

**Summary of Discussion**  
**Broward County Charter Review Commission**  
**Wednesday, December 13, 2006**  
**Broward County Governmental Center**  
**115 South Andrews Avenue, Room 430, Ft. Lauderdale, FL 33301**  
**10:00 AM-1:00 PM**

**Members Present:**

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

**Others Attending:**

Devin Avery, Executive Director, Vision Broward  
Erika Bolstad, Miami Herald  
John Curry  
Roger Desjarlais, CEO, Conrad & Scherer, LLP, Former County  
Administrator  
Ed Dion, General Counsel, Broward Sheriff's Office, Former  
County Attorney  
Ellen Feld, Esq.  
Matthue Goldstein  
Sam Goren, Esq., General Counsel  
Yolanda Grooms, Administrative Specialist, CRC  
Maria Gross, Assistant Director, CRC  
Candace Hartsell, Broward Sheriff's Office  
Bill Hirschman, Sun-Sentinel  
Alain Jean, Broward Sheriff's Office  
Sheriff Ken Jenne  
S. F. Ma-Hee, Transcriber  
Senator Nan Rich  
Representative Jack Seiler  
Dr. Brenda C. Snipes, Supervisor of Elections  
David Tolces, Esq., Asst. General Counsel  
Patricia G. West, Executive Director, CRC  
Todd Wilder, Broward Sheriff's Office

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

A meeting of The Broward County Charter Review Commission ("CRC" or "Commission") was held at 10:00 a.m. on Wednesday, December 13, 2006 at the Governmental Center, room 430, Fort Lauderdale, FL.

### **I Call to Order/Roll Call**

Chair Moseley called the meeting to order at 10:04 a.m. and requested the roll call by S.F. Ma-Hee. The Chair noted the presence of a quorum.

### **II Approval of November 8, 2006 Summary of Discussion**

Members reviewed the Summary of Discussion from the November 8, 2006 meeting.

David Esack inquired about the notation in the Summary of Discussion on page eight (8) regarding the abolishment & recreation of a Constitutional Officer.

CRC staff indicated they would review the tape to determine if there was an answer to his question and the information would be provided.

The minutes were unanimously approved.

### **III Chair and Executive Director's Report**

Mayor Moseley wished the members a Happy and Healthy Holiday Season.

Ms. West advised the members of the items in this month's packet, Interview Guides for the current meeting and a list of the confirmed interviews for the January 10, 2007 meeting.

The members reviewed the draft copy of the CRC Post Card Mailer announcing the upcoming Public Hearings. The Mailer will be used to market and advertise the Public Hearings. Ms. West asked the members to approve the dates for the meetings, noting one change of date for the February 14th Public Hearing. The members discussed the Mailer offering edits and changes in the format of the Post Card Mailer. The members approved changes offered by Mayor Eisinger and Mr. Weiss.

Commissioner Mena suggested that staff research the possibility of taping the Public Hearings for viewing on Television and the Internet. He suggested that staff contact BECON and Comcast.

Ms. West informed the members of the information included in their packets developed by Sam Goren and David Tolces, CRC attorneys. The information referenced the Broward County Charter Review Commission ("Commission")/County and Constitutional Officer Budget Adoption Process.

The members also received requested budget information from the Offices of the Property Appraiser and Supervisor of Elections.

#### IV Interviews

##### Sheriff Ken Jenne-10:14 a.m.-10:30 a.m.

The Chair welcomed and invited Sheriff Jenne to share his views with the members of the CRC.

Sheriff Jenne, thanked the CRC for giving him the opportunity to come before them.

##### By State Statute, the job of the sheriff is to:

1. Execute all civil process.
2. Attend all terms of circuit court and county court.
3. Be conservator of the peace.
4. At the will of the Board of County Commissioners, attend, in person or by deputy, all meetings of the Board.
5. Be ex-officio timber agent.

##### BSO Budget Overview

- 27% of the budget and staff of the Broward Sheriff's Office is dedicated to the Sheriff's statutory responsibility which is:
  - Regional Law Enforcement Services (SWAT, Crime Lab, Undercover Operations, etc.)
  - Law Enforcement in the unincorporated area
  - Serving Civil Process
  - Bailiffs
- 2/3 of the BSO workforce – more than 4,300 employees – perform duties other than these that are statutorily required.
- 73% of the BSO Budget is administered and funded for duties that are not prescribed in statute.
  - 32% to run the jails\*
  - 24% for municipal contracts
  - 12% to run county fire rescue\*
  - 4% to run the county's emergency communications systems\*
  - 1% to provide security at the courthouses\*

\* = *County funded functions*

##### BSO Budget History

- How does this compare with the past?
  - Less is coming from the county: When Sheriff Jenne took office 39% of the BSO budget was going to pay for the things the Sheriff is statutorily responsible for. . . Today that number is 27%
  - More is coming from contracts: In 1997, 15% of the BSO budget was for contract cities . . . Today that number is 24%
- Where does the money go?

- 78% of the BSO budget goes to personnel services – to pay people
- 16% of the BSO budget goes to pay operating expenses (Gas, Food, Office Supplies, Rent, Medical Supplies, etc.)
- 3% of the BSO budget goes to capital expenditures – buildings, facilities, fleet, computers (items over \$750)
- 3% of the BSO budget goes to reserves

#### **BSO Contracts & Services Overview**

- **What are the BSO contracts and additional services? In general...**
  - **BSO is designated by the county to provide additional security, detention, community service, law enforcement and fire rescue services**
  - **BSO contracts with the cities to provide law enforcement and fire rescue services**
  - **BSO contracts with the state to provide child protection investigations and Everglades Protection in the County**

#### **BSO Contracts & Services County**

- **Additional County services and responsibilities that we perform by contract or agreement with the Broward County Commission:**
  - **Broward County Jails**
  - **Broward County Fire Rescue**
  - **Airport Security [law enforcement and fire rescue]**
  - **Seaport Security [law enforcement and fire rescue]**
  - **Court System Security**
  - **Probation Services**
  - **Drug Court**
  - **Pre-trial Services**
  - **Mass Transit Security**
  - **New Jail construction management**

#### **BSO Contracts & City Services**

- **BSO has contracts with 14 Broward municipalities to provide law enforcement services.**
- **BSO has contracts with 8 Broward municipalities to provide fire rescue services.**
- **BSO provides code enforcement support and services for 6 Broward municipalities**

#### **BSO Contracts & Services-Other**

- **BSO contracts with the State of Florida to perform Child Protection Investigations and Everglades Protection in Broward County.**

- BSO provides poll deputy and security services for the Supervisor of Elections during elections.

#### **BSO Budget – Statutory Oversight**

- Ch. 30.49(4) Florida Statutes says that the Board of County Commissioners:

*“ . . . may amend, modify, increase, or reduce any or all items of expenditure in the [Sheriff’s] proposed budget and shall approve such budget, as amended, modified, increased, or reduced.”*

#### **BSO Budget – County Oversight**

- There is extensive oversight of the BSO budget by the County.
- The Broward County Commission approves the BSO budget:
  - BSO and County staffs negotiate for hundreds of hours each year on the BSO budget.
  - The County Commission is the elected body responsible for informing the public and holding public hearings on the BSO budget as they are the body responsible for appropriating the funds.
  - Once the BSO budget is adopted by the County Commission any changes to the adopted budget must be approved by the Broward County Commission in an open and public meeting.
  - The BSO budget is a matter of County record -- available and open for public inspection.
- BSO cannot spend money unless it’s been approved by the County.

#### **BSO Budget – Municipal Oversight**

- There is extensive oversight of BSO municipal contracts – from both the cities and the County
- BSO contracts with the cities are approved and overseen by the individual City Commissions.
  - Individual cities determine the terms, conditions, standards and course of public input for each municipal contract.
  - BSO city contracts are included in the overall budget submitted to the County for approval.
  - Revenues from BSO municipal contracts go first to the County and then are appropriated to BSO.

- Changes to BSO city contracts are approved by the local municipalities in public meetings . . . and then by the Broward County Commission in a public hearing.
- Among members of the CRC, Vice Chair Rogers and Commissioner [Mayor] Eisinger have first hand knowledge of municipal contract oversight; they exercise sufficient oversight.

#### **BSO Audits**

- BSO has an internal audit function. Operates much like the County Auditor does for the County Commission.
- Contrary to recent public testimony, BSO also is subjected to external audits. BSO is audited annually by an auditor chosen by the Broward County Commission. Those annual audits are officially accepted by the County Commission, filed with the County, and available for public inspection.
- BSO is also audited by several outside certification and accreditation organizations. [Jail certification, Law Enforcement Certification, Fire Rescue Certification]. BSO is America’s largest fully accredited and certified Sheriff’s Office.

#### **Other Issues**

- *It has been suggested to the Charter Review Commission that Constitutional Officers do not have public meetings to discuss their budgets*
  - The BSO budget is open and available for public discussion at all County budget hearings.
- *It has been recommended to the Charter Review Commission that Constitutional Officers expenditures be put on the tax bill.*
  - For accuracy: Categorize those services for which the County is responsible and assign them accordingly.
- *It was suggested to the Charter Review Commission that the County Commission has no ability to control BSO costs.*
  - They do and they have. Recommend you compare BSO’s Proposed budget to our Adopted budget every year -- the difference is “cost control.”
  - Also, F.S. Ch. 30.49(4) gives the County Commission specific authority to “amend, modify, increase, or reduce” the Sheriff’s budget.
- *It has been suggested to the Charter Review Commission that Constitutional Officers competitively bid for products and services.*
  - BSO does competitively bid for products and services.
- *It was suggested to the Charter Review Commission that the Sheriff’s Office has no independent budget oversight review body.*
  - BSO does, it’s the Broward County Commission. To suggest otherwise is factually incorrect and fails to recognize the authority of the Broward County Commission.
- *It was suggested to the Charter Review Commission that “some Constitutional Officers should be appointed.”*

- Of the 66 Florida Sheriffs, all are elected – none are appointed. (Miami-Dade has no Sheriff, rather they have an appointed Public Safety Director).
- *It was suggested that the Charter Review Commission look into the creation of a joint Airport/Seaport administration.*
  - I agree. BSO has a joint Airport/Seaport Command structure.

#### **Constitutional vs. Charter Offices**

- **What's broken and do we need a Charter amendment to fix it?**
- **The Sheriff's Office should remain Constitutional and responsible directly to the people:**
  - **The Sheriff is directly accountable to the people. There should be no one between the electorate and the elected.**
  - **A Charter office inserts bureaucrats into areas such as promotions, professional standards of conduct, methods and practices, union negotiations, investigations, and public safety intelligence**
  - **A Charter office concentrates authority and diminishes the separation of powers and checks and balances inherent in our County government.**

The Sheriff indicated that he would share copies of his presentation with the members of the CRC. The information will be provided to Ms. West & distributed to the members.

Chair Moseley thanked the Sheriff for his presentation and indicated that the CRC would contact him again in the future to continue the discussion.

#### **Ed Dion, Esq., General Counsel, BSO and Former County Attorney, 10:33 a.m.-10:38 a.m.**

Mr. Dion thanked the members for allowing him to speak.

- **This body has to consider what form of Government you are going to set forth for Broward County. Decide whether you want a strong commission form, weak administrator, strong administrator, strong mayor or whatever.**
- **Until this decision is made, conversations about Charter or Constitutional Officers aren't going to serve the CRC very well.**
- **Someone suggested that Constitutional Officers do not competitively bid for goods and services.**
- **Constitutional Officers do routinely go out for bid on large purchases. Sheriff Jenne doesn't participate in selections. He allows professional staff to conduct this process within the Sheriff's Office.**
- **There are no appointed Sheriffs in the State of Florida. The County to our south has an appointed Public Safety Director. In Volusia, the Sheriff is still elected even though it is a Charter Office.**
- **If you bring Constitutional Officers under the Charter, you are going to inject bureaucracy into areas such as promotions, professional standards, conduct, discipline, methods and practices, union negotiations, investigations, intelligence**

gathering, (from our perspective). Please consider that before you recommend any Constitutional Officer come under this Charter.

- The Charter Officer will be under the ambient of the Commission and it will provide a tendency for politicizing some of the things that happen.
- The previous Charter Review Commission did a pretty good job. There is not a lot that needs changing,
- The issue with regard to Ethics seems to be a problem. The County Commission is yet to adopt ordinances to deal with this issue.
- It is very difficult for a lawyer to tell you what an appearance of a conflict is. It is very difficult to quantify that into language that everyone can understand and tell you what it is.
- As an example, Mayor (Moseley) you could be considered to have a conflict in terms of the fact that some of the decisions that you might make here could benefit the City of Miramar.
- I am not sure that anybody can tell you what an appearance of conflict is; I think that is some of the problems that the Commission is having trying to implement the will of the people with respect to the Ethics.

**Roger Desjarlais, CEO, Conrad & Scherer, LLP, and Former County Administrator-10:39 a.m.-10:48 a.m.**

Mr. Desjarlais thanked the CRC for the opportunity to sit and chat for a couple of moments.

- There are some issues that require some very thoughtful discussion so that when the time comes the CRC makes the appropriate recommendations for ballot issues.
- The comments that I would make would have at the very center, the issue of Commission Single Member Districts.
- In 2002 the Commission transitioned from seven (7) at-large districts to nine (9) single-member districts.
- This issue made its way to the ballot as a result of the Legislative Delegation suggesting that we ought to have a strong mayor.
- The County Commission put a competing ballot question in the polls and the strong mayor referendum failed and the new Commission structure of single member districts prevailed.
- After working through the transition we found that it created more parochial politics. It became more costly.
- There was much more bargaining for things like parks, "*Why should I vote for your park if you don't vote for my park?*"
- The very specific example I can give you is the Library Bond issue of about five years ago; \$140 mil bond issue was intended to create some new regional libraries, to renovate some old libraries.
- The spending guidelines and the resolution that created that Geo Bond issue ballot question were created during the at-large seven County Commission structure.
- Following the transition to nine (9) single-member districts, the money was spent a little differently. Instead of having 20,000 square foot regional libraries, that would be sitting sort of on the border between two cities we ended up now with two 10,000 square foot libraries, one in each of the cities. As you can come to the conclusion, that cost more money. In the long term with operating and

maintenance cost, cost of books and such. That would be just one example, and there are many more that I could talk about.

- The first recommendation to you would be to carefully review the issue of governance and the strong mayor.
- Because of the nature of the parochial politics, at the County Commission level today, you lack the strong political leadership.
- The creation of a General that is elected at large, who has the ability to diminish the impacts of some of the parochial politics is important.
- As a County Manager and according to the Association that I belong to, I am really suppose to support the Council Manager form of government, but if you would take a look at many of the large jurisdictions around the country, in fact most of them, you will see a strong mayor form of governance.
- After having been the County Administrator for a little over seven years here, I believe that would be the preferred structure for this County.
- There needs to be someone with a veto power when there are things happening that are clearly political in nature and not for the greater good of the total County and the regional governing structure. Someone needs to be able to call a halt to that type of decision making. It does not happen often.
- The second thing that I would recommend that you review is the single-member district structure itself.
- Increase the number of County Commissioners from nine (9) to thirteen (13), add the strong mayor elected at large; and three at-large Commission members whose job it would be to help steer the course in decision making with the regional service delivery model in mind.
- Lastly, two of the most important properties managed by government in Broward County are Fort Lauderdale/Hollywood International Airport and Port Everglades.
- Because of the single-member district structure there has been undue political pressure placed on district commissioners when it comes time for decision making.
- We could debate at length how much, or if at all we should increase capacity at Ft. Lauderdale/Hollywood International. That has been a long running debate. The question of whether or not to build a new South runway to increase capacity started in 1994, I think. Today we still don't have a construction project that is ready to begin.
- The debate will continue for sometime. The decision needs to be made by a Board that thinks regionally as opposed to parochially.
- The Seaport falls into the same category. Given that the Seaport & Airport fall within a mile of each other, the opportunities that exist for cost savings, for improved efficiencies, and for growth, that would exist under a new governance structure versus two separate properties within the current governing structure,
- I would suggest taking a hard look and debating the issue of a bi-modal Port Authority with a governing board elected at large for those two properties. It is not uncommon; it happens in other parts of the country and it can work very well.
- When Broward County asked the Sheriff to manage fire-rescue that was at my request. The reason I requested that at the time, is because all of the efforts that we attempted to make in the areas of cost containment with regard to fire-rescue were futile.
- The reason they were futile is because the labor organization out ranked me. They could get five votes on any Tuesday, almost. I felt at the time, that given the nature of the relationship between labor organizations and elected bodies, it would be much better for a Constitutional Officer, who is not only the policy

maker, but also the chief executive to have the authority to manage that organization.

- I can tell you today that It is a better operation today because of it. The cost has not grown to the extent that it would have grown in this structure that the one person that manages that operation is the Chief Executive and Policy Maker and this works much better.
- The Sheriff's budget and in other areas that I have intimate knowledge has grown at the same rate as the County's Budget. Never in any one year did we experience an operating budget increase of more than 3% based on Core Service levels. Those are all of the services that are required by law for the County Commission to provide. That would compare exactly the same as the law that requires the Sheriff to provide services. That would be why he did not have to be invited to make a presentation to the Commission for several years; at my recommendation.

Mr. Desjarlais thanked the Chair and the CRC for the time to speak, and wished everyone Happy Holidays.

Commissioner Mena asked a question about using Mr. Desjarlais as an advisor to the CRC. The Chair indicated that everyone that comes before the CRC has their own opinion. Our Attorney makes decisions based only on law. The whole point of having the attorney here is to get whatever information we need. Pat is also able to get whatever information we need. Everyone else that comes before us has their own issue that they would like to deal with. If we have another body advise us, this would take away the neutrality. We need our attorney for neutrality.

Commissioner Mena noted that he did not want Mr. Desjarlais's advise on legal matters. He was referring to having Mr. Desjarlais have input.

The Chair stated once again that Mr. Desjarlais' input or anyone else's input would not be neutral. They have issues; they have their own slant.

Commissioner Benson indicated that he agreed with the Chair's perspective, but noted there is a process that we can utilize to ask the appropriate questions to get the appropriate data that we need to evaluate.

The Chair indicated that now that we have heard from all of the Constitutional Officers that we will break down into subcommittees and start to get some of the information that we need to make the decisions that we need to make.

### **Sam Goren, General Counsel, Discussion of Charter Issues**

Mr. Goren noted that the memorandum he provided is an adjunct to the 11-8-2006 CRC meeting to address the questions asked about the global budget process. The memo explains the general budgetary process under State Statute that governs the County Commission as a whole.

The memorandum addressed as best possible the individual budget processes in each of the Constitutional Offices. The processes are different in some respects. It is clearly the intent to show that there are legal differences.

Chapter 129 also controls the Supervisor of Elections budget. The bottom of page 2 of the memo provides a clear set of language related to individuality regarding purchasing of supplies and equipment, selecting personnel, hiring and firing of personnel, etc.

The Supervisor of Elections is required to have the budget approved by the County Commission. The Supervisor can expend dollars and cents within the budget that are authorized by approval of the County Commission. If there are changes, the Supervisor is required to have County Commission approval. There is no appellate process for the Supervisor for the budget.

The Supervisor is required to estimate the number of elections that are required during any particular cycle as provided for by the State Election Code. The general concept is that the Supervisor has to budget for the future within the fiscal year following. Local governments can modify elections from March to November. This creates certain cost efficiencies.

The key is that once the budget is established, it is the budget for the Supervisor. There is an allowance to move money within the budget as long as the total amount of the budget does not change. The Supervisor has the right to hire/fire personnel within the office of the Supervisor.

Chapter 30 controls the Sheriff's Budget. The Sheriff is a different legal animal. The Sheriff's budget has a set of specific obligations, which are very clear and specific. The difference between the Supervisor and the Sheriff is that the Sheriff has an appellate right to contest the budget if there is a disagreement with the Commission. The Sheriff can appeal to the State Governor/Cabinet (Administration Commission). This legal process enables the Sheriff to contest the budget and seek a reversal. It has not happened in Broward County.

There is a certain *esprit de corps* between all Constitutional Officers and the County Commission particularly on budgets because there has to be. There is an annual event of reviewing the budget to enable there to be some exchange of information early on in order to develop the final budget.

Chapter 30 is very definitive, it clearly says that funding for the Sheriff's office does not go directly to the Sheriff; the money goes to the County Commission. In concept, this is how the Sheriff works in Broward County under the current system of government.

Commissioner Mena asked for additional information on the Sheriff's budget. He indicated that it is important to be able to make comparisons of spending over a period of years.

The Chair noted that when the Subcommittee dealing with Constitutional Officers begins its work this would provide an opportunity to review the budgets in depth.

Dr. Rosenbaum stated that it would be more meaningful as members of the Charter Review to review the functions of the Sheriff's office. The Sheriff has regional, local, and contractual functions. It would be good to look at how the Sheriff spends money in those areas-regionally vs. locally.

Mr. Weiss asked Mr. Goren a question regarding statutory responsibilities as opposed to contractual responsibilities for the Supervisor and the Sheriff. How does the Supervisor of Elections get paid for conducting elections in municipalities; and the Sheriff for providing contractual services in the municipalities.

Under the State Election Codes (Chapter 97-106) the Supervisor is the main & principal repository of registration records that relate to voting; there are clear requirements for conducting elections for federal, state, county, and certain district elections. Municipal elections are part of the conversation, but by Special Act in Broward County, there are other requirements imposed. These responsibilities are driven by statute. There have been cost allocations to cities in recent years to conduct municipal elections.

Mr. Weiss asked Mr. Goren to speak about the process related to cities having the right to conduct their own election. He focused on the process of a city purchasing services from a constitutional officer.

Mr. Goren noted the difficulty in answering the question is that the contracts are not as clear, because there are certain costs and expenses in an election that may not be clearly set forth in the contract between the city and the supervisor. In recent years, this has caused concern by cities that the cost was more than they bargained for.

Mr. Weiss indicated that his point is that there is a real negotiating process that goes on. With respect to the Constitutional Officers, the Sheriff indicated that thirty-two percent of his work is statutory, and rest is pure contract negotiation. A tough negotiation goes on for services for police & fire services in the municipalities.

Ms. Norris-Weeks asked to speak to this matter and the Chair stated that she would rather have the CRC Legal Counsel speak because as the Legal Counsel for the Supervisor of Elections she would have a different role other than being a member of this body.

Commissioner Rogers stated that whatever comments/statements we make as individuals would be no different from a presentation by anyone coming here with their biases and their own experiences. All of us here would bring some of those biases and experiences, which is why we were selected to be on this Board. Although a member might be representing a city or other entity, that person should be able to speak. We are all intelligent enough to decipher whether or not there is going to be a bias from anyone else sitting at this table.

The Chair indicated that it was an awkward situation and she was trying to navigate the situation.

Mr. Weiss said that he was trying to have the board understand the process of the negotiations.

After a brief discussion among members of the CRC, it was agreed that Ms. Norris-Weeks should have an opportunity to speak. The Chair asked Ms. Norris-Weeks to explain the process.

Ms. Norris-Weeks stated that she was in a unique position as a representative for the Supervisor of Elections and a city and she knows how the negotiating process works. There is a contract between both the Supervisors' Office and the Sheriff's Office. The contracts are standard form. The only things that will change are the numbers relative to number of officers for the Sheriff. For the Supervisor's office, it involves issues related to poll workers, equipment; and cost of printing. The size of the city is significant in coming up with the figures. It is not taken very lightly.

**Dr. Brenda C. Snipes, Supervisor of Elections, 11:13AM-11:30 AM**

Dr. Snipes thanked the CRC for the opportunity to share information about what goes on in the Supervisor's Office.

- **My personal opinion about the Supervisor's Office is that it is one of the most important offices. It is the people's office.**
- **This is the office where everyone is equal to or no better than the other voters are. It doesn't matter about your political beliefs, where you live or how much money you have.**
- **We have solidified the culture of the Supervisor's Office.**
- **Staff Morale and Staff Attendance is stabilized. This helps when staff feels good about what they are doing and we can provide better services to you-our customers.**
- **We are working as a productive and effective office.**
- **We have a sound fiscal operation**
- **One-half of the staff is located in the Governmental Center and the other half is located in a renovated facility at the Lauderhill Mall.**
- **We have three branch offices located in courthouses around the district-Deerfield, Hollywood, and Plantation. Most of the branch offices are active. Voter activity and participation increases during an election.**
- **The voting roll currently consists of 930,502 Voters. We have managed to remove voters who should not be on the roll.**
- **We have 244,272-Republicans 472,481-Democrats, 213,749 other classifications-independents, and no party affiliations.**
- **Approximately 80 full-time staff members do the work that we do in the Supervisor's Office. That number increases by the 10's, and 100's during an election cycle. It increases depending upon the magnitude of the election-general, gubernatorial, or presidential.**
- **We do voter registration and maintenance of voter rolls.**
- **We do Felons matching. It is now done in a more streamlined and efficient manner. We get the person's name on a list and we get a picture, signature, and a record of previous addresses. We receive the charges against the individual. We contact the individual to verify if their rights have been reinstated.**
- **Voter education and outreach is aggressive and extensive.**
- **We do poll worker recruitment, training, and placement.**
- **We needed about 10,000 people to carry out the functions involved in the recent elections.**
- **To get 10,000 individuals to work we need to train approximately 12,000 to prepare for the drop-off.**
- **We do equipment and facility management, candidate, and initiative petition processes.**
- **We receive a large number of public records request.**
- **We have increased the early voting sites since 2004. There were 20 early voting sites during the previous election.**
- **We have renovated a warehouse facility.**
- **We purchased a new Pitney Bowes Mail Processing Machine, to sort mail and track mail.**
- **We have purchased an Electronic Voting Identification System;(EVIS) We can swipe drivers license.**

- **We are one of the 67 counties in Florida that is now participating in a state-wide data base. This exists when a voter resided in another part of the state and shows up in Broward County on Election Day; they can vote because of participation in this database.**
- **We have registered more than 10,000 students in the past year. Most of these are high schools students. This is possible because of a partnership with the School Board.**
- **We need a new facility**
- **Recruitment of Election Day staff is an on-going challenge.**
- **Primary Elections and Labor Day is not a good match.**
- **There are issues related to voting equipment.**
- **Commissioner Gunzburger was bearing the news that I was not going to seek re-election; I have not made a decision.**
- **In my opinion, you should not consider putting this Office under the Charter.**

### **Continuation of Discussion of Charter Issues**

Mr. Goren indicated that he does not remember any Broward County Sheriff having to appeal their budget to the Governor.

The State Department of Revenue controls the Property Appraiser's budget. This is a requirement under Chapter 195. The DOR approves the budget of the Property Appraiser. This budget is not set by the County Commission.

The County Commission does not set salaries and does not set tone for those issues; there is total independence in the context of the Constitution.

The County Clerk process is a separate legal animal. The voters changed the Constitution to convert the position to a Fee Officer. There is a separate corporation established by State Statute where all funding is essentially provided for by the fees, cost and expenses derived from the services provided by that office. The County Commission has no say in the context of the Clerk of Courts' budget

There is no Tax Collector in Broward County. There is a Revenue Collection Division in Broward County. There is no Revenue Collector.

All documents of the Constitutional Officers are available for public consumption and review.

Mr. Maus asked if all the Constitutional Officers had external auditors. Mr. Goren responded that they are required to have outside auditors to certify their financial data separately. Constitutional Officers have to do a financial report annually.

### **State Senator Nan Rich, 12:15 p.m.-12:24 p.m.**

The Senator thanked Mayor Moseley and the CRC for allowing her to come before them.

- **I support the Sunshine Law and would not support any initiative that would allow for non-disclosure.**
- **There is a need for more transparency for the budgets of the Constitutional Officers.**

- The Constitutional Officers budget is over 50% of the Commission's budget and timing does not allow or enable Public Hearings for the Constitutional Officers and their budgets.
- We should be able to see how the money is being spent, and conduct performance audits.
- The Supervisor of Elections position should remain an elected position.
- There should be a Countywide Mayor and I support a stronger form of Mayor. There should be a leader, and for more than one year. The Mayor should be elected countywide.
- I would support some at-large members of the Commission. It becomes very parochial when people focus on just their area.
- The Board of County Commissioners should be focused on Regional and Countywide issues—Airport/Seaport and Transportation Issues.
- The Courthouse should be taken care of. Regional Courthouses should be a focus so that people do not have to come downtown.
- We need to consider that people work, live, and play in other areas of our County.

**State Representative Jack Seiler-12:26 p.m.-12:37 p.m.**

Representative Seiler stated that he appreciated the CRC inviting him.

- I agree with the issue of the budgets of the Constitutional Officers. Hope that this can be resolved.
- Constitutional Officers should be elected. They should have to answer to the people.
- I agree that you should look at a Countywide Mayor; there needs to be an identifiable head to this county.
- There should be a person as a figurehead to serve as a leader and head of Broward County government.
- There is no need to put all the power in one person. An elected Countywide Mayor would be a good start.
- Redistricting should be reviewed as to how the seats/districts are drawn. Elected officials should not be drawing their own districts.
- Redistricting should be a non-partisan, bi-partisan effort. An independent panel should do this.
- There should be a regional focus. The Airport and Seaport Security should be coordinated at the County level. These entities should not be involved in municipal battles.
- Security should be coordinated at a countywide level.
- County has to step up on the issue of transportation; we are trying to handle transportation on a piece-meal fashion.
- We have a serious transportation problem in Broward County. A tri-county coalition will need to work together to get this done.
- The Courthouse should remain in downtown Fort Lauderdale. We should expand the satellite courthouses.
- Environmental Issues are not addressed in the Charter. Something ought to be in the Charter that would relate to the future of the County environmentally.
- Figure out a way for the County to take a leadership role in land preservation; we need to ensure the environmental future of the County—land preservation, waterways, and greenways.

- **We have to protect our environment-Everglades/Beaches/Waterways. We need more emphasis environmentally in the Charter.**

### **Continuation of Discussion of Charter Issues**

Mr. Penezic inquired about whether or not a City would sue the Sheriff or the County is there was a perceived breach of contract.

Mr. Goren indicated that the city would sue the Sheriff.

The Chair asked when were the Constitutional Officers by statute required to have their budgets released.

Mr. Goren advised that in his review of the statute that they are all occur around the same time. They all have the October 1 Fiscal Year in the Statute.

The Chair stated that technically it could be in the Charter that they would be required to have the same time to release their budget information; there seems to be a disconnect.

Mr. Goren indicated that this information is in Chapter 200. This governs the timing of the release of the Truth in Millage (TRIM) information.

The TRIM compliance statute in Chapter 200, states that public officials are required to conduct certain types of hearings. You cannot compel the Constitutional Officer to release budget information earlier.

Ms. Good asked how a change could be made to have Constitutional Officers conduct public hearings to ensure that public input is sought.

One of the sub options provided by Mr. Goren is that you can maintain the positions as they currently exist, or you can reconstitute them as Charter positions and make additional requirements on them as part of the County Charter. In the current condition, they are separate satellites, their obligations and duties and responsibilities are separate from County Government.

Volusia and Orange Counties have elected Constitutional Officers that are charter officers under the charter itself. There may be additional conditions imposed upon them that may be allowable.

Mr. Goren stated that the third option would be to abolish the Constitutional Officers completely and merge them into county government.

Mr. Goren stated that without getting into the policy aspects, the issue is really one of control and regulation. If the Constitutional Officers were transitioned as Charter Officers, still Constitutional Officers, there would be a greater degree of control and regulation that can be occasioned by that transition.

Ms. Good asked if the Commission would have more power, if the Constitutional Officers were transitioned.

The Charter would indicate what that power would be in terms of what would happen.

Mr. Weiss indicated that it would be incorrect to state that there is not a public hearing on the Constitutional Officer's Budget. The Sheriff's gets the money from the County. There is a public hearing on the County's Budget; the Sheriff's budget is a line item in the budget.

Ms. Norris-Weeks stated that each of the Constitutional Officers have a scheduled hearing before the County Commission.

Ms. Norris-Weeks asked that Mr. Goren could do research on the other Counties that have transitioned Constitutional Officers into Appointed or Elected Charter Officers.

Dr. Rosenbaum pointed out with regarding the budget hearings is that TRIM came along and changed the rules. He indicated that years ago cities conducted budget hearings during the summer.

Mr. Weiss noted that there was not much that could be done related to the timing of the budget hearing, as a Charter Review Commission. We will not be able to change anything because of the Legislature setting the rules in Statute.

### **New Business**

Mr. Trower stated that he was on the Broward Workshop and indicated that he has been requested to see if he could arrange for a presentation on the Charter.

The Chair indicated that she would like to wait until the CRC has direction. If people want to talk about the process that would be fine. She indicated that the CRC does not yet have an opinion on many of the issues.

Mr. Trower wanted to know if we should adopt a standard response to request from organizations. The standard response is for now should be "No we are not ready to make presentations regarding the Charter Review Commission.

Mr. Weiss reminded the members about the Rules for Voting and how the Commission will take a vote to determine if they will discuss an issue. Once the CRC votes to discuss an issue it might then be appropriate for the Chair, Pat, or our Lawyer to go out publicly and state that the CRC has voted to discuss a particular item.

Ms. Kaletta indicated that she was concerned about the time issue for meetings. She is concerned that three hours is not enough time to do the business that we have to do. It is hard if people are cut short, and these are important enough issues. People need to make the commitment.

The Chair asked everyone to think about the issue, and she would address the concern during the next meeting.

Commissioner Mena noted that there was no Old Business, but that he asked for copies of the Sheriff's budget information and it was not provided.

Ms. West indicated that she provided the information received prior to the meeting, and that she was advised that the Sheriff's budget information would be forthcoming.

**The Chair adjourned the meeting at 1:02 PM.**