

Summary of Discussion
Broward County Charter Review Commission
Wednesday, February 13, 2008
Broward County Governmental Center
115 South Andrews Avenue Room 430
Fort Lauderdale, FL 33301
10:00 AM – 4:00 PM

Members Present:

Mayor Lori Moseley, Chair
Commissioner Hazelle Rogers, Vice Chair
Commissioner Hayward J. Benson, Jr.
Michael L. Buckner, Esq.
Mayor Debby Eisinger
Ms. Maggie Davidson
Mr. David Esack- *[Arrived during the course of this meeting]*
Ms. Patricia Good
H.K. "Petey" Kaletta
Mr. Mark Ketcham
Dr. Mark Lieberman
Joseph Maus, Esq.
Commissioner Ted Mena
Burnadette Norris-Weeks, Esq.
Dr. Irv Rosenbaum - *[Arrived during the course of this meeting]*
Ms. Jodi Jeffreys-Tanner
Mr. Wil Trower

Members Absent:

Bruce Rogow, Esq.
Richard J. Weiss, Esq.

Others Attending:

Chris Akagbosu, School Board of Broward County
Jerry Blough, Chief of Police, Margate Police Department
Kareen Boutros, Executive Director, Broward Workshop
Ira Cor, Director, Gold Coast School of Real Estate
Laura Colfy, RMSSR

Edward Curran, President, Fire Chiefs' Association of Broward County
Frances Esposito, Executive Officer, Broward Partnership for Homeless
Chedley Etienne, Administrative Assistant, CRC
Sasha Forbes, General Planner, the Mellgren Planning Group
Chief Duncan Foster, Vice President Broward Police Chiefs Association
Ellen Feld, Esq.
Dan Glickman, Deerfield Beach, FL
Breanne Gilpatrick, Miami Herald
Samuel Goren, Esq., General Counsel
Yolanda Grooms, Administrative Specialist, CRC
Maria Gross, Assistant Director, CRC
Commissioner Ken Keechl, Broward County
Phyllis A. King, Transcriber, PKING Consulting
Commissioner Keith London, Hallandale Beach
Shola Olatoye, Senior VP, Community Development Manager HSBC
Chief John Picarello, Pembroke Pines Fire Department
Ann Richards, Assistant Director, Broward County Records Division
Chief Robert Pudney, Plantation Fire Department
Robin Rorapaugh, Hollywood, FL
Judy Sarver, Director, Broward County Office of Public Communication
Bernie Schultz, First Vice President, Broward Teachers Union
Chief Mark Steele, Chief of Training, Hollywood Fire Rescue
Chief Tony Stravino, Deerfield Beach Fire Rescue
Chief Daniel Sullivan, Hallandale Beach Fire Rescue
Major Kim Tierney, BSO, Patrol Bureau North
David Tolces, Esq., Assistant General Counsel
Commissioner Diana Wasserman-Rubin, District 8
Suzanne Weiss, Fort Lauderdale Community Development.
Mel Wilson, Esq., Special Counsel, CRC

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

Scrivener's Note: *The Order of this transcript differs from the actual audio version. Conversations have been transcribed based upon the actual order of CRC Meeting Agenda dated 02/13/08.*

A meeting of the Broward County Charter Review Commission (“CRC,” “Board,” or “Commission”) was held at 10:00 a.m. on Wednesday, February 13, 2008 at the Broward County Governmental Center Room 430, Fort Lauderdale, FL.

I. Call to Order/Roll Call

The Chair Lori Moseley called the meeting to order at 10:16 a.m. and requested the roll call by Phyllis A. King, PKING Consulting, Inc. Upon completion of the roll, the Chair recognized the presence of a quorum.

II. Approval of January 30, 2008, CRC Summary of Discussion

Ms. Davidson MOTIONED to approve the full Charter Review Commission January 30, 2008 Summary of Discussion and the following corrections were requested:

- Page 9; replace the language “Mr. Benson MOTIONED to discuss his Alternate Plan” with “***Mr. Buckner MOTIONED to discuss Mr. Buckner’s Alternate Plan.***”
- Page 27; replace the language “Ms. Good stated that as a Hispanic on the Broward County School Board she is not represented” with “***Ms. Good stated that as a Hispanic she is not represented on the Broward County School Board.***”
- Page 30; replace the language “Ms. Norris–Weeks MOTIONED to approve Resolution 2008-015 as drafted; Ms. Tanner SECONDED.” with “***Ms. Norris-Weeks Moved to call the question of Approval of Resolution 2008-015 as drafted; Ms. Tanner SECONDED.***”

Ms. Tanner SECONDED. The Chair called for all in favor, I’s were stated, and the motion PASSED unanimously.

III. Chair & Executive Director’s Report

The Chair advised the Commission that the deadline has already been extended, and because the first Public Hearing is March 12, 2008, the ballot language and all resolutions need to be passed by February 27, 2008. She advised that if there are no specifics, the Commission may not have the same turnout as it would by having specifics. The Chair explained that her goal for the Commission is to move forward as thoroughly and as rapidly as possible, so that the CRC issues can go forward and the proper Public Hearings can take place. She advised that if

everything is not completed before February 27, 2008, there would need to be another CRC meeting prior to the first Public Hearing.

The Chair informed everyone that Ms. West is recuperating well in rehabilitation and should be returning soon.

The Chair reminded the Commission that she is scheduled to speak at the League of Women Voters Luncheon on February 28, 2008. She stated that she also has a pending invitation in Hallandale but the date has yet to be coordinated.

Ms. Gross referred the Commission to a CRC Public Hearing flyer which she advised is being distributed to promote awareness of the forthcoming Public Hearings. The Public Hearings are scheduled for Wednesday, March 12, 2008 at 5 p.m. and April 9, 2008 at 1 p.m.

Ms. Gross provided an overview of items in the Commission member's folders:

- *Resolution 2008 - 012 (Public Safety)*
- *Resolution 2008 - 013 (Public Records – Via Internet)*
- *Resolution 2008 - 014 (Redistricting)*
- *Resolution 2008 - 010 (Ethics Commission)*
- *Resolution 2008 - 011 (MESC/CRC Timetable)*
- *Resolution 2008 - 005 (Revised Housing Council Resolution)*
- *Resolution 2008 - 007 (Parks Preservation)*
- *Resolution 2008 - 008 (Environmental Policy Statement)*
- *Resolution 2008 – 017 (Composition of the Broward County Planning Council)*
- *CRC Summary of Discussion January 9, 2008*
- *CRC Summary of Discussion January 30, 2008 (Draft)*
- *Records accessibility information regarding the Public Records Resolution*
- *Emails regarding the Public Safety Resolution*
- *Emails regarding the Housing Council Resolution*

[End Chair & Executive Director's Report]

The Chair recognized Mr. Mena.

Mr. Mena apologized for his abrupt departure from the 1/30/08 CRC meeting and stated that he wished to make comments on the Elected Mayor At-Large. He stated that this is the third Charter Review Commission that has visited this proposal, and so far it looks like it is the third time it has been shot down. Mr. Mena reminded the Commission members of their mandate to put forth the most workable plans and then let the voters decide. He expressed concern that the CRC is not allowing the voters the opportunity to decide at this point. He stated that when you have a \$3.7 billion annual budget for the County, and CRC members estimated that adding an At-Large Mayor and a new At-Large Commissioner was going to cost \$770,000; this amounts to less than 2% of the County's budget. This pales in light of what the benefits would be and the contributed value that would come from a publically recognized selected leader. He advised that Broward County needs leadership and accountability both of which would be part of the package. He pointed out that some of the Commission members crucial to the proposal are not present, but he asked everyone to re-think their feelings on the proposal prior to the February 27th CRC meeting.

The Chair advised that it would require someone from the prevailing side to make a motion to bring the issue back.

Mr. Goren for the Record: That would be a Motion for Reconsideration, which as you know from our last meeting, does not require 10 votes, it does not require 13; it requires a simple majority. Then again, the next level thereafter requires a higher level of vote count to get on the ballot which is 13.

Mr. Mena for the Record: *An Elected Mayor and an At Large Commissioner will enhance the dimensions of the current County Commission, not be a detriment; it would provide a challenge to the existing sitting Commissioners to run for either of those two new positions. Remember that representative government demands an Elected Official is beholding and accountable to the people, to the voters of Broward County. Please rethink your ideas on this. Thank you.*

Mr. Ketcham asked Mr. Goren if people were going to change their vote it would have to be done at the next meeting therefore, the **Motion to Reconsider** would have to take place during the current meeting.

Mr. Goren: The objective is obviously that this item at the last meeting did not have enough votes to continue, so essentially it's off the table for consideration.

Mr. Ketcham stated that from his understanding someone from the prevailing side, at the next regularly scheduled meeting must make a motion to change their vote and bring the issue back to the table, which would have to happen today.

Mr. Goren: The objective appears to be from Commissioner Mena that he would like to get agenda access for February 27, to have that considered.

Mr. Ketcham asked if someone would have to make the motion today who voted negatively last meeting.

Mr. Goren: That's correct.

Dr. Lieberman asked what if a member wasn't at the last meeting and didn't vote.

Mr. Goren: If you weren't there to vote, then you are on the prevailing side.

The Chair suggested tabling the discussion in efforts of addressing current agenda items and returning to the discussion later. She then advised Dr. Lieberman that there are only 13 CRC members present, and she believes that it is due to the weather. She gave him the option to move forward with discussion of proposed Resolution 2008-012.

Dr. Lieberman agreed to proceed.

For the record Mr. Goren switched seats with Mr. Wilson for purposes of avoiding a conflict by the CRC General Counsel regarding the proposed Public Safety Resolution..

IV. Public Safety Resolution 2008-012 – Chair, Dr. Mark Lieberman

The Chair provided an overview of prior discussions regarding proposed Resolution 2008-012.

Mr. Wilson: There were about four items that remained in the Resolution that were different from the minimum standard including adding Law Enforcement to communication, some technical changes, and increasing the membership. There was a last item that dealt with increasing the responsibility of the Council based on requests by the County Commission.

The Chair advised that Dr. Lieberman sent a letter out requesting input.

Ms. Gross stated that invitations were sent out by mail and email requesting input. She advised that representatives from the invitations are present. She informed them that she received information from Lt. Massey who advised that BSO will meet in March.

The Chair advised that BSO thought at first flush that the Resolution looked okay.

Mr. Mena asked if a representative from BSO was present.

The Chair opened the floor for public comment.

Public Comments related to proposed Resolution 2008-012

Edward Curran, President, Fire Chiefs' Association of Broward County

Mr. Curran: I did get your invitation. Basically, we are asking that you don't change the current Committee. Let it do its current assigned task. By enlarging the Committee and expanding it, to be able for the County Commission to give other matters would be something that we don't want to see. It has a specific task, such as, closest unit response, and enhancing communications; to do that for fire only. It doesn't deal with Police or anything of that nature, so, it really doesn't make any sense to do that.

Major Kim Tierney, BSO, Patrol Bureau North

Major Tierney: I'll defer to Chief Foster; I just want to correct the record on something, which he's going to do.

Chief Duncan Foster, Vice-President Broward Police Chiefs' Association

Chief Foster: Good morning, we just do want the record to reflect the letter that you sent to Chief Massey, the President of the Broward Police Chiefs' Association. Right now, the Broward Police Chiefs' Association is not taking a stand either way.

Chief Daniel Sullivan, Hallandale Beach Fire Rescue

Chief Sullivan: Speaking on behalf of the City of Hallandale Beach and myself. The City of Hallandale Beach stands opposed to any change in the current language of the Charter. We have a few issues with the letter that went out requesting answers. There are about 3 or 4

people on that letter who are no longer in those current positions. We don't know if you are getting accurate information. We don't know what kind of response we got back. We don't know if there was any effort put in to ensure that, that Committee was a Committee that was really pertinent to this issue. There is also concern about the language that you're putting in there now. We've come full circle; we started out with this becoming an all encompassing Public Safety Council giving advice to the County Commission, now we are putting in language that's going to have the County Commission directing this Advisory Board. An Advisory Board should advise the County Commission, it shouldn't take direction from the County Commission. We think it's going to be confusing, and I think it's going to probably cause more gridlock in government.

We have a Fire Rescue Council, and objectively we've shown the Public Safety Subcommittee, when Rick Carpani came and made a presentation, it has followed and made significant progress with the work that they were directed to do. They were directed to create the infrastructure to help provide closest unit response which is a performance measure that's important to Fire Rescue, not to Emergency Management, not to Police; it's important to Fire Rescue that's our primary performance measure.

There were some misstatements made in the past. The County invested a significant amount of money, more than \$30 million dollars and upgraded most of the 911 Centers using that money so that interoperability is about 90% there throughout the County. There's a plan to move forward, and we've shown that. We're getting ready to change a Committee that is making significant progress for the mere purpose of making a change; when we haven't seen any data or any indication that there's a problem, and a need to change that Committee. What I foresee, practically is a Committee of 13 people sitting around now, about half of whom are not related to Fire Rescue anymore making decisions for Fire Rescue. I see that as problematic. I see a lot of high salaried people spending a lot of time sitting around talking at yet another meeting, and from my experience that's not going to create any efficiency in government. Thank you very much.

Ms. Kaletta asked Chief Sullivan what the primary goal of the Fire Rescue Council was.

Chief Sullivan: The language is very clear in the Charter that it is to create the infrastructure to allow for closest unit response. What needed to happen was, the Communication Centers needed technological upgrades to allow for these centers to talk to one another. There are a

few Fire Chiefs I am sure who will speak, who can clarify that even more. There was one group in the northwest that doesn't have the exact technology and I am technologically challenged, so I don't want to speak too much, but I think Mr. Carpani indicated that they also have the ability to interconnect.

Ms. Kaletta asked how efficient closest unit response is currently, and if units are passing other Fire Stations to get to an emergency.

Chief Sullivan: The infrastructure is in place. Those are policy decisions made by individual Departments. Throughout most of the County, that's not happening and I can tell you that right now from a radio perspective, an agency in Hallandale Beach simply has to change the switch on a channel on the radio to communicate with the agencies of Pembroke Pines. I will give you a practical example. A year ago I had a large structure fire, it was in the news on South Ocean Drive, and it required the assistance of about 10 or 11 different agencies ranging from Plantation to Pompano, and we all operated off the single channel. There were probably 4 different communication centers involved and from the user's perspective in the field, there was absolutely no difference. They did not see anything different from what they're normally accustomed to when they talk to their peers in the Hallandale Beach Fire Department. Does that answer your question?

Ms. Kaletta responded no, because she understands that if there is a major fire others will be called in. She then asked, "If you have one fire station, the trucks leave that station and must pass another fire station to get to a fire. Do you still have that happening?"

Chief Sullivan: I can't answer that clearly myself, I do know that for special operations, hazardous materials, high angle rescue, technical rescue, and things of that sort that's necessary. You will see Broward County Fire Rescue agencies because of their disbursement throughout the County traveling.

Ms. Kaletta advised Chief Sullivan that she was not speaking in the context of his response. She explained that she was questioning only the issue of closest unit response where a fire takes place in one city and the unit must go past the station of another city to get to the fire. She asked if this is what closest unit responder means

Chief Sullivan: Closest Responder by definition now has to deal with which Fire Station is closer. The future technology will have closest unit responder, maybe dispatched by global

positioning satellite. I mean there are different technologies available. Those issues are still policy issues that each city has to work out. In Hallandale Beach, I can tell you that my closest unit responds to every emergency. I have an Automatic Aide Agreement with Broward County next to me, to ensure that our closest unit responds, but that's my option to have that Interlocal Agreement. We have an agreement with Hollywood that we will send units on mutual aide if our resources are stripped. I don't know if there is a problem. If there are isolated problems it's not something I am aware of.

Ms. Kaletta asked if there are problems like that out there.

Chief Sullivan: I can't answer that, I am not aware of any.

Mr. Mena stated that it appears to be a turf war, that the intent of the proposed Public Safety Council is to add Police as part of the decision-making under a disaster or emergency. He explained the intent is not to take anything away from the good work that the Fire Rescue Council has been doing in the past; the CRC is only proposing added 3 to 4 people to the Council. He asked Chief Sullivan what the problem is with having Law Enforcement involved with the Council and communications when the goal is to have all Cities' public safety in mind, for the people.

Chief Sullivan: There's absolutely no problem.

Mr. Mena asked Chief Sullivan if there is no problem, then why the opposition.

Chief Sullivan: There's already a venue set in place that allows Police and Fire to communicate. We have an Emergency Coordinating Council that does exactly that; that will be conflicting with this. The Police and the Fire professionals work very closely together. The Police Department understands how this is going to affect their communications and it's not an issue that is on the top of their radar because they don't use closest unit response as a primary performance measure, so there's not a problem. I am only suggesting to you that it would be problematic and unnecessary to change the Charter of Broward County for a reason that doesn't exist. In all likelihood, there's a better chance for a negative effect, gridlock in government, than there is for any positive effect. I just don't see anything coming out of it that's going to provide any gain. We have a Committee in place that's been very successful and that has come here and shown objectively a significant amount of progress and we want to continue to move forward.

Mr. Buckner asked if there is currently in the County a Committee, Council, or Body that has representatives from Fire Rescue, Law Enforcement, and other related entities in order to coordinate public safety matters such as a major disaster.

Chief Sullivan: Yes, by Ordinance there is an Emergency Coordinating Council charged with that specific task.

Mr. Buckner asked who the Emergency Coordinating Council members are.

Chief Sullivan: Every municipality has a primary member on that organization. Jeff Maslan, it was incorrectly stated, but he was actually speaking on behalf of the Emergency Coordinating Council. Captain Maslan of the Coral Springs is currently the Chair of the Emergency Coordinating Council. The Vice-Chair is the Battalion Chief of Miramar Fire Rescue.

Mr. Buckner asked why there was a need to have a Council established to deal with communications if there was already such an entity established with all agencies represented.

Chief Sullivan: This Council was established not to deal with communications in general, but to deal with a specific issue related to Fire Rescue that was to help establish communications infrastructure and would enable us to have closest unit response which is something that is specific to Fire Rescue. The Council was supposed to look and advise; that's what they did. They determined after researching that there were some capital infrastructure needs that would need to take place, then as you move forward there are going to be policy changes that need to take place. There have been significant policy changes and significant physical capital infrastructure changes, but at that time the reason the Police weren't on it was, because there wasn't a need for the Police; it wasn't a Police issue.

Mr. Maus asked if BSO is a part of the Emergency Coordinating Council (ECC).

Chief Sullivan: Yes they are.

Mr. Maus asked if there are any other representatives from the County on the ECC.

Chief Sullivan: By ordinance, the County Emergency Manager has to sit on the Board.

Chief Robert Pudney, Fire Chief, Plantation Volunteer Fire Department

Chief Pudney: I have been asked by Mayor Armstrong to address you this morning on this issue. First and foremost, the City of Plantation would ask that you not move forward on this Resolution as it is currently before you for two main reasons. One, there is really not an issue of adding Law Enforcement from the perspective that was originally put in place. Law Enforcement was added when they were talking about broadening the powers of this Council in dealing with Minimum Standards. If you recall there was some discussion from the Law Enforcement side about how those Minimum Standards might impact them. The Resolution before you today doesn't deal with that. In fact, the Law Enforcement component is a leftover from that previous discussion. The City of Plantation is not supportive of its Law Enforcement component being part of this Council for one very important reason, this becomes another drain on our resources. This is duplication, in our opinion of the existing Councils and Advisory Boards that currently exist. Regardless of what its general task is, we're forced to extend resources to attend the meetings, adjust to the agendas and spend quality time like we do here with you on this particular issue. If it becomes part of the Charter then it's there until a group like yourself decides that it should be removed, and this becomes an everlasting issue where our resources have to be extended to participate in that Council.

Secondly, we feel that the broadening of the powers of the existing Public Safety Council that is included in the language in your Resolution; we disagree with that. We believe that the Council, when it was first established, had a very clear and defined role of dealing with regional communications infrastructure resulting in closest unit response on the Fire Rescue side. The sentence that has been added into your Resolution that encompass it to anything the County Commission would like it to do, opens that Pandora's Box and it would then increase the amount of resources that we would have to expend on dealing with that organization. I would like to echo Chief Sullivan's comments that there are existing organizations, Councils, and Committees that are here; we've talked about it before. Particularly not only the Emergency Coordinating Council which is chaired by Law Enforcement and BSO, and most of the Police Chiefs send representatives there, but there's a County-wide Regional Radio Coordinating Council that meets regularly. Police and Fire are a part of that to make sure that the coordination and communications is there. So, we would ask that you not move this Resolution forward and I would answer any questions that you may have.

[End of Public Comment]

The Chair stated that the Fire Rescue Council was truly formed for communications issues. Fire and Police communications can be different, therefore she is not sure about joining the two together.

Mr. Bucker asked if the PSSC looked at other existing bodies that may be able to assume some of the duties that the proposed Public Safety Council would undertake to avoid duplicated efforts. If so, is there a particular purpose why there should be an expanded Council created to cover those issues.

Dr. Lieberman advised that of the 4 additional members, one is a communication representative which was felt to be essential. He added that he is not sure that the public speakers that have spoken are against that person being on the Council. The other representative would be from the Emergency Management Agency. He reminded the CRC that someone from their office testified that there is a role they could play on the proposed Council so there is no duplication of services. Dr. Lieberman stated that as far as adding the Police, it had nothing to do with Minimum Standards as was suggested by one of the speakers. He explained that the PSSC thought that with Fire Rescue and emergencies, Police communications is an essential part of that and they should be at the table.

Mr. Mena advised that he was passionate about involving Police because he thought the Resolution made sense. He apologized for using the word "turf," and advised that it appears that the Firefighters don't want to mix with the Police on the Council. Mr. Mena advised that the intent was to coordinate between Police and Fire, and the two members that Dr. Lieberman mentioned are exactly the type of people that need to be involved. He reminded the CRC that the EOC came in at the end and the CRC was able to hear from them.

Mr. Maus asked why the issue of including the police was not addressed by the ECC or the County-wide Regional Radio Council.

Mr. Buckner referred to Section 5.03 of the Charter, and asked if Law Enforcement need to be in on communications when you have life threatening emergencies in order to facilitate the purpose of Section 5.03.

Mr. Mena replied yes, absolutely.

Mr. Buckner asked if there was testimony at the PSSC level showing that there was a need for that and therefore, the Charter needed to be amended in order to reflect that need.

Mr. Mena responded that he did not feel that communication is at 100%. He explained that the Police own the towers for communications and questioned why Police would not be involved with communications on an emergency basis. He referred to Hurricane Wilma and explained that the Police was on the scene first and Fire Rescue was third, so it seems logical that the Police would be involved.

Ms. Norris-Weeks explained that she believes that there are knowledgeable people sitting on the subcommittees and she plans to support the Resolution.

Ms. Tanner thanked the PSSC for their hard work. She advised with regard to the Emergency Coordinating Council and the County-wide Regional Radio Council, that Police and Fire are already working together in a coordinated effort toward emergencies in Broward County.

Dr. Lieberman advised that they are not working together on the Fire Rescue Council for coordination of communication.

[David Esack entered at this time 11:02 a.m.]

Ms. Tanner asked Chief Pudney if it would be detrimental to include Police under the Fire Rescue Council.

Chief Pudney: Strictly from the City of Plantation's perspective, our Police and Fire work hand-and-hand as I believe does every municipality in the County. I find some of the comments here today a little disturbing that we don't. However, in the City of Plantation, my comments were related to the fact that currently my department is responsible for expending resources for the Public Safety Council based on communications, because in the Charter it strictly addresses Fire Rescue communications and first unit response. By broadening the scope of the Council, and adding our Law Enforcement, the City of Plantation would be directly affected because our Law Enforcement Department will now have to duplicate my efforts whatever the issue is being discussed, whether it's a Law Enforcement issue or a Fire issue; we're going to duplicate our efforts now in the City of Plantation. As you know our resources are being stretched, and from our perspective, adding our Law Enforcement to the Council would be detrimental.

Ms. Eisinger advised that she is a member of the PSSC, and was a very strong advocate in looking to make changes. She stated that she also is a supporter of creating levels of standards which is no longer a part of the Resolution. Early on in testimony, there seemed to be strong support from the professionals, particularly Mr. Carpani; which is why the PSSC took the direction of expanding the Fire Rescue Council. Now that she is hearing from the Police Chiefs Association that they are not supportive of the Resolution, she advised that she is taking a different stance. She stated that everyone has been open-minded, and the PSSC was listening, gathering information, taking testimony, and thinking outside of the box. Ms. Eisinger stated that the fact of BSO and the Broward Police Chiefs' Association not wanting to comment at this point, she is going to listen to the professionals. She suggested keeping the status quo. Ms. Eisinger stated that she believes in regionalizing and setting a level of standards throughout Broward County which is not going to happen. She advised that recognizing this and the desire to maintain an effective Council, and without comments from BSO and the Police Chiefs' Association, she suggested that the Fire Recue Council should remain strictly Fire Rescue.

Mr. Benson asked what the Police Chiefs' Association position is regarding the Resolution.

The Chair advised that information was requested, the Police Chiefs' Association has not met, therefore does not have a position.

Chief Foster: Again, I would like to clarify **For the Record**; I spoke in front of this Body before: *"The Broward Police Chiefs vehemently oppose any sort of language that had to do with Minimum Standards. That Minimum Standard has since been deleted; we have not taken a position as to the rest of your language. As far as adding to the Council a member of the Broward Police Chiefs, we have not taken a position."*

The Chair asked Ms. Gross to read the response from the Broward Police Chiefs' Association.

Ms. Gross read from the Broward Police Chiefs' Association letter to the Charter Review Commission dated February 8, 2008.

Jerry Blough, Chief of Police, City of Margate Police Department

Chief Blough: I'm also a past President of the Broward Police Chiefs and I serve on their Executive Board. First of all, I want to tell you that I support Mayor Eisinger's comments she made previously regarding this issue. I think the concern from the City of Margate's perspective

is that we don't believe it should be expanded any further. In addition, as Chief Duncan Foster spoke about, of the Broward Police Chiefs; Minimum Standards was one of the primary issues we were concerned about; we do not support that ,but in addition, Police and Fire Rescue have a good working relationship in this County. The fact of the matter is there are a number of organizations that we work together on. You talked about the infrastructure, I know Rick Carpani was here speaking for Broward County regarding the communication infrastructure. The fact of the matter is, I know they are working forward on that issue but every municipality in Broward County in some form or fashion has some kind of communication system. The City of Margate and the City of Coral Springs have a communication system collectively amongst our agencies. We do closest unit response for Fire Rescue. It's impossible to conceptualize the fact of doing closest unit response for Law Enforcement, and I think the concern is that the broadening of this particular Body on this issue is what we're concerned about. We don't think that it's necessary and that's our position on it.

Mr. Maus MOTIONED that the Charter Review Commission not place any changes to the Fire Rescue Council on the ballot; Ms. Eisinger SECONDED.

The Chair advised that the Motion is a reverse motion, which means a "YES" vote means no to changes and a "NO" vote means yes to changes.

Ms. Eisinger for the Record: *"I want to clarify, and I thank my fellow members, we spent a great deal of time on this and again I'm a strong advocate of having moved forward, but listening to the most recent testimony that we're getting from the professionals in the field, and the fact that our discussion on creating levels of standards has already been voted down, I am behind not taking any action on this, because we would be going contrary to what even Law Enforcement and Fire Rescue is telling us at this point in time. Looking at limited resources with tax reform, that's why I've seconded the motion and I'm going to vote in favor of not making any changes at this time."*

Ms. Good questioned if the motion requires a majority vote to pass or 13 votes.

Ms. Norris-Weeks asked why a reverse motion was being proposed.

The Chair responded that this was the way the motion was made.

Mr. Goren: I am not arguing or advocating, but it would be better for the record if you will have a motion in favor of the item, and vote it up or down based upon the positive because of the possible confusion the record may reflect an illusionary decision.

Dr. Lieberman for the Record: *“I’m going to vote against the motion also. I’m going to go along with what Mayor Eisinger suggested. I don’t think it has a chance to pass regardless.”*

Several members expressed confusion and requested clarification.

The Chair restated the motion and explained that it is now a regular motion as opposed to a reverse motion.

Mr. Maus MOTION to approve Resolution 2008-012, Public Safety. Ms. Eisinger SECONDED.

The Chair called for a roll call vote at 11:13 p.m.

Commissioner Hayward Benson	Yes	Commissioner Ted Mena	Yes
Michael Buckner, Esq.	No	Mayor Lori Moseley, Chair	No
Ms. Maggie Davidson	No	Burnadette Norris-Weeks, Esq.	No
Mayor Debby Eisinger	No	Commissioner Hazelle Rogers	Absent
Mr. David Esack	No	Bruce Rogow, Esq.	Absent
Ms. Patricia Good	No	Dr. Irv Rosenbaum	Absent
Ms. H.K. “Petey” Kaletta	No	Ms. Jodi Jeffreys-Tanner	No
Mr. Mark Ketcham	No	Mr. Wil Trower	No
Dr. Mark Lieberman	No	Richard Weiss, Esq.	Absent
Joseph Maus, Esq.	No		

Motion FAILED on a roll call vote of 2 YES to 13 NO.

Ms. Norris-Weeks asked the Chair if there a way to move to Item VIII on the Agenda.

The Chair asked the CRC members if any of them will be leaving before 4:00 p.m.

Mr. Lieberman, Mr. Mena, and Mr. Benson advised that they may have to leave the meeting before 4:00 p.m.

V. Public Records (Via Internet) Resolution 2008-013 – Chair, Dr. Irv Rosenbaum /Vice-Chair, Burnadette Norris-Weeks, Esq. (Possible Resolution Approval)

Ms. Norris-Weeks advised that the AGSC had a meeting scheduled this morning at 8:00 a.m., and unfortunately there was no quorum due to the possible mix up as to the time of the meeting. She suggested bringing the issues directly to the CRC, however, there are 13 CRC members present and it would take a unanimous vote on all of the items in order to take them up. Ms. Norris-Weeks stated that she didn't know if there is necessarily a will to go through the issues at this time or vet them through the subcommittee process as is normally done.

[Dr. Lieberman entered at this time 10:24 a.m.]

The Chair confirmed with Legal Counsel that Public Records was to be handled by the full CRC. She recognized the arrival of Dr. Lieberman and subsequently returned to Agenda Item IV for discussion.

Ms. Norris-Weeks read resolution 2008-013:

“Each person has a right to access County records. All audits, reports, minutes, documents and other County public records shall be open for public inspection at reasonable times and places. To the extent that the County’s public records are available in an electronic format, such records shall be made available online.”

**Underlined text is to be added to what is currently in the “Citizens Bill of Rights” in the Charter.*

Ms. Norris-Weeks advised that the Resolution was not passed through the AGSC.

Mr. Ketcham suggested changing the language from, “made available online” to “*made available via the internet.*”

Mr. Goren for the Record: *To the extent that there would be a motion to amend the proposal, 2008-013, to reflect the change in the substance; it would also the question to better reflect the liaison and **the** in the words, “in an electronic format” and adding in the same language by the internet to cover that base. Our intent in the drafting is not to preclude access by to in fact provide the most widely available access to the extent possible.*

The Chair expressed concern with the difference of the words “Intranet” and “Internet.”

Mr. Goren: We added language that was specifically crafted by all of you which specifically says to the extent that the County’s public records are available in that format. It would not place additional burdens or responsibility to create or provide a format that will be different than what’s already available. The intent is not to burden through cost expense or other wise to do more than what they can.

Ms. Kaletta asked if the resolution is saying that everything on Broward County computer base system will be available to the public from their homes.

Mr. Ketcham replied as much as possible.

Ms. Kaletta asked if the resolution would put a burden on Broward County employees.

Mr. Ketcham advised that his thoughts were that every document that is available under the sunshine should be able to be available within reason on the internet.

Ms. Norris-Weeks explained that she has a concern of the language being too expansive and is left open to legal challenges. She advised that if it is passed it is supposed to be done right away and everything is suppose to be available. She advised that she believe most things are already on the internet, and it is easy to make public records requests. Ms. Norris-Weeks stated that she does not see the need for the resolution and she will not support it.

Ms. Tanner advised that she believes the resolution is setting up the County for a lot of liability.

Mr. Trower referred to exhibit “A” Section (C), first sentence, “Each person has the right to access County records”; he asked are there some exemptions to public access to County records.

Mr. Goren: This whole Citizen's Bill of Rights was actually added in the last Charter Review Commission, and they weren't there before. One of the issues that came up through testimony was the fact that there might be certain records that were either inaccessible or were very difficult to obtain. The objective was adding a number of different rights, one of which was access to public records, as a given right under the County Charter. The language that isn't underlined obviously came out of the last Charter Review Commission, and reflects a general intent to emphasize the fact that if they are public records available, then they're available through whatever means. You are wholly correct there are as many exemptions as there are slices of bread out there. Chapter 119 is a very small statute when you talk about what's public, but there are pages upon pages of exemptions which can't be changes by the Charter, so if it's a medical record, or a certain kind of personnel record, or the record of an address, or Police Office, or a Code Office, a Firefighter, or some other protective person, this Charter can't trump the statute, which protects individuals. It is simply an access issue, but it can't preempt the State Law regarding exemptions.

Mr. Trower asked if the public records definition is, "public records that are available unless otherwise exempted."

Mr. Goren: Correct.

Mr. Maus advised that he shares Ms. Norris-Weeks concern that the resolution is overwrought. He asked is there a way to make the resolution more restrictive.

Mr. Goren: On line two where it says, "that documents and other County Public records"; what you might choose to do, "as defined by Chapter 119," which is the statute that governs public records and the various exemptions; at least you are tying your conversation to a place in life that exists, which is the statue. That may be an option, to add after the word public records, "as provided for in Chapter 119, as amended from time to time" that defines public records which is a changing item. Five years ago, emails weren't public records because they didn't exist. In the context of recognition by statute many things change, that would then open up the door for future change ,but also in my opinion, if that be your direction, provide the protection for those records which are truly exempted.

Mr. Maus advised that there is an amazing amount of information currently online, and the public can get almost any information they want off the internet already. He stated that he doesn't believe the resolution is necessary.

Mr. Buckner advised that he finds a lot of Counties in Florida are very limited to information that can be available online. He stated that he shares concern that the resolution may be overwrought and the language can be tightened up. Mr. Buckner advised that while during research online in other local governments, he discovered that you must establish an account in order to access certain public records. He stated that he pays a fee in order to download the documents. He believes there are certain ways to provide the information, however at the same time be mindful of the fact that certain information, the County would want to have a more information on the public who are accessing information online. Mr. Buckner stated that he finds it troubling if people don't want to explore providing more access to the public.

Ms. Eisinger advised that she does not wish to support the resolution, and she believes it says enough in the Bill of Rights as it is in the Charter. She agrees with Ms. Tanner and Ms. Norris-Weeks in terms of any concerns of opening up any legal question; she does not believe it is necessary to add extra verbiage into the Charter.

Mr. Benson suggested that Chapter 119 be added into the existing Citizen's Bill of Rights. He referred to Page 3, Section (4) of the Resolution and requested clarification.

Mr. Goren: For each of the form resolutions, the objective is that, to the extent that the Charter absolutely unequivocally requires that whatever this Board does, will have ballot access. All this item allows for, is if it's renumbering in the context of the printing of the document for example before the County Commission, they simply would be able to change the numbering, but not to change the actual substance of what you are doing.

Mr. Benson asked if Section (4) has anything to do with the meat of this discussion.

Mr. Goren: By no means. In fact it's not even a door opener for that conversation.

Mr. Benson advised that his point is with the addition of the phrase Chapter 119; he asked if the resolution is not passed then is that applied to Item (C), Page 6 of the existing Charter.

Ms. Kaletta advised that the County is putting things on the online, as they're capable of doing; she stated that she doesn't see the need to have the issue added to the Charter.

Mr. Trower advised that if the Resolution language is read without the underlined portion the County could stop providing online public records at anytime. He stated that he is concerned that if Chapter 119 language in the Citizen's Bill Rights wasn't there, the citizens would believe that they have access to everything; he stated that making that qualification he believe it's more appropriate however he would support having the additional language added to the Citizen's Bill of Rights.

Public Comments Related to Resolution 2008-013

Judy Sarver, Director, Broward County Office of Public Communication

Ms. Sarver: One of my responsibilities is the Broward County website and I would like to comment on the language that is purposed in Exhibit (A) that's underlined. It is in reference to the extent that the Counties public records are available in an electronic format. That is of concern to me and I would like to share those concerns with all of you. To Broward County a public record with the statutes, anything that we generate or anything that we receive is a public record, that would include all emails that any County employee receives or sends; it would include any correspondence that's of an electronic format that comes into the County. All of those documents would be required because of the word, "shall" and if they are available in electronic format they would be required to be posted to the Broward Counties Internet Website. That's what this says today.

There is an unintended consequence to the way the language is in the current format. We have a lot of other documents as well that County Records will speak to that, it would put an unreasonable burden on County Staff. We won't have the resources to be able to respond to some of the document request that would have to then go forward and be placed on to the internet website. I do want to say that the goal of the County is to put as much as we can on the website. There are over 25,000 documents on the county website today and that doesn't include anything that's included in electronic database.

We want documents out there and it the policy of our Board to put as much information on the website as possible with the goal of eliminating the need to have a facility or have folks come

into a facility to review a document. We want to conduct business over the internet so that we don't have to build more facilities. So, I just wanted to share with you what I thought might be unintended consequences from the strict way the language is written with the use of the words "shall" and "all County public records". Thank you.

Ann Richards, Assistant Director, Broward County Records Division

Ms. Richards: As it has been eluded to, there is quite a bit of records now available, particularly when we look at all the official records and what we determine official, land records and public records. Everything that comes before the County Commission, the agendas, the minutes, all of those are available on the internet for that particular meeting for the Commission and then they are accessible through our office. The minutes are online archived as far back as the County goes. So we have a lot of things as Judy said that are already available, and the question of confidentiality comes to mind. It's quite expensive. Official records are going through that now, for all the documents that have been recorded since the 70's. Particularly in the 80's on our deeds and mortgages, it had a place for social security number. I think most of you are aware of that and a lot of people thought, "Well there's a line there, so I need to put that in."

When we put our official records up on to the internet, we are still being inundated with outrage by the citizens that confidential information is up there. We have to date redacted and it's a large expense and a lot of time; redacted 2.8 million records going all the way back off the confidential information and official records, and we still have 2.9 million to do of course, our redacted day forward, but this is just in previous records, so we still have that.

The way the language is written, I agree with Ms. Sarver that we're going to have those issues on everything that comes into the County because we are Sunshine State; everything that hits our desk is public records and I can speak specifically to one Board, the Value Adjustment Board for instance, last year we had 30,000 petitions from the citizens. All of those petitions, and we are accepting them electronically now; means they have to stay out there and be accessible to everyone. That's a lot of information about citizens that would now have to be the way this is written available as it is now it is only accessible to the individual that filed the petition. They can come in and see their own information, but they are sending us electronically all of the evidence for their hearings. We are paperless as we can possibly can be;10,000

Value Adjustment Board Hearings and a lot of confidential information back and forth; that is electronic and would fall under this proposal as it is written.

Appeals to the Value Adjustment Board, all of that we tried to conduct electronically. So, I would ask you to look beyond just the scope of official records, public records, as many people refer to them as Commission, Documents, and Land Records but to all the other agencies within the Counties that are now doing as much paperless as possible. Because we have to for efficiency manners and for cost cuts; this can be very devastating along for the redaction and all of the information that I don't believe our citizens really want available to everyone on the internet. Thank you.

Mr. Ketcham asked if the Value Adjustment Board information would be protected by Chapter 119.

Ms. Richards: Certainly, when it comes to our office it is by public request, and we would be happy to do that, but we can do that. Then on an individual basis to make sure that if there's anything confidential within that evidence; what we are taking is evidence....

Mr. Ketcham asked if the only person who could look at the evidence or compliant is the person who filed it.

Ms. Richards: Right now, electronically on the internet, anyone can come in and request the evidence; we would give it to them. But we would not have to put all of our records through a redaction process.

Mr. Ketcham asked if Ms. Richards' department can review software that took that issue under account.

Ms. Richards: Possibly, it is very expensive and then depending on what goes day forward and what goes day back.

Mr. Ketcham suggested that the County plan for that, because he believes that the next couple of years there going to be a lot more internet and a lot less paper.

Ms. Ketcham asked if emails are public now.

Ms. Sarver: Yes.

Mr. Ketcham asked if the emails have to be printed out.

Ms. Sarver: No sir, our email system provides an electronic means by which their backed up every single night.

Mr. Ketcham asked if he wanted emails how he would get them.

Ms. Sarver: You would make a Public Records Request and our IT Department would retrieve them from the server. They would review them for confidentially purposes and they would be provided to you.

Mr. Ketcham asked if the emails would be printed out.

Ms. Sarver: There is an option if you want them electronically provided on a CD, printed out; and there are opportunities to calculate cost for that depending on how large the public documents request is.

Mr. Ketcham stated that he wants the government open from top to bottom. He advised that if he does know the specific document that he is looking for then how is he going to request it, which is part of issue.

The Chair advised that she receives many emails on a daily basis. Often from residences that bring forth personal issues that they want the government's help with. She added that sometimes she regards her role; if somebody's in foreclosure or somebody believes their neighbor might be involved in drug activity next door to their house. The Chair advised that she receives emails on a regular basis that they're talking about an issue that might be personal to them, that might be affecting them, or they're talking about something in their neighborhood. The only way they could then communicate would be by telephone if they didn't want everybody to know their business. She advised that there is a flip side to the conversation.

Dan Glickman – Public Speaker, Deerfield Beach, FL

Mr. Glickman: I thank you for consideration of this, and I thank particularly at least Mr. Mark Ketcham for pushing this and others who perhaps thought well of it. I am going to make a few

brief comments and I am not going to go to minutia. Brief comments “yes” to Chapter 119, I think it’s an excellent suggestion because it makes clear what is or is not. If a person wants to see, they can go to Chapter 119 and look at it.

Number two, you see the word internet on there; in my opinion, 75% of the population would say “yes.” But what it boils down to would be really much simpler than everything you folks have been discussing in one way or another. This is not directed in any sense to any individual personally at all; the question is “who do you trust.” Information is power; it has been alluded to but the question is do you really think it’s time to further as much as possible to empower the citizenry. The question is “everything that is not on there now will eventually get there during the first half of the 21st Century, you can make whatever kind of addition to circumvent that, but what it boils down to for elected officials and those having to do with local governments is “who do you trust.” If you don’t trust the citizenry, by all means, do not support this resolution.

Mr. Buckner asked Mr. Glickman what records is he referring to, that he would envision and like to see public.

Mr. Glickman: Personally, since many of you know that I am interested in Public Transportation, I am interested in the electronic format reports that exist from BCT; the ridership figures. I’d like to know so I can be an informed person; so when I go up before the County Commission and say something, I have some information relative to what I am saying. Also for example, their maintenance reports having to do with buses in service or out of service; all of this is already available electronically. The only question is can I get access to it other than having to go in to the office, fill out a form, wait, have it come back, they do the work, and then finally I get it. It should be the matter of “It’s on the internet I can go BCT, I can go to reports, I can look at whatever I choose to.”

I’ve gone and gotten an employment record of an employee, that’s public information. I am not making comment at this point about salary; I believe that’s public information too. But employment records of County employees are public records, the fact is you can count it in different ways. But it would be simpler for the Broward County government as time goes on not to have to deal with these requests. It would be better for the citizenry not to have to go through this current process, and it would be information which empowers us to really say, “Okay not

only will I participate in the process, I can actually be a knowledgeable person, and transmit that knowledge appropriately.”

[End of Public Comment]

Ms. Eisinger advised that she would do anything to increase public trust of elected officials; however, she has concerns with the resolution verbiage that there could be undo consequences and undue burden on County staff. She advised that at this time she believe there is access to public records and she has the utmost faith and respect for the public, but she will not vote to support the resolution.

Mr. Maus MOTIONED to approve Resolution 2008-013 Public Records (Via Internet); Ms. Good SECONDED.

Mr. Esack asked Ms. Sarver if there is language she would recommend that would be satisfactory to her and her department.

Ms. Sarver: I don't have a recommended language to replace public records other than as reasonable, or adding a clause in there somehow. Everything is a public record.

Ms. Richards: I think the word that gives us heartburn is “*shall*” actually they are upon request and it doesn't mean that you have to do that in writing. We do many public records requests by email, and we send the documents back via email. It's just that all of them; when you get them electronically without review its going to take an enormous amount of time as it has already been explained. When you are dealing with value and exemptions, there are a lot of issues that would need to be considered manually. We're not opposed to making everything available to the public; we will do it as easily and as fast in whatever media they want. Because that's what we are here for; but it's just that if it's in electronic format. For so many agencies that are becoming paperless, that is just an enormous task. And a lot of it, I don't believe your citizen's are going to want public to everyone, so that is a concern also.

Mr. Benson referred to Exhibit "A" Item C – and suggested the language “***To the extent that the request for the County's public records is made; it must comply with the provisions of Chapter 119 as amended from time to time.***”

Ms. Kaletta asked Ms. Richards and Ms. Sarver if they accept requests from someone who wants Transportation information; if the information were made available to the County would they provide the public with it.

Ms. Sarver: (Addressing Mr. Glickman) Have you requested Mass transit to put those documents on the internet.

Mr. Glickman: The answer is no, I haven't made the request I might have to go through that request as well as hundreds of others.

Ms. Good MOVED to call the QUESTION. Ms. Eisinger SECONDED.

Mr. Goren for the record: The item before the Body is purposed Resolution 2008-013 as drafted.

Ms. Good MOTIONED to Approve Resolution 2008-013, Public Records - Via the Internet as drafted. Ms. Eisinger SECONDED.

The Chair called for a roll call vote at 12:29 p.m.

Commissioner Hayward Benson	No	Mayor Lori Moseley, Chair	No
Michael Buckner, Esq.	Yes	Burnadette Norris-Weeks, Esq.	No
Mayor Debby Eisinger	No	Ms. Maggie Davidson	No
Mr. David Esack	Yes	Commissioner Hazelle Rogers	Absent
Ms. Patricia Good	No	Bruce Rogow, Esq.	Absent
Ms. H.K. "Petey" Kaletta	No	Dr. Irv Rosenbaum	Absent
Mr. Mark Ketcham	Yes	Ms. Jodi Jeffreys-Tanner	No
Dr. Mark Lieberman	No	Mr. Wil Trower	No
Joseph Maus, Esq.	No	Richard Weiss, Esq.	Absent
Commissioner Ted Mena	No		

Motion FAILED on a roll call vote of 3 YES to 12 NO.

Mr. Benson MOTIONED to amended Page 6, Section 1.04 (C) of the current Charter to read as follows:

“Each person has the right to access County Record. All audits, reports, minutes, document, and other County public records shall be open for public inspection at reasonable times and places. To the extent that the request for the County’s public records is made it must comply with the provisions of Chapter 119 as amended for time to time”

Mr. Trower SECONDED.

The Chair called for a roll call vote at 12:30 p.m.

Commissioner Hayward Benson	Yes	Mayor Lori Moseley, Chair	No
Michael Buckner, Esq.	Yes	Burnadette Norris-Weeks, Esq.	No
Mayor Debby Eisinger	Yes	Ms. Maggie Davidson	Yes
Mr. David Esack	Yes	Commissioner Hazelle Rogers	Absent
Ms. Patricia Good	No	Bruce Rogow, Esq.	Absent
Ms. H.K. “Petey” Kaletta	No	Dr. Irv Rosenbaum	Absent
Mr. Mark Ketcham	Yes	Ms. Jodi Jeffreys-Tanner	No
Dr. Mark Lieberman	Yes	Mr. Wil Trower	Yes
Joseph Maus, Esq.	No	Richard Weiss, Esq.	Absent
Commissioner Ted Mena	Yes		

Motion FAILED on a roll call vote of 9 YES to 6 NO.

The Chair called for a 20 minute lunch break – 12:32 p.m.

The Chair reconvened the CRC meeting at 1:01 p.m.

[Ms. Rogers entered at this time 1:01p.m.]

VI. Redistricting Resolution 2008-014, Chair, Dr. Irv Rosenbaum / Vice-Chair, Burnadette Norris-Weeks, Esq. (Possible Resolution Approval)

Ms. Norris-Weeks provided an overview of Resolution 2008-014 Redistricting.

Mr. Goren: This Resolution reflects what Burnadette refers to very carefully; it is a document that came out of other discussions in recent days. The actual Charter question was rephrased of the assistance of professor Rogow; who did grade my papers appropriately, and I responded in kind by making the appropriate change to the document. The question I think better reflects the substance of the question itself and the substance of the change. This particular proposal, as Burnadette also mentioned, is a standalone proposal. It is not connected to any other type of proposal whether 9 plus 2; 10 plus 1, whatever the numbers were in the context of changing the composition of the County Commission. This was simply a mechanism to provide for an independent mechanism of review of the redistricting obligations which are provided for by Federal Law. Every decennial Census in the context of making certain that the County Commission follows certain guidelines, not that they wouldn't, but the objective in the document is to provide certain specific obligations and allows a third party professional to assist with regard to that process requiring public hearings, public input and providing access to what data and information; upon which the County Commission can then make an ultimate decision. Be very clear about this. The fact is that the Consultant does not make the final decision; it's decided specifically by the Board of County Commissioners, but with the proposal submitted by the Consultant.

The question was asked, at one of our recent meetings, "What happens if the County Commission rejects each proposal?" The answer very clearly is, that's when there's a lawsuit arising from the conversation between affected parties who seek redistricting and the County Commission may seek not to do what's been recommended. It also provides for the unitary of the County Attorney to actually review with regard to the form of legality, in the context of the document's legal sufficiency, which I think, is a helpful phrase in the proposal and the standards, which are at Section 2.17, which began on Page 3, follow Federal Law. They actually follow a recent case that was decided, which I had mentioned to you some number of months ago. The case that we looked at was the case of Thompson vs. Glades County School Board decided July 24, 2007 at the Eleventh Circuit Court of Appeals that cites to a number of different Federal cases; including Supreme Court cases, the Gingles case; which we know that

Michael referred to earlier, dealing with community of interest and a number of different factors which are required to be considered in the redistricting obligation required every 10 years; so the document reflects those concepts. The change in the question as provided for by Professor Rogow is on the table for your consideration.

The Chair referred to Page 3, Section 2 of the Resolution, “and adopt the Consultant’s standards for the redistricting of the County Commission single-member districts”; and advised that the language seems to be redundant. She asked why the Consultant’s standards would be different from what the law states.

Ms. Norris-Weeks stated that the Chair raised a good point, and asked if the language could be removed.

Mr. Benson agreed with the Chair, and asked why there is a necessity to have an entity created to do the redistricting. He asked what the cost would be for conducting such a study.

Mr. Goren: If the question needs to be refined to delete the language referencing it to adopt consultant standards, it’s not the Consultant’s standards. They are the standards provided for by Federal State Law, which is referred to in the Charter proposal, which is in Section 2.17. So we can revise the language to delete the Consultants reference to that, which is set forth in the Charter, as otherwise set forth and required by Federal Law. So that would be a consistency we can certainly subscribe to. The second item, which is the cost item; I can know the answer. That would be an issue that can perhaps be responded to by others who may know more than I about the actual potential cost of doing so.

[Mr. Buckner entered at this time 1:10 p.m.]

Ms. Norris-Weeks provided an update for Mr. Buckner.

Mr. Maus suggested the word “recommendations” instead of the word “standards.”

Mr. Goren: It would actually say to adopt the redistricting recommendations, for the redistricting of the County Commission into single-member districts.

The Chair asked if the language is changed from, “standard” to “redistricting,” does that change the essence of what its saying.

Mr. Maus replied that if the County Commission does not adopt the standards they could request more options; however, the way it is written the County Commission has to accept the standard at some point.

Mr. Goren: Or, litigate the question; where parties are affected by the non-decision. Not that I’m suggesting that’s the best path to be on, but it is certainly what could happen. That was a question I think Michael even raised last time; which was what happens if they can’t come to closure on an actual plan. Unfortunately, that creates a legal challenge.

Ms. Rogers stated for clarification that in previous discussions most CRC members felt that they did not want the County to be totally responsible for redistricting. She advised that the CRC felt that the County would only be interested in protecting incumbency and their District; which is the reason this Resolution was drafted. She referred to Mr. Benson’s question, “If the County would be ultimately responsible for redistricting, why would there be a need for an Independent Consultant.” She advised that she believes everyone felt comfortable having someone other the County Commissioners drawing the districts. Ms. Rogers stated that her idea for the Independent Consultant would be that they would go through the process with the County Commission and try to come up with an agreement.

Mr. Benson asked who would hire the Independent Consultant.

Ms. Eisinger asked if the ballot language would require extra wording past the comma. She suggested the language “Shall the Charter be amended to provide for the County Commission to use an Independent Redistricting Consultant to determine the redistricting of the County Commission’s single-member districts.” She explained that interpretation is currently provided in the backup.

Mr. Goren: That could be done.

The Chair asked Ms. Eisinger if she was referring to the Resolution.

Ms. Eisinger replied yes.

The Chair asked where it would end.

Mr. Goren: You'd strike from "an" to the end of the sentence.

Ms. Eisinger advised that the rest of the procedure would be included in the backup.

Mr. Buckner referred to the District map of Broward County. He advised that the map has not been challenged in court, so there is no way of knowing if it is legally sufficient. He asked if the District Map is fair, and representative of Broward County. He stated that different states and most communities have different redistricting processes. That other states use Judges and other Counties and Cities use various mechanisms other than Elected Officials to decide who will represent them. Mr. Buckner advised that as Broward County becomes more diverse in the next few decades; you can have minority dilution, not just by restricting voting or by having At-Large districts; but you can also dilute the votes of minorities by the type of districts that you draw. He stated that by having an Independent Consultant, who is not going to be running for office, who is knowledgeable about redistricting; at least Broward County can begin to assure itself that when those 9 Single-member districts are drawn, that they're going to be drawn as best as they can to cities and neighborhoods; so that every vote can be adequately represented on the County Commission. Mr. Buckner advised that Broward County does not have that at this time.

Mr. Ketcham asked if the motion passed last meeting with language regarding the super-majority vote.

Mr. Goren: That might have gotten missed in the translation. We made the other changes that were asked for, that occurred in Subsection A-1. Maybe that just didn't get transmitted, but that was the supermajority vote to approve. It was approved, but the only open issue at the time was the ballot question, which professor Rogow had some comments about. That didn't get transmitted but that was a change.

Ms. Gross asked Mr. Ketcham where he was referring.

Mr. Ketcham advised that he is referring to page 53 of the January 9, 2008 full Charter Review Commission meeting minutes.

Mr. Goren: But the change actually occurs on Section 2.16, Subsection (A); which is the method by which the professionals retained would be by a super-majority vote.

Mr. Benson asked with regard to the redistricting standards; if there is another set of standards that would be applied to the redistricting process, and is that set of standards different from the ones that are identified in Section 2.17 Redistricting Standards.

Mr. Goren: The County Charter at present provides no standards; it just says you shall redistrict yourself when you are required to redistrict yourself. This proposal is an attempt to embrace the compendium of case law and federal statutes that sets the standard that puts the standard in the Charter; as the premise upon which the Commission and/or the Consultant would be guided to get to the conclusion.

Mr. Benson stated that if standards were adopted, it might be the guiding point as to whether the standards are applicable to a fair and equitable distribution of the populous in order to put them in an identifiable district, which will be representative of Item (E) of the Charter. He suggested reviewing the standards for redistricting.

The Chair clarified the legal question with Mr. Goren. She stated that the legal standards are the standards whether it's written in the Charter or not. She asked Mr. Goren if there could be additional standards added.

Mr. Goren: The County Commission is bound to redistrict in accordance with Federal/State Law. Interpreting that Federal/State Law is a matter left to the County Commission, that's inherent in their powers as County Commissioners under the Statute and the Constitution. What the subcommittee recommended in this proposal was to take the compendium of both Federal and State Law, codify it, which means place it in the Charter as the premise of how you actually would in fact redistrict yourself. You'd be guided by those guiding principles as part of your Charter. The additional element of which was to add an Independent Third Party to implement that process and make the recommendations to the County Commission for ultimate decision.

Mr. Benson asked to what extent the court cases would be included.

Mr. Goren: The good news is that Section 2.17 actually embraces the general concepts of what the case law has decided. Whether it is reasonably equal population, compactness, unity of interest, all the communicative interest things, all the various test; you can't possibly drill down to every possible element of the conversation. The law may change tomorrow, which would dictate a different or possibly a different answer. 2.17 as Mr. Buckner had equally proposed earlier, tries as best one can to embrace all those concepts into a basic codified standard.

Mr. Benson asked if the County Commission would hire the Independent Consultant.

Mr. Goren: Under a super-majority vote, they would hire the Independent Consultant who met certain qualifications, who would then be obliged to follow the standards including public hearings and related input from the community. Those recommendations developed by the Consultant, hired by the County Commission, would need to go through a legal review, by the County Attorney's office, to be certain that the proposals meet the standards.

Mr. Buckner explained that he shares Commissioner Benson's concern and suggested going a step further with having someone independent outside the dais. He advised that District 9 is nearly 70% African-American voters. He stated that District 9 was created in order to elect an African-American Commissioner. He explained that, District 7 and 1 have African-American voters, which could have been divided to make it fair, but it was not done because whoever was in those Districts probably would have a harder time being elected.

He argued that more representation is needed in each District. He suggested going a step beyond adopting standards. He advised that Congress have Congressional Districts going all over the place because they draw their own districts. He suggested being proactive and following what other local and State governments are doing, and trying to be more representative through use of an independent voice.

Ms. Norris-Weeks advised that she agrees with everything Mr. Buckner has said. She stated, with regard to Commissioner Benson's statement, that the issue is who's drawing the districts. She stated that it was considered previously here with the full CRC and at the AGSC. She stated that it is a very benign proposal and there seemed to be quite a bit of consensus when it was discussed and she's hopeful that the proposal will pass this Commission. She advised that

it is human nature to want to protect your district and no one is painting the Commissioners as being sinister. She stated that she thinks it is good public policy and makes good sense and that the Resolution is something the Commission should support.

Ms. Kaletta stated that it should be viewed as a positive way of relieving the Commissioners of the burden. She stated that she keeps hearing questions about how the Consultant would be discovered. She explained that the Commissioners would put together the parameters and set their criteria for recommendations and then it would be chosen as to who met those qualifications the most.

Mr. Benson advised that he does not like being in the middle of debating Attorneys. He asked Mr. Goren, with regard to an observation made by Ms. Norris-Weeks; he asked if it is the obligation of the Judge to look at who draws the line or the standards by which the lines are drawn, concerning redistricting.

Mr. Goren: You should be a Lawyer, because what you're describing is what the Case Law talks about being the totality of circumstances task, which is actually all of those things, which a Judge is obliged to look at. Some of the cases that have been decided relate to the fact that there was an outside Consultant who assisted in that process. Citizen Groups sue the Consultant and the governmental agency challenging that Consultant's work effort. Other cases have revolved around recommendations that either weren't followed or weren't followed appropriately and were challenging the decision of a governmental body and not the Consultant. So, in all fairness to Lawyers in the room, I think the best answer is that a Judge, we would hope; would look at all of the issues and make an ultimate decision; but to the two that you mentioned are the two focal points that he or she would have to look at, which is look at all of the information, not just one but both.

Mr. Benson asked if one carried more weight than the other.

Mr. Goren: No, I think that they are all part of the process.

Mr. Benson asked if the standards carried any more weight than the person who drew the lines.

Mr. Goren: The Standards are the Standards.

Ms. Good advised that she believes this is a win/win scenario. She believes the public will embrace it and it should be forwarded for their vote.

Ms. Tanner advised that she is going to support the Resolution.

The Chair opened the floor for public comment.

Public Comments Related to Resolution 2008-014

Dan Glickman, Deerfield Beach, FL

Mr. Glickman: Since I happen to be here, but I didn't initially look to speak to this, but as I look at this; I'm looking at Page 3, Section 2 of Resolution 2008-014, which says "Independent Redistricting Consultant and Redistricting Standards for County Commission Single-Member Districts." The problem lies, I believe respectfully, that words matter, and the wrong word is being put in certain places. For example, in this particular case, in the heading it should be; ***"and Redistricting Plans for County Commission Single-Member Districts."*** The reason I say that; and things will flow there from; is because as I look two pages further down, which is Page 2 of, Exhibit (A), Article II. I'm looking at 2.16 the Redistricting Process. It says (A) they talk about the Consultant and Plans, it says (B) it talks about the Plans, and I look at (C) it talks about the County Attorney shall, how shall it do it. But what is it talking about; it's talking about the Plans.

The idea being that one is the result of the Independent Consultant; is his determination of what he or she believes what the plan, one or multiple should be. 2.16 talks about how the County Attorney's shall come into the process, and then the County Commission, on what the County Commission should do with one or some of those plans, but the point I'm trying to make is that this is not talking about the Consultant and Standards, this is talking about the Consultant and the Plans that derive there from; there from being the process. So if you would talk about, not the Standards but rather the *Plans*, then things fall into place. What I'm talking about would be to change the word standards in the appropriate place, so the *Plans* of what the Independent Consultant might come up with and what the process is relative to the follow-through relative to the Plans that he submits to the County Commission and their action thereafter. Thank you.

Commissioner Diane Wasserman-Rubin – As a Citizen

Ms. Wasserman-Rubin: I was watching you on TV from my office as I was working over there and when it came to this matter, I thought I would just kind of peek in and tell you a couple of things of how I personally feel. This is the Redistricting Map; I think the District Map is a little bit easier to see behind your head there, can you see there? I represent District 8, one of the two new Districts that were drawn. District 8 is my district and I need to get rid of some people; I am the most populous district. I represent eight Cities and I even go out to Hallandale, which most people do not know that, that little yellow piece in Hallandale; that's Precinct 151, which is Ebenezer Baptist Church, which is probably my largest District in my whole area. My District happens to be the most diverse of all the Districts because it has 35% Hispanic, 36% African-American. I have the income, which runs a gamut and it would be great if every District would be able to have all of those included. I thought personally that if you could draw rectangular lines so that it goes east to west, everybody gets a piece of everything. I'm just talking; I'm not a cartographer, I don't make maps but I would also support 100% for the credibility of what's going to be your decision, ultimately to put on the referendum; that you should get an Independent Consultant to do this. Just remove any kind of doubts from everybody's mind on this issue.

I did want to tell you that one of the important things about representing a diverse community is when I have an opportunity to select people to serve on Boards; significant County Boards such as this one and many others, I always look to make my appointees reflect the community that I represent, and that's the whole point. You want to bring people of all kinds of cultures together so that they can participate and start getting involved in government and that's the way I do it. I would absolutely support an Independent entity to draw the maps and to tell you also that it would be great if when the maps are drawn, part of the criteria would be that each District would have the mix so that not one of us would end up with the biggest area.

The Chair stated that she wasn't sure if Commissioner Wasserman-Rubin's name went on the Record.

Ms. Wasserman-Rubin: Diane Wasserman-Rubin, I'm here today as a citizen. If I were here as a Commissioner I would say something else. I've never been short for words, so, I don't mind talking about what I believe in and making you understand that it's just my say so. Anything that I do from the dais; I do very consciously and take it very seriously. Unfortunately, I'm going to

have to dump a big number of people; a lot of people, so how that map will look at the end we will abide by it. Thank you.

Mr. Goren for the Record: *“You all remember at the last meeting when this was on the table that you did approve this with 13 votes. So it was approved as proposed, the only opened issue was the phrasing of the question.”*

Mr. Maus MOTIONED to Approve Resolution 2008-014 Redistricting

The Chair asked what was being approved.

Mr. Goren: It was placed back on the table because of the fact that the ballot question was revised at the direction of this Board, through Professor Rogow who appropriately gave me his comments that you’ve since today begin to debate that subject which is the title for the question.

Mr. Maus asked if Mr. Rogow had agreed to eliminate the last phrase.

Mr. Goren: He has not been consulted yet. If you would ask me the legal question, ***For the Record***, I believe that deleting that last sentence would not do balance the entire question.

Mr. Maus suggested that it would read *“Independent Redistricting Consultant”*; and eliminate “and Redistricting Standards,” and eliminate the last phrase, and with the inclusion of the Supermajority.

Mr. Goren: The question would actually end with the words, “Single-Member Districts” and deleted the words “and adopt”) at the end of the sentence.

The Chair clarified that on Page 3, the bold text will say, “Independent Redistricting Consultant for County Commission Single-Member Districts,” and then in the body it will end at the fifth line *“Single-Member Districts.”*

Mr. Maus added that 2.16 would include the language “supermajority.”

Mr. Goren: For some reason it never transited into the transfer; that would be in 2.16. The change that you made in Section (A) 1 was already made, deleting that one section and adding

language “pursuant to the redistricting process provided in this Charter,” that was added the last time as well.

The Chair stated that the Commission is voting on the language.

Mr. Trower asked if the Commission is required to put in the fact that they are adopting standards.

Mr. Goren: The answer is that the State Election Code requires when you’re having a referendum that there be a Ballot Title no more than 15 words, which is what the boldface actually has; followed by a question not to exceed 75 words; which is also in that portion. It has to be reasonably connected to the subject matter of what you’re asking the voter to vote on. I think that with the change in the title that Mr. Maus recommended and the other changes; you’ve captured the essence.

Mr. Trower asked if the change was a problem.

Mr. Goren: No.

Mr. Benson advised that he is still trying to determine if the standards referenced in 2.17 are the same standards that they are talking about with regards to the question that is being asked by the populous.

Mr. Goren: Yes, unequivocally.

Mr. Benson stated that the only thing that’s being suggested is that an Independent entity would be responsible for implementing the standards if employed by the County Commission to do so by super-majority.

Mr. Goren: By supermajority, that’s correct.

Ms. Good referring to Section 2.16 asked if there is an Independent Consultant for Redistricting County Commission or is there an Independent Redistricting Consultant.

Mr. Goren: We define the term that you see in 2.16 as an Independent Redistricting Consultant. We defined it, yes.

Ms. Davidson asked if “redistricting standards” should remain in 2.17 because it is part of the question.

Mr. Goren: The question has to reasonably relate to what’s being changed. Is the voter preferably reasonably advised of what their voting on. Two things, the title makes reference to Redistricting and the ballot question makes reference to the method by which to get there. At the polling place this item actually appears, you actually get to see the substance of what the voter is voting on; although, the ballot would only have the title and the question. The answer is that they do connect, and the Body does connect to the question and the Body does connect to the title. If someone should need it clarified better, I’ll try to help you more.

Ms. Good asked if the issue of “standards” was eliminated.

The Chair responded that it was a Consultant’s Standards.

Mr. Goren: But the issue of standards is in the proposal, and will be in the Charter and it is part of what’s connected to the question. It will unequivocally be a part of the conversation.

The Chair advised that she understands what Ms. Davidson is saying.

Ms. Davidson stated that since the last part is being removed it wouldn’t need to be there.

Re-statement of Motion

Mr. Maus MOTIONED to Approve Resolution 2008-014, Redistricting as amended with the following changes. Mr. Benson SECONDED.

- ***Page 3, of Resolution 2008-014, Change the title to read “Independent Redistricting Consultant For County Commission Single-Member Districts.”***
- ***Eliminate the last phrase.***
- ***With the inclusion of the super-majority***

The Chair called for a roll call vote at 1:48 p.m.

Commissioner Hayward Benson **Yes**

Michael Buckner, Esq.

Yes

Ms. Maggie Davidson	Yes	Mayor Lori Moseley, Chair	Yes
Mayor Debby Eisinger	Yes	Burnadette Norris-Weeks, Esq.	Yes
Mr. David Esack	Yes	Commissioner Hazelle Rogers	Yes
Ms. Patricia Good	Yes	Bruce Rogow, Esq.	Absent
Ms. H.K. "Petey" Kaletta	Yes	Dr. Irv Rosenbaum	Absent
Mr. Mark Ketcham	Yes	Ms. Jodi Jeffreys-Tanner	Yes
Dr. Mark Lieberman	Yes	Mr. Wil Trower	Yes
Joseph Maus, Esq.	Yes	Richard Weiss, Esq.	Absent
Commissioner Ted Mena	Yes		

Motion PASSED UNANIMOUSLY on a roll call vote of 16 YES to 0 NO.

The Chair moved on to the next order of business.

[Dr. Rosenbaum entered at this time 1:48 p.m.]

VII. Administrative Issues/Governance, Chair, Dr. Irv Rosenbaum / Vice-Chair Burnadette Norris-Weeks, Esq. (Possible Resolution Approvals)

A. Ethics Commission Resolution 2008-010

Ms. Norris-Weeks provided an overview of the proposed Resolution 2008-010, Ethics Resolution. She read from Page 6, Section 1.04 (J) Citizen's Bill of Rights. She explained that the AGSC wanted to try to come back with language that would require a Commission that would take on the responsibility.

Mr. Buckner advised he is in support of the proposal, and the only issue is Section 11.08 (A) of proposed Resolution 2008-010. He advised that he wished to see a time-certain requiring that if the County Commission receives a Code of Ethics they must respond within 180 days or some other specific time-certain to ensure that the County Commission considers it and then if they don't adopt it, it would go to the voters.

The Chair advised that she has a concern because in her City she has to hold a Special Election. She explained that it costs \$100,000 to hold a Special Election. She advised that she is not comfortable with this and it has to be phenomenally costly for the County to run.

Mr. Ketcham advised it would be about \$1 million for the County.

The Chair suggested removing “no less than monthly,” from Item (E). She explained that this is procedural and she is not comfortable putting that in a Charter

Mr. Mena suggested holding the election during the General Election.

The Chair advised that it would not be fair, because the Municipality wouldn't have to pay for the Election and it's their Election.

Consensus agreed that it should be handled during the General Election.

Mr. Benson asked if there are general parameters that the Ethics Commission should be concerned with.

Ms. Norris-Weeks stated that some are referenced in the Charter.

The Chair asked Mr. Goren to respond.

Mr. Goren: The debate at the subcommittee level related to compelling the preparation of an ethics provision that would be sound and would meet the tenor of what the Amendment said six years ago. This section does not specify the terms or conditions of that which needs to get drafted. I don't know that I can define at the moment what that would be; but the Charter speaks in terms of the general global aspirational goals of what's being intended to be drafted. That's in Subsection (J) on that page, which is on Page 7 of the actual Charter which says:

“Right to Prohibit Conflicts of Interest and the Implementation of a Code of Conduct - The County Commission shall enact, by ordinance, a conflict of interest section in the County Code that requires Commissioners, County employees, and individuals appointed to Boards, Committees, Agencies, and Authorities to avoid even the appearance of impropriety in the performance of their duties and responsibilities. The County Commission shall also enact, by ordinance, a Code of Official Conduct that

shall apply to Commissioners, County employees, and individuals appointed to Boards, Committees, Agencies, and Authorities. In the ordinances enacted pursuant to this sub-section, the County Commission shall provide procedures for the examination of matters related to the conduct of Commissioners, County employees, and individuals appointed to Boards, Committees, Agencies, and Authorities. The ordinances enacted pursuant to this sub-section shall also provide procedures for the removal of an employee or individual, other than a Commissioner...”

Mr. Benson asked how this would go beyond or be in concert with State statute.

Mr. Goren: I mentioned to you some time ago that there is a recent Attorney General's opinion issued to the City of Fort Lauderdale, which asks a question about adopting its own local Code of Conduct, Ethics Code for the City of Fort Lauderdale. The Attorney General's office opined in a fairly lengthy, but very specific opinion that local government can in fact adopt local ordinances that would in fact refine or supplement State Law in the context of Ethical Issues under Chapter 112, but could not be inconsistent with State statute. There may be some ability to be in some respects more stringent perhaps, but not inconsistent with the existing Chapter 112 obligation.

Mr. Benson confirmed that additional requirements could be added as long as the State statutes are not minimized.

Mr. Goren: Correct, you can't diminish the obligations that are set forth currently under Chapter 112. That's a very recent event in the Attorney General's Office. It's of course one Lawyer's opinion but it's a fairly important Lawyer in the State of Florida.

The Chair asked if under Broward County Ethics Commission / County Code of Conduct; it should be changed to *Broward County Code of Conduct Commission*. She advised that she is referencing what already exist in Section (J).

Mr. Goren: Two things, 11.08 does not currently exist in the Charter. It would be an entirely new section referenced as the Broward County Ethics Commission; so that if you look in the Charter you will not see an 11.08 anywhere because it doesn't exist as of today, but in the context of 1.04 it is the spring board to get to a new 11.08 or not; but that's how you get there from here.

Mr. Buckner stated that the subcommittee struggled with a number of issues that had to be considered and ethics was one of them. He advised that some ethics related decisions were brought before the Body that expand upon or strengthen what State Law already provides.

Ms. Norris-Weeks advised that one of the issues discussed by the subcommittee was the issue of influence. She stated that the subcommittee discussed Lobbyist influence and how to deal with these issues. She expressed that two proposals were brought forward that were narrowly defeated. Ms. Norris-Weeks commended the Commission on some of the votes taken today. She stated that she feel they all try to look beyond the people that have appointed them and look at the issues and things that would make Broward County government better. She advised that she urges the Body to support the Resolution and she does not see any down side to it.

Mr. Mena suggested adding the following language to Section 11.08 (A) "*for consideration at the next regularly held General Election.*" He advised that he would then be willing to support the Resolution.

The Chair asked for legal clarification on which Election they should reference.

Mr. Goren: The key words are *the next regularly scheduled General Election*, which is set forth in the State Election Code as being even numbered years. It would not be a Special Election that could be glommed onto; so to speak. It would have to be defined by the State Election Code as a General Election.

The Chair asked if it would change anyone's budget.

Mr. Goren: It's provided now for by State statute.

Mr. Maus asked if that equated to County-wide.

Mr. Goren: Yes.

Mr. Benson asked when it is scheduled to go before the Electives.

The Chair responded that it goes before the Electives in November.

Mr. Mena suggested putting a time certain in the proposal.

Mr. Buckner suggested adding the language to Section 11.08 (A); line 5 ***“If the Broward County Commission fails to adopt a code of ethics proposed by the Broward County Ethics Commission within XXX amount of time after receipt of the proposal, the Code of Ethics shall be presented to the Electives of Broward County.”***

The Chair suggested the language ***“if they don’t have the ballot language prepared prior to the next election cycle.”***

Mr. Trower asked when the next General Election would be if the proposed Code of Ethics must be to the Commission by March of 2010 and due diligence has to be done on it.

Mr. Goren: November 2010 election.

Mr. Trower advised that due to the timeframe, the November 2010 date would probably be missed.

The Chair asked what the deadline for the language is.

Mr. Goren: March 2010 would be the latest date but then the Election for that year would be November 2010.

The Chair advised that it was giving the Ethics Committee until March 2010.

Mr. Trower stated that assuming they take until March 2010 and it goes to the County Commission.

The Chair stated that they have until June 2010 and that she was clarifying it for the ballot language. She asked Legal Counsel’s Opinion.

Mr. Goren: The ballot access for November would be some time in July.

Mr. Trower expressed concern and suggested that the language be specific otherwise the Ethics Commission will need until 2012. He stated also with regard to the Sunset Provision in Section (G) which Sunsets the Commission in July 2010, so any work or negotiations that need to be discussed needs to be provided for.

Mr. Buckner pointed out that the language provides options are either July 2010 or upon adoption of a Code of Ethics.

The Chair advised that if the objective was that they didn't move forward, and the objective of the Resolution is to make action happen three months should be adequate time.

Mr. Benson asked if the Ethics Commission could continue without conclusion with the "or" provision in the language.

Mr. Buckner stated that he believes that was the intent.

Mr. Benson asked if they would miss the November deadline.

Mr. Buckner advised that if the County Commission or the voters do not adopt the Code of Ethics the Ethics Commission is still in existence until a Code of Ethics is actually adopted.

The Chair stated that the verbiage change in Section (A) will be changed to reflect that it would have to be ready for the first election.

Mr. Mena asked if the proposed Resolution passes today would it be on the November 2008 Ballot. He asked what is happening and why 4 years to get to the voters.

Discussion ensued regarding the date the Code of Ethics be sent to the voters. Consensus of the Commission was that the date should be March 2010.

Ms. Eisinger advised that she is concerned that there is so much scrutiny of Public Officials, and it discourages good people from running for public office. She advised that she is not comfortable with, the Ethics Commission proposing something then, and the County Commission vote not to support it. Ms. Eisinger advised that someone mentioned that they weren't lobbied and neither was she and she greatly respects that. She advised that her concern is that the Ethics Commission may propose something not of benefit to the public that could end up being passed.

Mr. Mena stated that Ms. Eisinger's concern made no sense.

Ms. Eisinger stated that it is not a good reflection on the Commission if the County Commission doesn't support it and it goes to the voters and they vote for it.

Ms. Norris-Weeks advised that the voters have already voted for it and never got it which is why it is being discussed.

The Chair opened the floor for public comment.

Public Comments Related to Resolution 2008-010

Commissioner Ken Keechl, Broward County Commissioner

Commissioner Keechl: Hello everyone again, it's a good idea to wait until the end, I like the way you're doing this. The real reason I came down here was to discuss the financial implications and you guys caught it. Right now, we're going through a budget crisis and I'm starting to pay attention to what you guys are doing. I think you're doing a fantastic job by the way. We can watch you on TV in my office. When I saw this one, Mayor Moseley, you're absolutely right; I said wait a minute. I believe after watching what's happened here already, with regard to ethics that there are a couple of issues. I don't have a dog in this fight by the way; whatever you guys do, that's great. I don't have any appointees either because Senator Scott's appointees are on here, unless you're mine; but I'm not Lobbying them either so. Although my campaign... Never mind. (Laughter) Anyway, the bottom lines is I wanted to make sure that you guys move this to the General Election because I talked to the Supervisor of Elections Office today and they said it would be up to \$2.5 million if we have a Special Election.

My other thought while I'm here is, you guys had a number of issues, as Michael said a few minutes ago; that you disagreed on. I'm not going to tell you my personal view. I don't think it's my job to tell you my personal view, but as I remember it, one dealt with County Commissioners Lobbying, and one dealt with County Commissioners soliciting. One of them, I found absolutely inappropriate for a County Commissioner to do. The other one I thought was more questionable. My concern when I read this, and again, as long as you put it for the General Election I think you've resolved the issue; but I think we're kind of dancing around really what the issue here is.

What's going to happen is, I'm going to appoint one person as my representative, and I guess my eight colleagues are going to do the same thing, and the League of Cities is going to appoint a couple. I'm concerned that a lot of unintended consequences are going to occur. Let me give you a scenario. A Code of Conduct is more than one thing right? So you guys have had a very interesting conversation already about whether or not we should be able to Lobby, and you killed it, as I remember. You've had an interesting conversation about soliciting contributions for charities and stuff and you killed it. What happens when you create this, and you have the right intent here; because most of you I think feel that the County Commission has not done what the people asked them to do. These things are all grouped together in a Code. Then it gets presented to me and you're going to have nine County Commissioners; One saying, well I can't live with the Lobbying Prohibition so I'm going to vote no; One saying, well I can't live with the Solicitation Provision so I'm going to vote no, and I'm concerned you're going to by definition almost send it to the Electorate. Hey, if you're not making me pay \$2.5 million dollars of the taxpayers money, that's okay.

I really, would prefer to see, if I had my druthers, ballot questions addressing the issues that an Ethics Commission thinks are important; so we as County Commissioners can go on the record and say yes/no. You know one of the problems is we don't get to go on the record, because it hasn't come to us. Again if you're going to make it a General Election then I guess the voters are going to vote. But if any of you feel strongly that a proposed Ethics Reform should not be adopted by the people; I think it will be; because I think the people are screaming for Ethics Reform. They want their Elected Officials to do the right thing, and they have a right to expect that. So, whenever my colleagues and I don't agree it's going to be put on the ballot and it's going to pass. Again, my big issue was, don't make me spend \$2 million dollars and you guys have taken care of that. Keep up the good work. Thank you

The Chair asked if there was any further public comment.

The Chair suggested trying a motion changing the timeframe to the General Election and adding, "Meeting no less than 8 meetings."

Ms. Good asked if there would be any prohibition from the Ethics Commission making recommendations to the Commission, the Commission discussing it, and sending something

back to the Ethics Commission. Would there be room for exchanges and then eventually bringing something forward?

Mr. Goren: Yes, there's nothing that would preclude it; there's no barrier between those entities. That was not intended by the drafting nor is it the subcommittee's thought. In fact although not encouraged, it certainly would be helpful that it would be something that could occur.

Ms. Good stated that she wanted to make sure there was an exchange between the two.

Mr. Benson asked Mr. Goren if he could add the language to encourage exchanges between the Ethics Commission and the County Commission.

Mr. Goren: I could write that.

Ms. Eisinger asked if they could give some teeth to force the County to adopt the standards.

Mr. Goren: That's what the intent was with this Proposal.

The Chair advised that there was nothing in the language that states that the County has to take everything that the Ethics Commission recommends. She stated that this would do away with the give and take.

Mr. Benson stated that it may be advantageous to have it in the language to encourage the discussion as it evolves. He suggested a modification to the language to reflect give and take.

Ms. Eisinger advised that this is something she is looking for. She stated that she thinks the County should come to a consensus and have the final say on what goes on the ballot.

Mr. Benson agreed with Ms. Eisinger.

The Chair suggested adding, "***If the Broward County Commission, after negotiations or joint meetings with the Ethics Commission, fails to adopt.***"

Mr. Goren: We can certainly add language of collaboration and coordination, which is suggested that might fit well in Section (A), which eliminates the proceed barrier, which was not intended by the subcommittee to exist at all.

Ms. Norris-Weeks advised that it wouldn't require an approval by the County Commission, it's just to encourage.

Ms. Davidson clarified that it would not have to go on the ballot. She advised that she does not mean to cast any aspersions on anyone; she asked if by having the County Commission involved in the final decision that they may end up getting their own way.

The Chair replied no, that they should want to make a compromise.

Ms. Davidson asked the Chair in response to her earlier comment pertaining to the removal of the bi-monthly meeting requirement from the language; if she wished to decrease the number of meetings that the Ethics Commission holds.

The Chair responded that she didn't wish to dictate that the meetings had to be held monthly.

Ms. Davidson clarified that the Ethics Commission would basically have a year to come up with the Code, and if they needed more time they could have more time.

Mr. Buckner advised that he had one concern with the give and take. He stated that he did not have a problem with the interaction of the County Commission. He advised that the reason why it was desired is that the County Commission didn't do it in the first place. Mr. Buckner stated that it is not what the voters wanted. He advised that if there is no trigger, that if the County Commission knows that if they don't approve something, it goes to the people; it's going to light a fire for everybody.

Mr. Ketcham agreed with Mr. Buckner. He stated that politically all of the Commissioners are going to vote for it but they're going to negotiate, but if they don't it goes on the ballot. He stated that he heard somebody say that they were taking the language that it would go to the ballot out.

Multiple Commission members responded **no**.

Mr. Buckner stated that he thought the same thing.

The Chair clarified that the “no” was if they don’t come up with something.

Consensus is that it must go to the ballot.

Mr. Trower asked if there should be a change in the language, Referencing 11.08 (G) Sunset. He suggested revising the language to reflect “***a vote of the Electors of Broward County,***” instead of adoption by the Electors.

Ms. Good asked for an overview of the amendments.

Mr. Goren: I can try.

- Paragraph of 11:08 E; delete the language which basically means that they will meet not less than eight times per year. The language will be deleted that talks about monthly and changed to *shall hold no less than eight meetings per year.*
- The second issue is that in reference to Subsection (A) of 11.08, that the Election that’s being referred to, is a Special Election would not be in there but it will be *the next General Election as defined by the State Election Code* so there would not be a cost involved.

The Chair suggested adding *November 2010.*

- The third item is to modify (A), which I’ll work on, which will essentially provide; it will eliminate the barrier. It will encourage interchange between the County Commission and the Ethics Commission in connection with the final product, so that there will be some positive nature to the anticipated exchange.
- Lastly the item would be in Subsection (G) at 11.08 which is what Mr. Trower recommended; regarding the vote of the Electors having some say so that the organization is not continuing forever.

Mr. Mena MOTIONED to approve the Ethics Commission Resolution 2008-010 as amended, SECONDED by Ms. Tanner.

Ms. Eisinger asked if the Committee would be able to vote upon this again once the revised language is added.

Mr. Goren: Yes, it would have to come back at the next meeting just for the revised language.

Ms. Kaletta asked if ballot language would be prepared by July so that if it doesn't pass it would be ready to go.

Mr. Goren: Ballot language prepared by the Ethics Commission.

The Chair explained that the verbiage, "July ballot language," could be added.

Ms. Kaletta stated that she feels it should be there as another indicator to the Commissioner's that if they don't make a decision then the ballot language is ready to go on the ballot.

Dr. Lieberman asked if there is a deadline date for the Ethics Committee to have the recommendation prepared to go to the County Commission.

Mr. Goren: March 2010, First paragraph 11.08 (A).

The Chair suggested adding language related to the ballot language.

Mr. Goren: There may not be ballot language if the product of the Ethics Commission is satisfactory and accepted by the Commission.

Ms. Kaletta asked what happens if the County Commission does not approve it and they delay it past the point of having time to put it together for the July deadline.

The Chair suggested adding "***Have to have ballot language ready for the November 2010 General Election.***" She asked Mr. Mena if the suggestion was good for his MOTION.

Mr. Mena responded yes.

Mr. Mena MOTIONED to approve the Ethics Commission Resolution 2008-010 as amended, SECONDED by Ms. Tanner.

The Chair called for a roll call vote at 2:32 p.m.

Commissioner Hayward Benson	Yes	Commissioner Ted Mena	Yes
Michael Buckner, Esq.	Yes	Mayor Lori Moseley, Chair	Yes
Ms. Maggie Davidson	Yes	Burnadette Norris-Weeks, Esq.	Yes
Mayor Debby Eisinger	Yes	Commissioner Hazelle Rogers	Yes
Mr. David Esack	Yes	Bruce Rogow, Esq.	Absent
Ms. Patricia Good	Yes	Dr. Irv Rosenbaum	Yes
Ms. H.K. "Petey" Kaletta	Yes	Ms. Jodi Jeffreys-Tanner	Yes
Mr. Mark Ketcham	Yes	Mr. Wil Trower	Yes
Dr. Mark Lieberman	Yes	Richard Weiss, Esq.	Absent
Joseph Maus, Esq.	Yes		

Motion PASSED UNANIMOUSLY on a roll call vote of 17 YES to 0 No.

The Chair moved on to Item VII – B.

B. MESC/CRC Timetable Resolution 2008-011

Dr. Rosenbaum provided an overview of the proposed Resolution 2008-011, MESC/CRC Timetable. He explained that the goal, when passing the Management Efficiency Study Committee in earlier Charter Review; was to provide a thorough examination of the County government. He advised that the issue is that the calendar creates a rush situation.

The Chair asked if the proposal states what the timeframe was before.

Mr. Goren: Yes, every six years; every 10 years; at alternating 5 year increments. It flips back and forth, so you don't have overlap or duplication, in theory.

Ms. Kaletta asked what the reason is behind the change.

Dr. Rosenbaum stated it is to give them reasonable time to work through all the problems.

Ms. Eisinger agreed that it gives more time to implement some of the proposals. She explained that the CRC and MESC are probably the two most costly Advisory Boards to the County, and she highly supports this Resolution.

Ms. Norris-Weeks asked if it is a 5 year term; as she is not supportive of the proposal.

Ms. Eisinger advised that it is a 2 year term.

Dr. Rosenbaum advised that the AGSC voted it down.

Ms. Norris-Weeks advised that she thinks that the ideas are still fresh in mind. She stated that she is interested in hearing what people from the MESC have to say. She advised that she does not know, and she thinks things that happen are not going to change whether you make it 5 years or what have you. She advised that the issue is what things are picked up in Charter Review come out of the MESC. She stated that she does not think anything changes and she really doesn't understand.

Mr. Buckner stated that he envisioned the MESC having greater teeth by having three options.

- Recommendations of changes go to County Commission for consideration by a yes or no vote. It has to have some action taken on it.
- Items sent to the Charter Review would have to be considered by a yes or no vote.
- General recommendations the MESC would like to see changed.

He explained that the work done by the MESC over the two-year period is not going to be carried through. Mr. Buckner advised that the Charter Review Commission has an opportunity by their work product; to provide action.

Ms. Kaletta agreed with Mr. Buckner. She advised that her MESC subcommittee recommended that the Sterling Process be implemented and they haven't had time. She explained that within a 5 year term we would know.

Mr. Mena suggested considering the Malcolm Baldrige National Quality Award. He advised that a part of the City Manager's job was to go and promote the Malcolm Baldrige National Quality

Award. He stated that they would be happy to assist the County with some of the meeting dates.

Ms. Kaletta stated that the MESC had a lot of interactions with Coral Springs.

Dr. Rosenbaum stated that he thinks the solution is getting an answer back on the County's progress. He suggested adding progress report requirement language in the Resolution in order to know where everyone stands on the issues.

Ms. Good stated that she likes a little of what both Mr. Buckner and Dr. Rosenbaum have said. She referred to Section 10.01 (C). She requested to amend the language to add something along the lines of "*for consideration and action.*" She stated that she also liked that the MESC recommendations will be brought forth to the Commission and they would have an opportunity to discuss it whether it's accepted or not. She advised that she think it leaves an open forum for public input and would allow for further debate on the recommendations. That anywhere they can have further debate, especially public input; she supports.

Ms. Davidson asked when the MESC last met.

Several members responded: 2006.

Ms. Davidson advised that the CRC schedule would be every 10 years and then the MESC schedule would be every 10 years on a 5th year in between.

Mr. Trower advised that his preference would be to leave it as it is. He stated that it seems to be two different functions performed by two different groups. He stated that it is a 6 year cycle, and he agrees with the comments about strengthening it, but creating a longer stretch of time might not be helpful.

The Chair asked when the Charter Review Commission began.

Several members responded June.

The Chair asked when the Management Efficiency Study Committee ended.

Several members responded June.

The Chair advised that there is not a lot of time to enact anything. She explained that as opposed to the Charter people dealing with Charter items and Management and Efficiency dealing with efficiency of government; spreading them apart would allow that activity to take place and give the proper respect to the Management and Efficiency's very different role from the Charter Commission.

Ms. Kaletta advised Ms. Good that a Status Report is provided to the County Commission after 1 year.

Ms. Good agreed with Ms. Kaletta and explained that what she is asking is for more teeth to be added to the language so that when the report is provided to the County Commission some action will take place.

Ms. Kaletta advised that she agrees 100% and she likes the spread of the 5 years. She stated that to be able to give something where the Commissioners have to react to it one way or the other would be a positive thing; or if nothing else tells us, what they are going to do with it.

Ms. Rogers stated that she agrees and supports adding language that speaks to the County Commission acting on the recommendation. She explained that the County Commission wouldn't necessarily have to agree to it but at least the Full Commission reviewing and deciding what to do with the recommendations coming from the Management Efficiency Study Commission would be good.

The Chair asked if there could be language added to the last line of page 3, within that 5 year period the County Commission needs to present a report; how would you do it.

Mr. Goren: You can't do it.

The Chair asked if it could be added somewhere else.

Mr. Goren: You can do it separately. You would need to change it to two separate sections actually.

Mr. Maus advised that he has no problem with either of the issues. He stated that he looks at it as two separate issues, whether the Timeline should be changed and whether there should be

more teeth to the Management Efficiency Study Committee. He asked if they could move forward and if the CRC, as a whole, wants to ask the subcommittee to address the issue of can there be more teeth in the Charter as to how the County Commission considers the Management Efficiency Study Report, and then we can consider that later.

The Chair suggested that the full Charter Review Commission directs Legal Counsel to bring back a Resolution at the next meeting.

Mr. Trower advised that what is currently in the Charter is that the Management Efficiency Study Committee was, by Charter, started 2004-2006 immediately following the Charter Review. He suggested spreading the two apart by 2 years. He explained that the Management Efficiency Study Committee could operate from 2008-2010, have a 2 year hiatus, and then convene the Charter Review Commission which would give the Management Efficiency Study Committee 2 years to be analyzed and you're still within the 6 year period to have the two Commissions meet.

Ms. Norris-Weeks advised that she thinks the way the terms are now is good. She explained that if there is a 2 year span of time, nothing might be done.

Ms. Gross advised that right after the Management Efficiency Study Committee ended, MESC staff began receiving Status Reports from County Administration with regard to what they are implementing and putting into action.

Ms. Davidson asked what the relationships are between the Management Efficiency Study Committee and the Charter Review Commission. She asked why the Charter Review Commission is considering their term of convening.

The Chair responded that they were respectful for some of the work done by the Management Efficiency Study Committee, but some of the work would not be relevant to the Charter. She advised that some was relevant, but they couldn't do Charter proposals, so the Charter Review Commission looked at their work that was relevant and might require, if so desired, a Charter change.

Ms. Rogers stated that as a member of the Management Efficiency Study Committee; what was done was so in-depth. She advised that the Charter Review Commission looked at

Transportation differently and the Management Efficiency Study Committee was able to look at the County's Organizational Structure and make some recommendations.

Ms. Kaletta stated that there is a really good example of the tread that goes through. She advised that on the Management and Efficiency Study Committee, she was so passionate about Minimum Standards because of all of the input received. That the Management Efficiency Study Committee went far more in-depth in finding out the reasons why, and she apologize that her memory was not detailed enough. Ms. Kaletta asked if it could be possible to have the Management Efficiency Study Committee come back a year later to get a report from the Commissioners or from the County as to what has been accomplished.

Ms. Norris-Weeks replied that this is the issue.

Mr. Benson asked if the MESC declare the items that must be, shall be, or should be attended to by the CRC, for the CRC to review and comment on.

Ms. Rogers advised that the Management and Efficiency Study Committee is only advisory.

Mr. Benson explained that his question was did they do that, and if so were those things articulated to the CRC for review and comment.

Several members responded that they were.

Mr. Buckner stated that he is favoring having a 2 year term between the two Bodies. He advised that the Management Efficiency Study Committee performs like a subcommittee or for a first look at certain things. He believes that if you give a longer timeframe between the Committee and the Charter Review Commission that it would give the County Commission and the Administrator more time to implement recommendations and deal with Charter issues. Mr. Buckner commended the Management Efficiency Study Committee for work they have done.

Ms. Norris-Weeks explained that to answer Mr. Benson's questions; there were certain issues that the MESC wanted referred to the Charter Review Commission for consideration. She stated that there weren't many. There were other issues that were not Charter but Administrative issues that were referred to the County Commission for consideration. Some of

them were considered and some weren't. She advised that she does not think the issue is length of time, but procedure.

Mr. Esack stated that he finds it interesting that 25% of the CRC served on the Management Efficiency Study Commission. He asked if the Commission should vote and see if the Resolution passes before having Legal Counsel draft language.

Ms. Eisinger MOTIONED to Approve Resolution 2008-011 MESC/CRC Timetable, Dr. Rosenbaum SECONDED.

The Chair opened the floor for public comment.

Public Comments Related to Resolution 2008-011

Dan Glickman: I will try and be as brief as possible, but as some of you know I have sat through 2 years of Management and Efficiency Study Committee meetings, and watched 2 years of full Charter Review Commission, not maybe all the meetings of course. I have my own viewpoint of what goes on and I am strongly against this Resolution. I'm going to ask a couple of provocative questions, yes they may be tongue in cheek. It's not meant to disrespect anybody. The first question I'm going to ask in view of this Resolution to extend the cycle; Is the problem that government acts too quickly, and you want to slow it down? That's what this Resolution involves. Let me make clear from the beginning that even though there's a cycle involved, and it's all well and good to think of the cycle. The fact is that the Management Efficiency Study Committee meets every six years. Later on in the cycle, the CRC meets every 6 years. From the end of the last MESC to the beginning of the next MESC, will be 4 years. It's not as though a year and a half goes by from the end of the MESC to the beginning of the next one; four years will go by. That is the same thing that will happen to the CRC, four years will go by. Somebody discussed earlier, and I don't mean to be too redundant, but I have these things and I'm trying to be somewhat coherent. The CRC first went to the draft proposals of the MESC and said what if any of those proposals rise to the level of Charter Review to address. So, one of the first things that the CRC did was look at the MESC and went through the list, I guess to other members who had computations to go over, and they actually combed out that which was appropriate to the CRC. That's wonderful, that's the way it should be done. The answer, if you want to, is to streamline the MESC process and streamline the CRC process; if you wish. I'm

about ready to end with this one last comment, which is pertinent and self-serving. Do you really want me to wait until the year 2016 to propose, and via the internet? If you do want me to wait until the year 2016 to propose that, believe me, we'd be so far behind the curve; that what's the point of having the CRC at all. I'm looking forward to the year 2010. Do not change the cycle from 6 years to 10. Thank you.

Motion re-statement

Ms. Eisinger MOTIONED to Approve Resolution 2008-011 MESC/CRC Timetable, Dr. Rosenbaum SECONDED.

The Chair called for a roll call vote at 3:10 p.m.

Commissioner Hayward Benson	No	Commissioner Ted Mena	No
Michael Buckner, Esq.	No	Mayor Lori Moseley, Chair	Yes
Ms. Maggie Davidson	No	Burnadette Norris-Weeks, Esq.	No
Mayor Debby Eisinger	Yes	Commissioner Hazelle Rogers	No
Mr. David Esack	No	Bruce Rogow, Esq.	Absent
Ms. Patricia Good	No	Dr. Irv Rosenbaum	Yes
Ms. H.K. "Petey" Kaletta	No	Ms. Jodi Jeffreys-Tanner	Yes
Mr. Mark Ketcham	No	Mr. Wil Trower	No
Dr. Mark Lieberman	No	Richard Weiss, Esq.	Absent
Joseph Maus, Esq.	No		

Motion FAILED on a roll call vote of 4 YES to 13 No.

The Chair stated that she would entertain a motion on the floor that the County commission would be required to give a follow-up report of the MESC.

Ms. Kaletta suggested receiving a response from the Commissioners, yes or no, to each proposal made by MESC and the possibility of making a year gap between MESC finishing and Charter Review.

The Chair advised that this was two different motions.

Ms. Kaletta MOTIONED to direct Legal Counsel to draft language requiring the County Commission to respond to the report filed by the MESC, and bring back to the next full CRC meeting for consideration, Mr. Trower SECONDED.

Mr. Goren: Explanation of Motion

The MOTION essentially is to require the County Commission to in fact, respond to the report filed by the MESC, in general terms. It's the Commission not the Commissioners; they may not want to individually respond but the County Commission as a whole would have to respond back with their recommendation.

Ms. Rogers asked when the MESC sunset and how does it work. She stated that we just want them to consider the recommendations, and that's a public process; and issue a public document.

Ms. Kaletta asked if the MESC could have a requirement to meet again in order to get the report.

Mr. Goren: That was the second item. It's not on the table right now but I can answer that question. You had two proposals.

Ms. Kaletta stated that her second proposal was referring to meetings a year apart. She asked if the MESC could meet a year post completion of work.

Mr. Goren: Essentially, what you would do is revive the MESC after it's passed on, so to speak. Which is okay, I mean you can revive it to the point that you would choose to, but typically when entities go out of business they sunset. They're basically out of business; the membership ends.

Mr. Ketcham stated that procedurally the Charter Review Commission is asking Counsel to write this up, decide what happens to the County Commission if they don't take any action on the MESC, and please write up something that lets the MESC come forward and meet after they have sunset; that's the CRC's job. He advised that one of these days the CRC is going to have

to stop adding items. He explained that he doesn't feel its right to direct Counsel to do all these things. He asked what would happen if the Management Efficiency Study Committees report was submitted to the County and they never do anything. Mr. Ketcham also asked when the CRC is going to stop throwing stuff into the Charter.

Mr. Maus asked Ms. Gross to repeat the information regarding the County Administrator's office issuing a report about the MESC recommendations.

Ms. Gross explained that when the CRC started there was a status report from the County Administrator explaining, in detail the items they addressed from the MESC.

The Chair asked who receives the report from the County Administrator office.

Ms. Gross explained that they provide it to the MESC members and it goes around to different departments.

Mr. Maus stated that the report for the most part has been done and he thinks there should be a response to the MESC, but he does not believe a Charter Ballot question is needed for this issue. He advised that he would not support doing ballot language on this issue.

Ms. Gross stated that she thinks the process of the CRC should be that they review what was recommended by the MESC and consider seeing if things have evolved since then.

The Chair stated that there must be 10 votes to continue the current dialogue.

Dr. Rosenbaum MOTIONED to continue discussion of the Management and Efficiency Study Committee's activities, Ms. Good SECONDED.

The Chair called for a roll call vote at 3:19 p.m.

Commissioner Hayward Benson	Yes	Mr. David Esack	No
Michael Buckner, Esq.	Yes	Ms. Patricia Good	Yes
Ms. Maggie Davidson	No	Ms. H.K. "Petey" Kaletta	Yes
Mayor Debby Eisinger	No	Mr. Mark Ketcham	No

Dr. Mark Lieberman	Yes	Bruce Rogow, Esq.	Absent
Joseph Maus, Esq.	No	Dr. Irv Rosenbaum	Yes
Commissioner Ted Mena	No	Ms. Jodi Jeffreys-Tanner	No
Mayor Lori Moseley, Chair	Yes	Mr. Wil Trower	Yes
Burnadette Norris-Weeks, Esq.	Yes	Richard Weiss, Esq.	Absent
Commissioner Hazelle Rogers	Yes		

Motion PASSED on a roll call vote of 10 YES to 7 NO.

Dr. Rosenbaum MOTIONED to direct Legal Counsel to draft language that would request the County Commission to provide a report in response to the recommendations of the MESC, Ms. Good SECONDED.

The Chair restated the motion and explained that the MESC does not get the report currently.

Dr. Rosenbaum stated that the County Commission should deal with the issue.

Mr. Buckner stated that the issue is not that there aren't reports, but that the General Public does not know because they are not published. He advised that he believes that the County Commission needs to be more in the Sunshine.

Ms. Good agreed with Mr. Buckner and stated that she was looking for something along the lines of them, "considering or acting upon the issues and provide a report within the one year timeframe." She advised that it is not that they have to complete it within the one year but should at least consider and discuss the issues so that they can provide some information to the MESC.

Mr. Trower asked for clarification of what they are voting on.

The Chair advised that they are trying to see if they could give direction to Legal Counsel.

Mr. Trower explained that he feel the issue is the timeframe.

The Chair advised that the timeframe issue would be voted on separately.

Ms. Norris-Weeks stated that she thought they were voting to “discuss” at the next meeting.

The Chair responded that the discussion was removed from the motion.

Ms. Norris-Weeks suggested the possibility of making a recommendation to the County Commission. She advised that if the issue is responding, and not the issue of having a certain way that they have to consider the issues; she doesn't think it belongs in the Charter.

Ms. Tanner agreed with Ms. Norris-Weeks.

Mr. Maus stated that putting this on the ballot is micro-management. He advised that he doesn't believe that Charter language is needed to get them to respond to the report.

The Chair asked if they wanted to vote on whether to take action on the issue since they have discussed it.

Dr. Rosenbaum MOTIONED to direct Legal Counsel to draft language that would request the County Commission to provide a report in response to the recommendations of the MESAC, Ms. Good SECONDED.

Dr. Lieberman asked if it would be an amendment or as a recommendation.

The Chair advised that the 10 votes were to discuss and now they are deciding if Counsel should draft language as a recommendation to the County Commission.

Ms. Good asked if a timetable is included with the recommendation.

Ms. Eisinger asked if this was a Charter proposal.

The Chair stated that it is to do a recommendation to the County Commission.

Re-statement of Motion

Dr. Rosenbaum MOTIONED to direct Legal Counsel to draft language that would request the County Commission to provide a report in response to the recommendations of the MESC, Ms. Good SECONDED.

The Chair called for a roll call vote at 3:28 p.m.

Commissioner Hayward Benson	Yes	Commissioner Ted Mena	Yes
Michael Buckner, Esq.	Yes	Mayor Lori Moseley, Chair	Yes
Ms. Maggie Davidson	Yes	Burnadette Norris-Weeks, Esq.	Yes
Mayor Debby Eisinger	Yes	Commissioner Hazelle Rogers	Yes
Mr. David Esack	Yes	Bruce Rogow, Esq.	Absent
Ms. Patricia Good	Yes	Dr. Irv Rosenbaum	Yes
Ms. H.K. "Petey" Kaletta	Yes	Ms. Jodi Jeffreys-Tanner	Yes
Mr. Mark Ketcham	Yes	Mr. Wil Trower	Yes
Dr. Mark Lieberman	Yes	Richard Weiss, Esq.	Absent
Joseph Maus, Esq.	Yes		

Motion PASSED UNANIMOUSLY on a roll call vote of 17 YES to 0 No.

Ms. Kaletta MOTIONED to provide 1 year.

Ms. Eisinger stated that she is saying every 8 years.

The Chair stated that it would be every 6 years, but instead of June 2008 MESC stops, and in June 2008 CRC starts, she wants the other start to happen in June 2009; a year later.

Mr. Trower referred to Article 10, Section 10.01 (B) of the Charter and stated that he would **SECOND** the recommendation as follows; "To create a 1 year hiatus between the Charter Review Commission and the Management Efficiency Study Committee."

Mr. Ketcham advised that if the CRC started a year later, it wouldn't be done until 2 years later.

Dr. Lieberman explained that the CRC is not changing; the MESC would be a year earlier.

Ms. Eisinger asked if they were going to overlap.

Consensus stated no.

The Chair asked why it wouldn't change.

Mr. Ketcham stated that if there is a 1-year hiatus something would have to change.

Mr. Trower explained that there is a 6-year period and two Committees operating per 2-year terms; so when CRC sunsets there will be a 2-year period before the next MESC would start up again, and subsequent to that, the next CRC would start up again because we're dealing with a 6-year window.

Ms. Davidson asked if the 1-year hiatus could coincide with the CRC's first year.

Dr. Lieberman advised that the CRC schedule is not changing. He stated that the meetings abut each other and then there are two years that nothing gets done. He explained that the suggestion is to separate the meetings by 1 year, which means the language should be that the MESC will meet in 2009.

Dr. Rosenbaum MOTIONED to direct Legal Counsel to draft language for the Management Efficiency Study Committee to start their next term in 2009, Mr. Buckner SECONDED.

The Chair called for a roll call vote at 3:34 p.m.

Commissioner Hayward Benson	Yes	Mr. David Esack	Yes
Michael Buckner, Esq.	Yes	Ms. Patricia Good	Yes
Ms. Maggie Davidson	No	Ms. H.K. "Petey" Kaletta	Yes
Mayor Debby Eisinger	Yes	Mr. Mark Ketcham	Yes

Dr. Mark Lieberman	Yes	Bruce Rogow, Esq.	Absent
Joseph Maus, Esq.	Yes	Dr. Irv Rosenbaum	Yes
Commissioner Ted Mena	Yes	Ms. Jodi Jeffreys-Tanner	Yes
Mayor Lori Moseley, Chair	Yes	Mr. Wil Trower	Yes
Burnadette Norris-Weeks, Esq.	Yes	Richard Weiss, Esq.	Absent
Commissioner Hazelle Rogers	Yes		

Motion PASSED on a roll call vote of 16 YES to 1 No.

Dr. Rosenbaum MOTIONED to RECONSIDER proposed Resolution 2008-015, Composition of the County Commission and to add same to the next full CRC Agenda for Discussion, Dr. Lieberman SECONDED.

Mr. Goren: If you're asking for a motion for reconsideration, which would allow it to be placed on the next agenda, you can't consider it today because it's not on today's agenda. So under your own rules; under Robert's rules, it's not an issue of 10 or an issue of 13; it's an issue of the majority of this group today to move it to the next meeting to be discussed. Then you're going to need votes to actually have the exchange.

Mr. Ketcham asked if at that time, they would need to have 10 votes to discuss.

Mr. Goren: Yes

Mr. Ketcham asked if they could vote today.

Mr. Goren: It's not on the agenda so the item doesn't exist anymore. Although, it really does, it doesn't exist today on the table.

Mr. Ketcham stated that it seems that some of the discussion today didn't exist.

Mr. Goren: Everything that was discussed grew from the agenda today.

The Chair advised that Mr. Ketcham was referring to the MESC discussion.

Mr. Goren: It was actually from an Agenda Item.

The Chair stated that she was just clarifying for Mr. Ketcham.

Mr. Goren: We're kind of dancing together as it were because my recollection of the last meeting was that there were eight votes to support that Item and that wasn't enough to proceed, it died legally. Other items here seem to have a tangent to matters that came before the Full Board, so one could argue that they're all connected. That's not connected to anything on this Agenda, even on a good day.

The Chair advised that the motion is to bring it back to the next meeting.

Re-statement of Motion

Dr. Rosenbaum MOTIONED to RECONSIDER proposed Resolution 2008-015, Composition of the County Commission and to add same to the next full CRC Agenda for Discussion, Dr. Lieberman SECONDED.

The Chair called for a roll call vote at 3:39 p.m.

Commissioner Hayward Benson	No	Commissioner Ted Mena	Yes
Michael Buckner, Esq.	Yes	Mayor Lori Moseley, Chair	Yes
Ms. Maggie Davidson	No	Burnadette Norris-Weeks, Esq.	No
Mayor Debby Eisinger	Yes	Commissioner Hazelle Rogers	Yes
Mr. David Esack	Yes	Bruce Rogow, Esq.	Absent
Ms. Patricia Good	Yes	Dr. Irv Rosenbaum	Yes
Ms. H.K. "Petey" Kaletta	Yes	Ms. Jodi Jeffreys-Tanner	No
Mr. Mark Ketcham	No	Mr. Wil Trower	Yes
Dr. Mark Lieberman	Yes	Richard Weiss, Esq.	Absent
Joseph Maus, Esq.	Yes		

Motion PASSED on a roll call vote of 12 YES to 5 NO.

VIII. Health/Social Services, Chair, Wil Trower (Possible Resolution Approval)

A. Housing Council Resolution 2008-005

Mr. Trower provided an overview of proposed Resolution 2008-005.

He explained that in order to facilitate clarity of understanding of what has been done by the HSSC in its meeting on February 11th, items in green highlights are the changes that have been included as revisions requested by the full CRC during the January 9th meeting. He explained that items in red were revisions that the HSSC made during the Subcommittee meeting. He advised that there were key areas in the SOD from the full CRC which were discussed; areas of interest were as follows:

- *Greater clarity as to the role of the Housing Council*
- *Strengthen the role of the Housing Council*
- *Create a County-wide Housing Czar*
- *Creating an Advisory Council in the Charter vs. letting the current administrative process run the process*
- *Cost of creating an Advisory Council*

Mr. Trower advised that the HSSC discussed and debated these particular issues; and the feeling of the subcommittee members was that by going through and making changes in the revision that came from the January 9th meeting the HSSC would be able to bring back a resolution that would be more agreeable to Commission as a whole. He provided a brief overview of those items changed including the following:

- *Exhibit (A) page 3, The Council will not be another taxing Authority or not have the ability to generate taxes to cover its expenses.*
- *Exhibit (A) page 1 item 5, 6, and 8 advising that those members will be appointed by the Broward County Commission; which was a recommendation that came from the CRC.*
- *Item 15 on page 2 advising that member will be appointed by the Broward County Housing Authority*
- *Item 16 was a new member appointed by the Florida Association of Mortgage Brokers.*
- *Renumber item 16 to item 17*

- *Limitations of no more than 19 members was added to item (C)*
- *Added a new item (D) strengthen the role of the Housing Council.*

Ms. Tanner advised that the HSSC took everything under consideration and she is pleased with the revised resolution.

Ms. Norris-Weeks advised that the HSSC took quite a bit of time and took into consideration the comments that were made. She advised that it was not anticipated that there would be an issue at the last meeting. However, there is a need for coordination for Affordable Housing; because there is no real coordination and this resolution certainly offers that.

Mr. Buckner asked the HSSC if they are aware that Mayor Wexler established a Blue Ribbon Committee to provide recommendation dealing with the foreclosure crisis; and if the Housing Council had been created prior would it have dealt with the issue of foreclosures.

Ms. Norris-Weeks responded that she absolutely believes the Council would have.

Mr. Buckner asked if the Council had been created would Mayor Wexler have to ask the County Commission to create such a task force.

Ms. Norris-Weeks responded no.

Ms. Kaletta commended the HSSC on their work; she referred to the language "Explore Housing models elsewhere in the *County*," and asked if the word should be Country.

Mr. Trower responded that it should have been Country.

Mr. Goren: Change will be made for the record.

Mr. Benson suggested including a restriction that appointed members for the Council live in Broward County.

Mr. Ketcham advised that in order to be appointed to a County Board you **must** be a County resident.

Mr. Benson advised that in his city there are exceptions. He suggested that Section (B) *Membership*, Items 5 and 6 be clarified.

Mr. Trower asked Mr. Benson if he wanted Items 5 and 6 to reflect the change or make it applicable to all 9.

Mr. Benson replied the he would like for it to be applicable to all 9.

Ms. Norris-Weeks agreed with Mr. Benson.

Ms. Kaletta questioned what would be the harm if the appointee was someone who is knowledgeable and would bring some valuable input if they were not in Broward County.

Mr. Benson advised that in his opinion there would be no harm; he advised that if the HSSC was restricting membership to Broward County then it should be written; if not then it should be left generic.

Public Comments Related to Resolution 2008-005

Bernie Schultz, First Vice-President, Broward Teacher's Union

Ms. Schultz: I have a concern why the Broward Teachers Union was taken off of this Committee when there's such a housing shortage for teachers and we're so involved in that. Number (15) "Delete member of Broward Teachers Union," and I am just curious why we were taken off of this really important Committee that we should be partnering with.

The Chair advised that the rational at the time was that there are so many relevant groups and the CRC didn't want to single out just one group.

Ms. Schultz: Broward County Schools is the largest employer in the County; and with 17,000 Teachers plus over 30,000 people employed by Broward County Schools. I personally think it would be very important to have a representative of the union on the Council.

Suzanne Weiss, Neighborhood Housing Services

Ms. Weiss: I'm with Neighborhood Housing Services; we're a non-profit housing provider. Also, I'm the President of BAND; the Broward Alliance for Neighborhood Development; a group of 25 of the Broward County Non-profit Housing Agencies. I thank you very much Commission for bringing this forward, because I think it's very important. On behalf of BAND and our organization, we very strongly support this. Perhaps we can say we've never seen a Committee that we didn't like, but this is certainly a Committee that is necessary.

You have, we heard earlier about the Fire Rescue and the Police; they have an Emergency Coordinating Council. We don't have any such agency here in Broward County we do have a wonderful new Housing Director Ralph Stone, but we don't have a Housing Czar, and we all participated in the Management and Efficiency Study Committee; we recommended that there be a Housing Czar and it got downgraded because of something. We have 32 Municipalities, 17 entitlement cities, we have State dollars, we have CDBG dollars, we have home dollars, and we have all kinds of money. As a housing agency it is absolutely complex. There's no calendar for funding out there, there's no one spot anybody can go to. We can go to Ralph Stone and his staff. We can go to the individual cities. There are wonderfully talented people out there; but there's no one place you can go and say, "As a member of the public I want to buy a house on N.W. 27th Avenue where do I go for help?" There's no spot; if you're on one side of 27th you might go to the City of Fort Lauderdale if you are on the other side of 27th you go to the County and then you have different funding cycles, and different people, and different appropriation. It's quite confusing and if there's anything this can do to coordinate, I think that's what we need to drive and look for.

May I recommend just a little bit language too as we thought about somebody. Are these going to be Broward organizations or Broward representatives? Perhaps there would be a national organization like a Salvation Army that would be logical to be appointed to this Council. Perhaps you could say that organization or that entity is actively doing business in Broward County. That might be some language to look for. So on behalf of BAND and our organization we strongly support this.

Ira Cor, Director, Gold Coast School of Real Estate

Mr. Cor: Point of information, your item (7) talks about having membership of one (1) licensed Realtor. Having been the former Owner, Director, and Instructor at Gold Coast School of Real Estate the largest Real Estate School in Florida, I'd like to correct one thing. All Brokers and Sales People have licenses, but not all of them are members of a private organization known as the Board of Realtors. So, I would respectfully request that you include the word "Licensed" Real Estate Broker/Salesman or Real Estate Professional. As long as you have the word "*licensed*" in there you are covered. If they happen to be a member of the Board of Realtors that's one thing; but not all good Real Estate Brokers are.

I just wanted to add that as a point of information. In terms of your outside Associations I know that the *Terwilliger Group* is a non-profit entity that is becoming active. Mr. Terwilliger was the head of Trammell Crow Real Estate. He has handed out a \$5 million grant to a number of different locations. Broward County is one of them. I have been asked to serve as the Broward County Broker for them, trying to identify different things that we can promote such as Affordable Housing. So you might have other non-profits that may be out of the area, but can make a positive contribution to the benefit of this overall problem.

[End of Public Comment]

Mr. Ketcham suggested the Resolution be left the way it is to allow it to be more flexible.

Ms. Eisinger asked if there is a specific requirement in the Charter stating that you must be a Broward County resident or an Employee of Broward County in order to sit on an Advisory Board in Broward County.

Mr. Goren: Not in the Charter. But it could be Code driven based on the County Code.

The Chair advised that it makes sense to have the Salvation Army have a presence on the Council.

Ms. Eisinger agreed that the Affordable Housing Council is a greatly needed, and should meet bi-monthly. She stated the voters voted for Property Tax reform, the County is looking at

discontinuing the shuttle service. She asked if there is a price tag for adding a Housing Council at the same time of possibly cutting other services.

Mr. Trower advised that the impact would be minimal as it could be handled by Mr. Stone's office, and the members would be volunteers

Mr. Buckner advised that the CRC's purpose is to look at the issues dealing with the Charter, and members feel that the Charter needs to change; it is the Commission's duty to send it to the voters.

The Chair suggested not placing a specific bi-monthly meeting mandate in the Charter.

Ms. Norris-Weeks MOTIONED to approve Resolution 2008-005 Broward County Housing Council as amended, Mr. Esack SECONDED.

- Remove bi-monthly meetings requirement
- Change County to *Country*
- Change Realtor to *Licensed Real Estate Professional*

Ms. Eisinger inquired as to why the Teachers Union was removed from the Resolution.

Mr. Ketcham replied that there are all kinds of unions in the County and all kinds of employees at the School Board; it doesn't necessarily have to be the Broward Teacher's Union. He advised that the Subcommittee envisioned that the Council's meetings will not be closed and the Council will function like a coalition where people will come together and share information. He advised that in order to not get everyone mad by putting one union on the Council everyone is welcome attend the meetings.

Re-statement of Motion

Ms. Norris-Weeks MOTIONED to approve Resolution 2008-005 Broward County Housing Council as amended, Mr. Esack SECONDED.

The Chair called for a roll call vote at 11:45 a.m.

Commissioner Hayward Benson

Yes

Michael Buckner, Esq.

Yes

Ms. Maggie Davidson	Yes	Mayor Lori Moseley, Chair	Yes
Mayor Debby Eisinger	Yes	Burnadette Norris-Weeks, Esq.	Yes
Mr. David Esack	Yes	Commissioner Hazelle Rogers	Absent
Ms. Patricia Good	Yes	Bruce Rogow, Esq.	Absent
Ms. H.K. "Petey" Kaletta	Yes	Dr. Irv Rosenbaum	Absent
Mr. Mark Ketcham	Yes	Ms. Jodi Jeffreys-Tanner	Yes
Dr. Mark Lieberman	Yes	Mr. Wil Trower	Yes
Joseph Maus, Esq.	Yes	Richard Weiss, Esq.	Absent
Commissioner Ted Mena	Yes		

Motion PASSED UNANIMOUSLY on a roll call vote of 15 YES to 0 NO.

X. Land Use, Chair, Richard Jay Weiss, Esq.

Subcommittee Reports – Summary

Mr. Benson provided an update on the status of the Land Use issues, and informed that there was currently nothing in the reports that would generate a presentation to the full CRC.

A. Park Preservation Resolution 2008-007

Mr. Benson advised that the LUSC has had extensive discussions regarding Resolution 2008-007 and feel it is an item that should be presented to the full CRC.

Dr. Rosenbaum agreed with Mr. Benson and asked if the CRC wished to draft language.

Mr. Goren: It is done, and the item also reflects the intricacies between the School Board's issues, and the County Commission's issue about co-location and embraces harmony that had not been previously expressed before; which is in this document set forth in Subsection (G) on page 8.

B. Environmental Policy Statement Resolution 2008-008

Mr. Benson advised that Resolution 2008-008 adds another tenant to the Citizen's Bill of Rights, which merely declares that everyone has the ability of sustainable environment which includes clean air and clean water, and incurs the stewardship of our natural resources.

Mr. Trower asked if the LUSC is looking to approve the Resolutions today or simply providing an update.

Mr. Goren: This document has been through multiple iterations and the Subcommittee has been collaborative in its preparation. This is their final product in essence on that item. I think the essence was frankly that it needs to be approved by this full Board or set for the next meeting when Mr. Weiss can be here.

Ms. Gross stated that Resolution 2008-007 was originally scheduled for presentation by the Parks Department at the next meeting, when the full Land Use Subcommittee is going to give their presentation.

Mr. Benson stated that he provided the CRC with a summary. He advised that he had indicated that the LUSC has not had the opportunity to make a presentation to the full Board.

The Chair advised that it should be tabled until the next meeting.

Mr. Mena suggested putting the item first on the next full CRC meeting agenda.

Dr. Rosenbaum MOTIONED to table Resolutions 2008-007 Park Preservation and 2008-008 Environmental Policy Statement until time-certain for the next Charter Review Commission meeting, Mr. Mena SECONDED, The Chair called for all in favor, I's were stated, and the motion PASSED unanimously.

The Chair moved to the next order of business.

Mr. Maus advised that he wishes to address item C.

Mr. Goren: You want items (A) and (B) to come back at the next meeting of this Board. Because County staff is here in the audience and I'm sure they would like to know when they need to show up again.

The Chair advised that she always put the tabled agenda items first on the next agenda.

Mr. Maus stated that in the last Land Use meeting the Resolution 2008-017, Composition of Broward County Planning Council was voted down 3:1 as not to discuss the issue any further. He asked if the LUSC needed a majority vote to reconsider for discussion.

Mr. Goren: For reconsideration it takes the majority of those present.

Mr. Ketcham asked how it got on the agenda.

The Chair stated that it is just a summary of what the Subcommittee had done; and this has been done on other items.

Mr. Ketcham responded that this was not done on items that previously failed.

The Chair advised that issues that failed ended up getting on the agenda anyway and that's probably why Ms. Gross put it on the agenda.

Ms. Gross asked Mr. Goren if an issue fails in the subcommittee is it brought to the full Commission.

Mr. Goren: If the full Board is advised of the death at the subcommittee's level and it be the choice of the full CRC to revive it by appropriate motion they could.

Ms. Gross stated that it should be pointed out that an issue died at the subcommittee whether the full Commission wants to discuss it or not is a different issue.

Mr. Benson advised that he just provided a summary. He stated that Mr. Maus had informed that the issue died in subcommittee; therefore why should it be brought forward is what the full Commission needs to decided.

The Chair stated that only if someone wants to make a motion to bring it forward out of the subcommittee.

C. Composition of Broward County Planning Council Resolution 2008-017

Ms. Eisinger MOTIONED to bring Resolution 2008-017 forward from the Subcommittee for discussion, Ms. Good SECONDED.

Mr. Goren: I would urge you to not be in the negative because it creates confusion and the result can be more confusing. It legally died in subcommittee, so therefore there is nothing to recommend to the full Board as had been the case before. If the full Board wants to discuss this further it's going to require 10 votes.

Dr. Lieberman asked which item the CRC was voting on bringing forward for discussion.

The Chair advised that only item (C) is discussed.

Mr. Wilson: Just briefly it is contained in Resolution 2008-017. The Resolution basically says that each municipality can recommend one Elected Official to the Broward County Planning Council for consideration for appointment. Currently the Elected Commissioners can appoint one Elected Official and one Layperson; however, they currently have full discretion. That the proposal which was to get it right indicated that they should pick the Elected Official or recommend and Elected Official from a list provided by each Municipality within their respective district.

Re-statement of Motion

Ms. Eisinger MOTIONED to bring Resolution 2008-017 forward from the Subcommittee for discussion, Ms. Good SECONDED.

The Chair called for a roll call vote at 3:52 p.m.

Commissioner Hayward Benson	No	Mayor Debby Eisinger	No
Michael Buckner, Esq.	No	Mr. David Esack	No
Ms. Maggie Davidson	No	Ms. Patricia Good	Yes

Ms. H.K. "Petey" Kaletta	No	Commissioner Hazelle Rogers	Yes
Mr. Mark Ketcham	No	Bruce Rogow, Esq.	Absent
Dr. Mark Lieberman	No	Dr. Irv Rosenbaum	No
Joseph Maus, Esq.	No	Ms. Jodi Jeffreys-Tanner	No
Commissioner Ted Mena	No	Mr. Wil Trower	Yes
Mayor Lori Moseley, Chair	Yes	Richard Weiss, Esq.	Absent
Burnadette Norris-Weeks, Esq.	No		

Motion FAILED on a roll call vote of 4 YES to 13 NO.

Mr. Benson clarified that Items (A) and (B) will be placed at the top of the agenda for the next meeting and the Subcommittee will make its presentation for Land Use. He advised that the intent is to also have representation from County staff present.

XI. New Business

None

XII. Public Comments

None

XIII. Adjournment

There being no further discussion the meeting was adjourned at 3:54 p.m. The minutes of this meeting are recorded on CD # 02.13.08 (BCGV CTR).