolution, that's all good and well; and while obviously I wouldn't support it, that wasn't your point and you weren't looking for my vote, but I am looking for all of votes to be vetted properly through the community so that everybody has a right to see it. To spring something on us at 12:09 telling us that we need to vote on it in five minutes, I only know of one other elected official who does stuff like that, and I don't think it's a good idea.

Fisher: Well, I think it's a great idea. Let me tell you why, sir. You know, we drag people out today because of her Thursday resolution, and then all of a sudden we pull it off, we didn't want to discuss it, wanted to table it, after these people have come in, drove down from wherever they drove in and drove out, and they set there and they set here, and spent three hours with us on issues that this Board has said, and the community has voted on and

been approved by either previous Board's when it deals with CRAs and when it deals with incentives, and when it deals with tax abatements, when it deals with Economic Development grants. The majority of this Commission has been supportive of these issues, and so, for us, even the three Commissioners supportive of it, or four Commissioners supportive of it, for us to continue to have to take time and ask people to come and do this, well, these people are calling us saying, "Do I need to be there today" or people are concerned, it's kind of crazy. So, you know, we pass resolutions on this Board hundreds of times in the last seven years that was presented to us, and all it is saying hey, you got to have three votes if you want to put those items on the Agenda. Otherwise, we're driving County staff crazy on it. So, I'm going to make a motion that we approve this resolution as written.

Anderson: Second.

Infantini: I haven't seen us driving County staff crazy. I put those resolutions on all by myself with the aid of my staff, I didn't seek any aggravation or support from County staff whatsoever, and I would be disappointed in anybody on this Commission voting to hinder the public's right to know what we're going to be voting on prior to us having a chance to vet it, but that's . . . it hasn't been hundreds of times, we have done it a few times.

Barfield: Mr. Smith.

Smith: I haven't had a chance to read this, and I can't tell you if it's a good idea or bad idea. I understand what Commissioner Fisher is saying. He has some merit, but at the same time I think it would be wise for this Commission to table this. I would ask Commissioner Fisher to do that so cooler heads can prevail, everybody can calm down a little bit. We can revisit this in two weeks. I, just so I can get this straight, if in the future you want to do a resolution you have to get three people to agree to the resolution beforehand?

Fisher: No, sir, what I'm saying, the way this would work is this, we continue to rag CRAs. Cities and their directors, and city staff, and their personnel, and their citizens to County Commission to discuss whether we're going to defund CRAs. We continue to drag in EDC and business people that are running businesses and operations and saying we're going to stop Economic Development grants or we aren't supportive of a tax exemption. This body, and it's not fair to just throw it on the Agenda and say we're going to talk about it, because right now any citizen or any Commissioner can do that and create this uproar in the community. What I'm saying is that if any three of us at any point of time want to put those on the Agenda, we can vote and say hey let's put it on the Agenda, we want to talk about this or that; but just to be able for one Commissioner to throw these items on the Agenda Item because they personally don't like them, isn't fair to the community or the other Commissioners. I'm okay with you saying hey, Commissioners, you know, tomorrow I want to put on the Agenda Item we're going to talk about CRAs and defunding them. Can I get three votes to have that on the Agenda Item? You can do that, but you can't just on a Friday afternoon submit it to the thing and say all of a sudden I want to do that, and then when the whole community comes down here, oh, I want to table that item. It's not fair. It's not fair to the citizens and the groups of that. So, all I'm saying is if any three votes can put it, tell, direct the County Manager at any point in time that he can discuss CRAs, or he can discuss Economic Development grants, but it needs to be the majority of the

Commission, because it's going to take the majority of the Commission to get it approved anyway. So . . .

Smith: Well, don't we have, don't we have that in place really now?

Fisher: No, sir, that's why I'm putting the resolution together.

Smith: Well.

Barfield: Cause any one of us can put an Agenda Item in.

Smith: Right.

Barfield: My issue is also, you know, Friday afternoon receiving these Agenda Items, that's not much time when actually it could have been done a lot faster I believe anyway, and maybe not, I don't know; but if it had been the week before that time also, we could have spent much more time with it, and that happens a lot. It's not just Commissioner Infantini either, it's other Commissioners too, and if these things are things that come up all the time that we've been talking about over and over, why do we keep rehashing this when we already know we don't have the three votes right now to get rid of something or to change something? What we should be doing is focusing on the actual problem instead. I do have a question though. How does this relate to the budget process?

Fisher: Sir, it doesn't hinder the budget process. It doesn't hinder next week three Commissioners saying I want to talk about it. It just, what it does is it limits any one Commissioner from just saying let me just defund CRAs today; let me stop tax abatements today. You know, that's that's . . .

Smith: Why don't we change the procedure that a resolution can't be presented at the last minute and say can't be presented after Wednesday of the previous week?

Fisher: You know, sir, things are going to come up, but this, you know, you might have a real item that you need to throw on the Agenda. I don't want to . . .

Smith: Again, you can change the procedure and say except in cases where you can garner three Commissioners to agree to put it on the . . . I agree in principal in what you're saying, but I, something just doesn't seem right about it. I would like time to think about it.

Fisher: Well, what don't you, maybe the County Attorney can explain exactly what I'm trying to do.

Infantini: So, you're trying to say that you should be allowed to present a resolution at the last minute with five minutes to make a decision, but I shouldn't be able to present a resolution with a whole weekend and an extra day to present? I get it.

Fisher: No, what I'm saying . . .

Infantini: All for me and none for you. I like playing that game.

Fisher: Well, no, this . . . okay, let me explain what I'm trying to say. What I'm saying is that I don't think any of us ought to keep bringing up CRAs and defunding them, and that's the issue, and defunding Economic Development grants and tax exemptions when the citizens voted on the tax abatement program, when this Commission has agreed on the right situation, they will give incentives, and that CRAs isn't something we want to defund right now. Why do we have to keep hashing that and looking in the rear view mirror? That's what I'm trying to avoid. That and, and dragging citizens away from their jobs and making people that runs businesses and companies have to come here and defend the value of each one of those programs. It is not fair, and we've been abusing them for the last seven years in most cases. Mr. Attorney will you, will you . . .

Infantini: I didn't say get rid of tax abatements. I said cash incentives. Cash incentives was never voted on. Tax abatement was voted on, and I was making the suggestion to vote on cash incentives, so that if we're going to continue giving up to \$8 million, \$10 million to one company, it should be at the voter's whim. The voters should say, yes, I want you to be able to maybe charge an extra half penny sales tax so we can give cash incentives. That's what I'm trying to do is put it out to the voters. I said nothing about tax abatements. You keep using the wrong terminology, and the whole point is I'm trying to reach a compromise and that's why these items are on there so we can reach a compromise on how we approach budgeting.

Barfield: Can I have the County Attorney explain this?

Knox: Okay, well, there's two different issues. The first issue is whether you can present a resolution at a meeting like Commissioner Fisher has done, which the answer to that question is yes. You don't have rules that say you can't do that. If you do have a rule that says you can't do that, then you follow the rules. You don't have that, so you can do this. The second issue is what this resolution is about, and as I read the resolution, what it's saying is, and which Commissioner Fisher has been saying is, we have gone over this issue of CRAs, defunding CRAs, and eliminating cash grants is a new issue but it's part of the same overall issue; and what Commissioner Fisher's trying to do with the resolution, I believe, is to say that you as a Board has considered those issues many, many times. There is a majority vote to continue going forward with those things that has been repeatedly evidenced, and that he basically wants that issue to be resolved permanently until three votes say that we want to look at it again; and that's what the resolution does.

Infantini: I think it's illegal to stifle my ability to place items on the Agenda.

Smith: (unclear) for a lawsuit.

Infantini: But, you know, I'm not a lawyer.

Smith: So, what we're saying here is that we want a very narrow restriction on how to . . .

Fisher: Some on broad issues. It's one that, you know, sir, one of the things that I learned as being a Commissioner is once a decision is made on two, on the decision, and you've got three votes for it, then it's our job as Commissioners to do everything we can, whether you're on the winning side of that vote or against it, to make it successful; and that's what I do. I mean, there's things that I've lost in the year, but you know what? Once the order's

been done, the plays been called, you go run the play. Okay? The play's been called here that you know what, we're okay with CRAs, we're okay with giving cash incentives, we're okay with, at least the majority of us are . . . so let's run the play and make it successful. We live looking in the rear view mirror on every decision that's been made on this Board if someone didn't like it, and so, I'm narrowing the window. It's only dealing with things that we drag people out here for more . . . time, after time, after time. That's CRA funding, that's tax incentives, whether they've got value, or whether, you know, tax abatements. You know, we continue to argue. I don't want to argue about that anymore unless three Commissioners say that they want to argue about it again. That's all. That's all it is.

Barfield: I completely agree with it. We need to, we're wasting too much energy on things that aren't going to work, and we need to focus on the future on what we can do. Good example is the gas tax. I threw it out there. It failed. Okay, let's move on figure something else out. It's not, it makes no sense to keep rehashing it. So, I'm for it. I'll go with it.

Fisher: Okay.

Barfield: Call the question.

Smith: I have a question. Okay, I would just like to, I would like to see it tabled and give us time to cool off, think about it. I agree with what you are saying, but I would still like to have two weeks to think about it and bring it up at that point in time. That's, that's my opinion.

Barfield: Okay, we have a motion on the floor to pass this resolution. All in favor say Aye.

Fisher, Barfield, Anderson: Aye.

Barfield: All opposed?

Infantini, Smith: Nay.

Barfield: Okay, it passes 3:2. Commissioner Infantini, Commissioner Smith.