

**Summary of Discussion**  
**Broward County Charter Review Commission**  
**Wednesday, January 10, 2007**  
**Broward County Governmental Center**  
**115 South Andrews Avenue, Room 430, Ft. Lauderdale, FL 33301**  
**10:00 AM-1:00 PM**

**Members Present:**

Commissioner Hayward J. Benson, Jr.  
Michael L. Buckner, Esq.  
Mayor Debby Eisinger  
Patricia Good  
H.K. "Petey" Kaletta  
Mark Ketcham  
Dr. Mark Lieberman  
Joseph Maus, Esq.  
Commissioner Ted Mena  
Mayor Lori Moseley, Chair  
Burnadette Norris-Weeks, Esq.  
Commissioner Hazelle Rogers, Vice Chair  
Bruce Rogow, Esq.  
Dr. Irv Rosenbaum  
Jodi Jeffreys-Tanner  
Wil Trower  
Richard J. Weiss, Esq.

**Members Absent:**

Robert Penezic, Esq  
David Esack

**Others Attending:**

Devin Avery, Executive Director, Vision Broward  
Pam Brangaccio, County Administrator  
Pete Corwin, Assistant to the County Administrator  
Yolanda Grooms, Administrative Specialist, CRC  
Ellen Feld, Esq.  
S.F. Ma-Hee, Transcriber  
Commissioner Kristin Jacobs  
Alain Jean  
Matthue Goldstein  
Samuel Goren, Esq.  
Maria H. Gross, Assistant Director, CRC  
Gloria Katz  
Linda Krepel, Aide, Commissioner Kristin Jacobs  
Andrew Meyers, Chief Appellate Counsel, Broward County  
Jeffrey Newton, County Attorney, Broward County  
Vicki Pearson, Aide, Commissioner Wasserman-Rubin  
David Tolces, Esq.  
Lisa Vondrak  
Commissioner Diana Wasserman-Rubin  
Patricia G. West, Executive Director, CRC

(A copy of the sign-in sheets identifying those present is filed with the supplemental papers to the summary of this meeting.)

A meeting of The Broward County Charter Review Commission ("CRC" or "Commission") was held at 10:00 a.m. on Wednesday, January 10, 2007 at the Broward County Governmental Center-Room 430, Fort Lauderdale, FL.

**I Call to Order/Roll Call**

Mayor Moseley called the meeting to order at 10:06 am and requested the roll call by S.F. Ma-Hee. The Chair noted the presence of a quorum.

The Chair wished all the members Happy New Year. She noted that when the press was here at the last meeting she was pleased to see the press reporting that the CRC had not made any decisions regarding any of the proposed issues.

**II Approval of December 13, 2006 Summary of Discussion**

The Chair asked for an approval of the December 13, 2006, Summary of Discussion.

On motion of CRC members Patricia Good, and a second by Dr. Rosenbaum, the Summary of Discussion for the December 13, 2006 CRC meeting was unanimously approved.

**III Chair/Executive Director's Report**

The Executive Director, Patricia G. West, advised the members of her appointment to the City of Lauderhill Charter Review Board. Ms. West directed the members to a memorandum provided in their packet. Ms. West informed the members that CRC General Counsel, Sam Goren, opined that the appointment was legally appropriate.

Ms. West reported on the marketing efforts related to the upcoming public hearings. Ms. West directed the members to the memorandum detailing efforts to promote attendance for the CRC Public Hearings scheduled to take place throughout Broward County. Ms. West noted the assistance offered by Rhonda Calhoun, Executive Director, Broward League of Cities. Ms. Calhoun blasted the CRC Post Card Mailer to the members of the Broward League of Cities. Staff shared information with Vision Broward and the Broward Workshop. Both entities offered to place the CRC information on their respective websites.

With the assistance of the Director of Broward County's Community Services Department Director, Mr. Larry Lietzke, a minimum of 500 of the Post Card Mailers will be available in each of the 38 county library branches.

Ms West noted that she would run a few advertisements to include the Sun-Sentinel, The Herald, El Nuevo Herald, Westside Gazette and the Broward Times.

Staff mailed letters of invite to the elected officials in the cities of Lauderhill, Lauderdale Lakes, Sunrise and Plantation to invite them to the first Public Hearing in Lauderhill scheduled for January 25. Staff also mailed letters to presidents of Homeowner Associations in the various communities surrounding the municipal location of Lauderhill.

Ms. West advised the members of the scheduled interviews for the February 14 meeting. Ms. West also informed the members that staff had a hard copy of the Sheriff's 384-page budget book. Members may request to view the budget book at any time.

Commissioner Hazelle Rogers inquired about efforts to reach the Caribbean Community. She specifically wanted to know how Ms. West would determine which Caribbean Newspaper to use.

Ms. West advised her about a Caribbean Newspaper in which she would attempt to contact to run an ad.

Commissioner Rogers and Ms. West agreed to discuss strategy later in the week.

Ms. West requested additional suggestions from the members regarding community contacts and media contacts. She indicated that staff was open to suggestions.

Mayor Debby Eisinger inquired about the taping of the Public Hearings.

Ms. West apologized for not providing the status of this issue during her report; however, she informed the members that the taping of each of the Public Hearings was cost prohibitive. She indicated that the Public Hearing scheduled for February 14, 2007 in the Broward County Commission Chambers is scheduled for taping using the County's Office of Information Technology for support. All of the details have to be worked out, but it is confirmed. Ms. West advised that she would probably engage in additional marketing for this meeting, since this meeting is going to be televised.

Commissioner Benson inquired about the protocols expected during the public hearings. Mayor Moseley advised that she would be address this issue during the New Business portion of today's meeting.

**Commissioner Kristin Jacobs (10:18 AM-10:34 AM)**

The Chair welcomed and invited Commissioner Jacobs to share her views with the members of the CRC.

Commissioner Jacobs distributed her comments in brief.

- A. Do we need a Mayor - elected and/or strong?
  1. Imagine the worst possible scenario - then build your case
    - i. Constitutional officers should remain elected, otherwise, would consolidate too much power in one representative or one body
  2. More commissioners and even more Advisory Board appointee- escalating some boards far beyond their current 18 members
  3. Consider mix of at-large + District Commissioners without expanding board
  4. Decennial census & redistricting occurs 2012
    - i. Best time to restructure County Commission
- B. Oppose mid-census redistricting
  1. Relies on out-of-date information
    - i. Disenfranchises people who moved into the area particularly minorities are (Broward's fastest growing population) who are only truly counted during the decennial census
  2. Indirect benefit to incumbents and majority party
  3. Add Charter language: If mid-census redistricting were to occur, could only happen by a non-partisan, non-elected board
  4. County Attorney opined:
    - i. No obligation to redistrict more often than once a decade
    - ii. No specific authority to redistrict mid-census
- C. Add language to Citizens Bill of Rights re: Environment
  1. Protection of our natural resources -
    - i. Right to clean water, right to clean air
    - ii. Right to enjoy the diversity of wildlife & habitat found in:
      - a. ocean
      - b. estuaries
      - c. freshwater lakes, canals and wetlands
  2. Benefits the health, welfare & safety of our residents
- D. Add language protecting our county-owned parks, conservation lands, environmentally sensitive lands and open space
  1. Million more people by 2025

2. County built out
    - i. Developer pressure to acquire land will be an enormous temptation
    - ii. Pressure will build to balance budgets with sale of publicly held land
  3. Current policy requires 4/5<sup>th</sup> vote of the County Commission to sell
  4. Commission could vote to change at any time
  5. Consider voter approval of the sale of publicly held parks, conservation lands, ESL & Open Space even if County Commission approves the sale
- E. Provide a process for entities to place a question on the county's ballot
1. Verify legality of the language & question
  2. Determine authority for placing a question on the ballot
  3. County Attorney recently opined a November 7, 2006 question
    - i. Cited an inapplicable FL Statute
    - ii. Exceeded the required number of words
    - iii. Directed the question to voters outside their jurisdiction
- F: Change Truth in millage (TRIM) notice to include information on Broward's Constitutional Officers
1. Constitutional officers budget are currently included in the total County Commission millage rate
  2. Providing a separate line will further inform taxpayers of the expenses included in the county's total millage.
- G. Assure a Professional County Manager is provided for in the Charter
1. Even with an elected and/or strong Mayor
    - i. Broward residents would be better served and balanced with a professional manager working together with elected office holders

Protecting our natural resources and county owned parks

There is no language currently in the Charter, which provides any comment or outline on environmental quality of life. Section 11.06 is titled: Broward County Environmental Quality Control Board. This Board was abolished in 1991 and Rules and Regulations implemented by the Board are now ratified in various County Ordinances.

Section 1.04 is the Citizen's Bill of Rights, which was approved by voters on November 5, 2002 does NOT address environmental issues.

1. It would seem appropriate to add to the Citizen's Bill of Rights (along with the Right to Public Process; Protection of Consumer Rights; Protection of Human Rights; etc.) the right to the protection and conservation of our natural resources including our air and water; as well as sustaining and preserving the diversity of wildlife found in our marine, estuarine, freshwater environments along with our terrestrial and air borne environments; through planning, management and regulation, for the benefit of the health, welfare and safety of Broward County.

2. The County Commission has approved a policy, which protects our parks, conservation lands and open space from sale unless there is a 4/5<sup>th</sup> vote of the Commission approving the sale. However, this policy can be amended or withdrawn by a majority vote of the Commission. With growing pressure from developers to build on any available land, I believe it is appropriate to add language within our Charter requiring voters to ratify or deny a move by the County Commission to sell these lands.

Commissioner Jacobs advised the members that she would provide additional information in support of the statements made during the interview.

Commissioner Diana Wasserman-Rubin (10:37 AM-10:49 AM)

The Chair welcomed and invited Commissioner Wasserman-Rubin to share her views with the members of the CRC.

Commissioner Wasserman-Rubin thanked the CRC for conducting the interviews. She stated that she has always been supportive of the cities; it makes sense for us to work together. I wanted to state that starting out.

The number of County Commissioners-At large Members. We warrant nine Commissioners. I prefer the old-fashioned way of doing business. You must live in a district, but you must run countywide. The opportunity to vote for everyone would be helpful. Right now, there is too much parochialism. I think you should explore that concept.

The Strong Mayor. Strong Mayor is a title and the ability to do a task varies according to the person holding the title. I feel more comfortable having a professional manager or administrator for day-to-day operations.

Taxes, Special Assessments. People's pocketbooks are being hit hard. Taxes and special assessments are giving people a hard time. I would like to be able to give the people a break. We should suspend the taxes, ad valorem taxes and consider an additional source of revenue-sales tax. Tourist will pay sixty (60) percent of the sales tax. The middle class is the foundation; we have the responsibility to give the people a break.

Land Use Authority. Commissioner Wasserman-Rubin inquired of the CRC General Counsel, Sam Goren, how many times the Charter has been amended. Mr. Goren stated that the Charter has been amended several times since 1976. The Commissioner noted the people have never changed that particular portion of the Charter dealing with land use. I don't want to be involved in any city issues. Anything that would have a regional impact should be handled by the County Commission. The environment is one of those issues. The tri-county meetings should be more production. I am disappointed that we have not been able to do more as a region. Water Management District, water matters, must be dealt with on a regional basis.

Mass Transit. The Roads should be dealt with on a regional basis. We need to move forward; we should consider a transit corridor on 595. It would be more productive. It is very important; we need to move forward; fast track the issues with the Airport and the issues with the Convention Center Hotel. These issues will influence the economy.

Building & Construction Issues. We should look at outsourcing in areas that make sense. If they can build it cheaper, faster, and better, it makes sense. The one-stop permitting process is not there yet. Our intentions were to put all the important elements in one building to alleviate the need for people to go to more than one building to address permitting issues.

Salaries of County Commissioners. I wish you could be a fly on my wall to see what my day looks like. This is really a full-time job. There are a myriad of concerns out there. This job requires that I set policy and allow the Administrator to implement the policy. As a County Commissioner, my job is to deal with issues of regional impact, not to usurp city authority.

Commissioner Wasserman-Rubin advised that if she had additional information to share, she would forward it along to Mrs. West to share with the members of the CRC.

Jeffrey Newton, Broward County Attorney (10:51 AM-10:55 AM)

The Chair welcomed Mr. Newton.

Mr. Newton advised the Chair about a discussion he had recently with County Administrator, Pam Brangaccio, attempting to determine if sitting County Attorneys and County Administrators have opinions on issues related to the Charter.

There is one provision that made its way into the Charter six years ago; this is the provision that relates to the adoption of a Code of Conduct, and Conflict of Interest Policy. The language in the Charter states Commissioners should attempt to avoid even the appearance of impropriety.

The former Broward County Attorney advised of the difficulty in drafting a provision that would legislate what it is that would constitute the attempt to avoid the appearance of impropriety. It is a difficult, if not impossible task.

This past Tuesday, the Board did pass a notice of resolution to provide notice in the newspaper of an Ordinance that is going to be passed. This constitutes in my opinion, a Code of Conduct for the Board of County Commissioners, which seeks to get at what I believe to be the issues presented to the Charter Review Commission six years ago.

This will set forth some guiding principles with respect to how Commissioners, appointees to various Boards, as well as County Employees should conduct themselves. Hopefully, that will meet the requirement of that section. Only time will tell if it does in fact do that.

There is going to be a subsequent ordinance that will deal specifically with the issue of gifts to County Commissioners. For those of you following that issue, you know that some believe there should be no acceptance of gifts whatsoever. Then it runs the gamut as to what is acceptable, and whether or not there is a dollar limit that should be placed upon it.

What seems to be missing in the discussion on the various ethics issues is that there is already a Code of Ethics for Public Officials. Perhaps that message just does not get to the public. Ethics provisions at the state level already govern Public Officials, Elected Officials, members of Commissions, members of Boards, and members of agencies.

To the extent that local governments get involved in that arena, is simply a duplication of what already exist. I do not think that message is told adequately with respect to the public.

I have worked under a Charter form of government where there is a Strong Mayor, currently working under a Charter form of government where there is not a Strong Mayor. Are there differences? Yes, there are differences. Are there positives with one vs. the other? Yes there is. Are there negatives? Yes, there are negatives. It sometimes does not come down to the structure of government, but rather to the individuals that you elect to carry out those activities and responsibilities of local government.

The Chair began the discussion relative to the format for the upcoming Public Hearings. The Chair indicated that she would share her thoughts about the format and would entertain feedback from the members.

The rules established should apply to everyone attending the Public Hearings. One of the conversations would be whether we allow three (3) minutes, or five (5) minutes for speakers. The Chair respectfully requested that what the members agreed on here today would be the rules adhered to during the public hearing and not debated during the public hearing.

Commissioner Mena stated that in his opinion three minutes is enough time to say what you have to say.

Mayor Eisinger, agreed that three minutes is probably enough, but the fact is that this is a one shot opportunity. Someone may require additional time.

Ms. Kaletta agreed that five minutes would allow people enough time to speak.

Mr. Ketchum wanted to know if people are advised if they could submit their comments in writing.

Mr. Goren advised that in the past there were not clear rules related to the Public Hearing. The protocol discussion here today is designed to be equal and should be adopted in whole by the Board.

Mr. Trower expressed concern that the other issue related to time is the repetition issue. He questioned whether we would allow people to sign up to speak and give their time to other speakers. The other issue is repetition; we cannot avoid some repetition.

Ms West explained the process used in signing up to speak. Persons interested in speaking will complete the NCR Form used by the County Commission. The public will also sign in when they arrive. This allows for follow-up with people attending the Public Hearings. Speakers also sign the NCR Form. The Chair receives the NCR form in order to call the speakers to the podium.

The Chair noted that Mr. Trower's concern related to the matter as an example, if six people could give their time to one person and the person end up with thirty-minutes to speak.

Dr. Irving Rosenbaum wanted to ensure that people are informed about the types of issues that the Charter Review Commission will consider. We want to keep an open forum, but make sure that people speak to the right issues.

The Chair said that she would not have a problem redirecting the speakers.

Ms. West stated that staff would draft a one-page information sheet to provide to the public regarding the mission of the Charter Review Commission.

Several members (Commissioner Benson, Commissioner Mena, Ms. Jeffreys-Tanner, Ms Kaletta, Mr. Weiss, Ms. Good, Commissioner Rogers, Ms. Norris-Weeks, Dr. Rosenbaum Mr. Trower, and Mr. Rogow) participated in a lengthy discussion relative to the format of the Public Hearings.

Mr. Weiss then offered the following motion related to the format of the Public Hearings.

1. Allow five (5) minutes per speaker
2. Chair to notify speaker of non-repetitive/non-relevant requirement
3. No assignment of time to others
4. CRC members can ask questions of speaker and staff is permitted to respond. General Counsel or Executive Director may respond.

5. The CRC should follow whatever rules the County Commission follows with respect to translations for non-English speakers.
6. There should be a written form in the back of the meeting location to provide attendees the opportunity to provide information if they do not wish to speak publicly.
7. Publicity efforts should include notice that the public can provide the CRC with written comments.

Mr. Rogow suggested that Mr. Weiss's one motion regarding the Public Hearing format did not meet the single subject rule. He indicated if a member did not agree with some of the recommended items in the motion, you would be stuck agreeing to the entire motion. Therefore the Chair restated each of the motions separately:

- Motion 1. Allow five (5) minutes per speaker.  
Motion passed-2 nay votes
- Motion 2. Chair to notify speaker(s) of non-repetitive/non relevant requirement.  
Motion passed unanimously
- Motion 3. No assignment of time to others.  
Motion passed unanimously
- Motion 4. CRC members can ask questions of speaker and staff is permitted to respond.  
(General Counsel and/or Executive Director may respond.)  
Discussion- Commissioner Rogers asked for clarification as to when questions could be asked at the end of the public hearing or during the speaker's presentation. Mr. Weiss indicated that the questions should be addressed during the speaker's presentation.  
The questions/responses should be made in a reasonable period.  
Motion passed-1 nay vote
- Motion 5. The CRC should follow whatever rules the County Commission follows with respect to translations for non-English speakers.  
Motion passed unanimously.
- Motion 6. There should be a written form in the back of the meeting location to provide attendees the opportunity to provide information if they do not wish to speak publicly.  
Motion passed unanimously.
- Motion 7. Publicity efforts should include notice that the public can provide the CRC with written comments.  
Motion passed unanimously

Staff will prepare an opening script for the Chair to inform the attendees about the CRC and the rules for the meeting.

Mr. Goren stated that it would be appropriate for the CRC members to empower the Chair to have people removed from the meeting if they are disruptive. Mr. Goren indicated that several of the members of the CRC are elected officials and people might attend the meetings to air issues that may not relate to the business of the CRC.

The Chair directed Ms. West to request security assistance from the Host Municipalities.

Commissioner Benson inquired about a mechanical device to control the time for speakers. Ms. West indicated that she would purchase an egg timer to keep track of the five minutes allowed for each speaker.

Commissioner Rogers inquired about the time allowed for the Public Hearings; we need to clarify the time that the meetings will officially last.

Ms. West stated that staff advertised the Public Hearings from 7:00 PM-9:00 PM.

Mr. Goren indicated that if the Public Hearing is advertised from 7-9PM then the CRC is required to conduct the meeting and stay in the location until 9:00 PM.

Several members noted that if no one attended it would not be necessary to remain until 9PM.

Mr. Weiss stated that we should change the advertisement stating that the Public Hearing meetings begin at 7:00 PM and not indicate an ending time for the meeting. He also thought that we should notice the hearings as Charter Review Commission meetings. If there is a time that we have no speakers, there may be topics/issues that we can discuss legally during this time.

Ms. West noted that several of the advertisements were completed, but she would make sure that she amends the notice on the web, as well as the Sunshine Notice for the upcoming Public Hearings.

The Chair noted the first Public Hearing scheduled for 1/25/2007, has been advertised from 7-9 PM. We should see how it goes.

Ms. Norris-Weeks expressed concern about Mr. Weiss's recommendation because we might end up discussing issues that the full committee did not agree to discuss. She would like to have some notice as to what issues might be discussed at the Public Hearing.

Ms. West indicated that the discussion might be limited to the issues that the CRC has voted to discuss.

The CRC took a break for lunch. (11:50 AM-12:14 PM)

The chair called the meeting back to order at 12:14 PM.

The Chair wanted to determine if the CRC could begin to discuss issues. She indicated that all of the Constitutional Officers have come before the CRC and that she desired to establish subcommittees. She wanted to establish a consensus among the CRC members.

Mr. Goren advised that if it was the Chair's wish to create a subcommittee to study the issue without having the ten votes required to debate and discuss the issue, the Chair does have the authority to create subcommittees. There needs to be a recommendation of ten in order to debate an issue.

Dr. Rosenbaum indicated there is a need to look at the system as a whole; maybe we want to start with a principle that the various governments should somehow be functionally integrated. As we break down into the sub areas, we should keep our sites on the County Government as a system, we want to look at a system. As we create changes, we might create an inconsistency in the Government.

The Chair stated that she wanted to get the CRC to the point where the subcommittees could delve into the information a bit more; there is a lot of information to digest. At the end of the day, it all has to go together and we have to discuss it collectively. Four or five members of the subcommittee could do the research and bring it back to the full CRC for discussion and debate.

Ms Norris-Weeks asked what issues would be discussed relative to the Constitutional Officers.

The Chair said she viewed it as assembling all the facts, making matrixes to determine what the differences would be if the Constitutional Officer would become a Charter Officer. What actually would change if you left them as Constitutional Officers; what might the budget issues be. She would like to leave it to the Subcommittee to begin to assimilate the data that we have heard.

Ms. Norris-Weeks wondered if it might not be a good idea to do this at a point where we have more information.

The Chair noted that she chose Constitutional Officers simply because all of the Constitutional Officers have come before the CRC. If all Commissioners had come before the CRC, she could have easily recommended forming a Governance subcommittee. The Chair indicated a concern about the time issue to complete the recommendations. She would like the CRC to be able to meet the time-line to ensure that issues are discussed.

Mr. Maus mentioned that we came up with thirty-five areas initially in what we were interested in discussing. When we set up a subcommittee to talk about Constitutional Officers, I would like to know what we are going to focus on. Are we going to focus on the initial areas, or are we going to focus on issues that we have heard from the people that have come before us. I think we need to know what the subcommittee is going to do.

Dr. Rosenbaum stated that we should focus on and establish a Committee to develop Subcommittees.

Ms. West said that staff could possibly come up with ideas by categorizing the issues and return it to the members for review and confirmation.

Commissioner Benson agreed with Dr. Rosenbaum about the Committee to develop Subcommittees. This Committee can begin to categorize the thirty-five issues. He concurred that there was a significant amount of work done in the Facilitated Session and we should move forward with these ideas.

The Chair asked for clarification that we would continue interviewing individuals, at the same time as we began to have the Committee to select topics for the subcommittees; we will continue to interview people on topics that we have not heard about, even as the subcommittees are meeting.

The members agreed that they wanted to proceed in this manner.

The Committee to Select Subcommittees will meet prior to the next full CRC meeting to work to develop topics. The Subcommittee will bundle the thirty-five issues, and come-up with five-six subcommittees. Dr. Rosenbaum said this group would develop a consensus of the issues and present the issues to the full CRC at the next meeting.

The members indicating an interest to serve on the Adhoc Committee to Select Subcommittees are Com. Benson, Dr. Rosenbaum, Ms. Kaletta, Ms. Norris-Weeks, Com. Mena, Com. Rogers, Mr. Trower, Ms. Jeffrey-Tanner, and Mayor Moseley.

Mr. Ketchum asked a question about how staff would ensure notice of the meeting of this Committee.

Mr. Goren stated that staff would post notice of the meeting in the appropriate forums. To the extent possible, any number of the members can attend the meeting. As long as there is reasonable notice and the public has the right of access to the process.

The conversation in March will cover the next group of people that we want to interview and what areas we want to get information on. Emergency Management, Fire.

Mr. Trower wanted to know how would the subcommittees talk to some of these folks and bring it back to the full committee. Does the subcommittee have the ability to call in heads of agencies for discussion?

Ms. Jeffreys-Tanner said that it should go back to whether or not ten (10) members of the Commission want to discuss an issue.

Ms. Norris-Weeks was seeking clarity on procedures.

Mr. Goren stated that the structural issue that we have is that the ten votes are to discuss any topic that may become a Charter Question, which can be debated, discussed, eliminated or refined, or in some fashion disposed of. The thirteen-vote rule to get it actually prepared, as a ballot question will also be required. The subcommittee could discuss an issue that could be reported back to the full Commission, and you may not have ten (10) votes to discuss the issue further. It would end at that juncture.

Ms. Jeffreys-Tanner stated that you if you are going to vote ten votes to get an item discussed; and you have items in a bundle, it might be difficult to get issues heard.

The Chair pointed out the system might get messy; she thinks that Democracy is messy, but in the end, everything seems to work out, because you are afforded the opportunity to have discussions on the many issues.

Dr. Rosenbaum said the subcommittees in the MESC gathered information and digested information and brought it back to the Full Board. It was helpful that the full body would not have to spend time on many issues. He noted that the full board did not agree with everything but it allowed for questions and through discussion of the issues.

Ms. Kaletta indicated that the Full Board would still actually be involved closely with the issues because the members will receive all information from the subcommittees as they complete their work and also have the ability to ask questions.

**Pamela Brangaccio, County Administrator (12:39 PM-12:53 PM)**

The Chair welcomed the County Administrator and invited her to share information with the members of the CRC.

The information below is taken from a memorandum from Ms. Brangaccio to the members of the Charter Review Commission.

**My Background**

I have only been in Broward County six months; however, I bring to the community, twenty-seven years in local government service in Florida. While in counties for seventeen years, I also spent ten years in municipalities, five years in the City of West Palm Beach as an Assistant City Manager, and five years as the City Manager in Safety Harbor, located in Pinellas County. With the exception of Bay County (a non-Charter County) my entire work experience has been within the Charter County environment (even as an Assistant City Manager.) 75% of the State's population resides in Charter counties, and Charters have been utilized as tools to support better government, from addressing in Broward, the revenue collection function; to Charlotte and Palm Beach Counties addressing County-wide Impact Fees and Transportation Level of Service Standards.

I have also served as President of the Florida City and County Management Association, and currently serve on the International City and County Management Credentialing Advisory Committee. As an active member of ICMA and FCCMA, I have spent years implementing changes to facilitate responsible local government. I would state that the forthcoming remarks are my own, based on that 27 years of experience, and do not reflect the Broward County Commission in any way.

**Broward Charter**

CRC-pgw-  
1-31-2006

In Broward, I applaud your efforts to hold public town hall meetings over the next several months to gather input from the community. Community input, as well as elected and appointed officials who work in the system, can be helpful in answering some basic questions:

What were the desired outcomes from the last approved Charter amendments?

Did the approved amendments to the Charter have that impact?

Is there anything "not working" or "broken" in the current Charter?

If there are remaining issues, should they be addressed in the Charter, or through local bills; or Interlocal agreements between entities?

I mention other alternatives to formal charter amendments, as I would caution against using the Charter (a framework for local governance structure) as a solution for day-to-day operational issues. Issues such as the repair of traffic signals, management of an emergency communications system; organizational structure for the County's airport or port operation; are administrative and policy issues, for which solutions will continue to evolve, as do the operating circumstances, elected policy bodies, fiscal realities, citizen demand, and available technologies.

### More Local Issue Observations

#### Land Use

As a charter county, the residents of Broward County voted affirmatively to provide countywide land use authority to the Broward County Commission. With 31 municipalities, countywide involvement ensures that one community's development considers impacts to other neighboring jurisdictions, as well as other regional issues like environment, affordable housing, and transportation.

However, The Board of County Commissioners recognized several years ago that while regional land use oversight was an essential component of urban quality of life, there was also a need to address municipal concerns for conflict resolution on land use issues.

Over the past three years, the Board has altered "business as usual" and worked with the League on eleven specific concerns, including placement of flex units, mixed use land use categories, collection of impact fees, regional activity centers, transit oriented corridors, and increased number of times per year small scale land use amendments could be considered.

#### Affordable Housing

Our Board recently worked with the cities and the City representatives on the countywide Planning Council on an altered, more user-friendly process on how plan amendments would be reviewed with regard to the impact on affordable housing, by establishing a "Buffet Service" of options for municipalities to utilize.

#### MPO

The County has agreed to an enhanced role for the MPO in choosing the Staff Director and input on his/her evaluation, and work plan.

## Impact Fees

The State has been very clear in the commitment requiring all local governments to address concurrency and impact fees. Broward has led the curve with the modifications from a road impact fee to a transit impact fee, which support the Transit Corridor Land Use opportunities for higher diversity mixed use projects.

## Management and Efficiency Study Committee Recommendation

I can provide your Executive Director with a Fall 2006 update on implementation of these recommendations, many of which are not governance framework issues, but good common sense on provision of local services, and governmental entities working together.

## Seaport & Airport

The voters moved away from an independent authority some years ago for very valid reasons. The Port is thriving (even outpacing Miami in FY2006) and an updated Master Plan is coming to the Board in February. Issues requiring coordination with the Airport, Convention Center/CVB are being addressed in all three Master Plans. Recommendations on consolidation of marketing efforts, for example, are being pursued. Having BSO provide security for both, under one commander, has addressed security coordinating issues. Planes and ships are very different "vehicles" but receive joint oversight by Ms. Bertha Henry, our very capable Deputy County Administrator. It is also important, quite frankly, to be able to make management corrections as needed, without requiring charter amendments.

## Permitting & Development Review

The County provides various degree of permitting (currently 17 cities,) when requested, through Interlocal Agreements, which is provided at cost. We serve as a regional resource which should be our role for any municipalities requesting assistance.

## Broward County Organization

At the current time, the County Administrator provides revisions annually to the Board for approval. I am now in the second phase of reorganization (1/8/07 memo to Board) addressing concerns such as Transit services and internal County-wide employee talent development to build a succession planning academy.

## Budget & Finance

We have an experienced, well-liked and respected Budget Director and are embarking on a cutting edge "Outcome Budget" process for FY07-08 establishing a system around the Board's policy goals and objectives and the "price of government" with focus groups then evaluating program performance measurement, costs and efficiencies.

In summary, regarding county organizational issues, my time is limited today to discuss other issues mentioned in your facilitated workshop, but your executive director can provide copies of the County Administration work plan, outcome budgeting, and HPO initiatives. There are various high-impact programs underway to share with the Charter Review Commission.

## Framework for Governance Structure

Governance Structural amendments, from previous Charter revisions include:

CRC-pgw-  
1-31-2006

an increase in the total number of County Commission Offices  
term limits for County Commission Offices  
the election of Commissioners from single member districts, rather than County-wide  
Commission election of a Broward County Mayor, with additional duties beyond serving as the  
Chair of the County Commission.

The additional duties for Mayor greatly enhanced this position, with the Mayor able to:

declare a state of emergency, and implement the provisions of the Emergency Management  
Plan  
present an Annual State of the County report  
set forth programs and recommendations to the County Commission  
represent the County in negotiations with respect to agreements with other governmental  
entities, and  
approving the weekly agenda.

I have worked with two Broward Mayors, over the last six months, each of whom tackled these additional responsibilities with a high level of energy and commitment, whether during Tropical Storm Ernesto in August 2006, or working with the County Commission, to update policy goals and priorities. I have included Mayor Graber's 2006 State of the County to illustrate the high level of involvement, and find it demeaning to these gentlemen, as well as former Mayor Jacobs, to read that the governance structure impacted the County's response to Wilma. The County and all 31 cities learned valuable response lessons from Wilma, Broward's first serious hurricane in 30 years, and those lessons were not geared around governance, but centered on citizen awareness and response.

I have found the National Civic League, their publications and their Model City Charter document, an unbiased source of information for Charter Review efforts. I attached a discussion from their Model City Charter Revision Project-eighth edition on the direct election of mayor, versus appointment by Council, as well as an article, El Paso Adopts the Council-Manager Form, for your review, which address some of the "media interest issues" in your discussions.

As a member of ICMA and FCCMA, I believe in the added value that a professional manager brings to an organization, both through the ICMA Credentialing Program, as well as the commitment to the ICMA Code of Ethics. I have also attached for the CRC an outline of both programs, as well as a recent article "How Local Government Professionals Add Value to their Communities and Organizations".

I have also included the research from Dr. James Svara, commissioned by the National League of Cities, which looks at relationships among councils, in both council-mayor and council-manager local governments. There is considerable discussion in Svara's research on perceptions of council members in both governance structures. Pages 46 and 47 describe how council members in mayor-council governments feel that they need to get involved directly for assistance to citizens "by a substantial margin," and also to "obtain allies in case of disagreements with the mayor." Council-manager members "devote more attention to the governance role and are less involved in administrative details."

As for mayoral relationships with council, positive assessments were consistently higher in council-manager systems. In large mayor-council cities, just under 50% view the relationship as positive.

Dr. Svara concludes from his research: "The picture that emerges even more clearly is that councils in council-manager cities emphasize the governance role - setting goals, approving policy, and staying out of administrative matters although not uninvolved in constituency service - and emphasis on the representational role including a strong constituency orientation; while councils in Mayor-Council cities have somewhat less effective governance. The council members in cities with a city manager are

slightly less likely to intervene in complaint handling or seek special benefits for citizens, and more likely to provide policy leadership, and have positive dealings with the executive.”

In summary, I’ve given you information on the added value that local government professionals bring to the community and the experience found by Dr. Svara among councils in both governance forms. This added value includes:

Staff effectiveness	Democratic advocacy
Policy facilitation	Citizen participation
Operational expertise	Budgeting and fiscal analyses
Service delivery management	Integrity
Strategic leadership and planning	Human resource management

All of these elements are required, as well as a dynamic and committed policy body to tackle the challenges presented by 1.8m residents.

Hopefully, at the County level, we can use your community input and engagement model to hold meaningful community dialogue on Broward’s ever-evolving role as a regional service provider and resource (i.e. asset) for the 31 municipalities.

Thank you for the invitation today and your service to the community. I am certainly available for additional discussion at a later date.

### **OLD BUSINESS**

The Chair questioned members on the issue of extending the time for the CRC meetings. She asked if it was the pleasure of the body to extend from 10AM-2PM, or remain at 10AM-1PM.

If everyone is comfortable now, we would like to leave it as is; and if there is a need to schedule an extended time for the meeting in the future it will happen.

Ms. Kaletta indicated that we had more time today, but usually we are rushed and there is not enough time, but are cut off. The Chair advised that we are doing better with our scheduling. Commissioner Rodstrom cancelled and we determined that it would be best to not fill his spot in order to have more time for discussion.

The members confirmed their desire to leave the 10AM-1PM time schedule for meetings at this time.

### **NEW BUSINESS**

Ms. Kaletta asked how/when the Committee to Select the Subcommittees would meet. The Chair explained that she forgot her Planner and could not confirm her schedule at this time. The CRC staff will schedule the meeting through email by contacting you with dates to determine the availability of the members of the Committee.

## PUBLIC COMMENT

### Mr. George Hanbury (Citizen, Broward County)

Mr. Hanbury introduced himself as a citizen of Broward County, and not as a representative of his employee, which is Nova Southeastern University. Mr. Hanbury has been employed at Nova Southeastern University for the past seven (7) years.

Mr. Hanbury is the former City Manager of the City of Ft. Lauderdale. He has over 30 years experience in municipal government. He has a Ph.D. in Public Administration from Florida Atlantic University. He is a practitioner and a scholar of public administration.

Seven years ago, the people of Broward County overwhelmingly rejected the concept of a Strong Mayor form of government. By slim margin, they rightfully voted for single member districts to give greater representation to minority members of the community and expanded the board from seven (7) to nine (9) members.

To use the reason expressed now as single member districts being the reason for a Strong Mayor is being disingenuous. "There is no one representing the entire county." There are many ways to resolve this without throwing out the baby with the bathwater.

Your County Administrator is an epitome of a professional administrator. She hires professional employees based on their merit and their skills, not on their political, financial participation, and on cronyism or friendship. A professional administrator adheres to a code of ethics. Self-aggrandizement or profit for personal use is dishonest.

To have an individual say that the only one that can represent the County at-large would be a Strong Mayor is the wrong case to make. The Mayor of New York is constantly used as an example. It is worth noting that during his term as Mayor, he discontinued patronage jobs and ran the City like a Professional Manager.

If you look back on the previous Mayors prior to that, there was corruption, indifference and patronage was certainly the case. You do not have to look too far from Broward, to see where, contrary to a professional administrator, who may be guilty of corruption or misuse of job and can be summarily dismissed and serves all members of the County Commission, and can be actually re-elected as a Mayor with a felony crime. A County Administrator would not be.

There have been two cases made. 1) 9-11 no spokesperson and no professional administrator, and Max Mayfield a professional administrator, not elected created a great calmness and he left.

2) The other is a single member district; you can require at-large and require residence. It can still work within the Commission-Manager form of government. The Commission Manager form of government has the Commission; the most important legislative and political group is the Commission part of the government. In the Mayor-Council form, it is the Mayor.

For the workers that worked hard to get the single member district, you are now diffusing their importance and their efforts. I encourage you that hard cases makes bad law. Don't use 9-11 and single members districts for the need to have a spokesperson.

## ADJOURNMENT

The Chair adjourned the meeting at 1:03 PM