

**Summary of Discussion**  
**Broward County Charter Review Commission**  
**Public Hearing**  
**Wednesday, April 09, 2008**  
**Broward County Governmental Center**  
**115 South Andrews Avenue Room 422**  
**Fort Lauderdale, FL 33301**  
**1:00 PM**

**Members Present:**

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

**Members Absent:**

None

**Others Attending:**

David Armstrong, B-CC  
Joseph Amateur, Fort Lauderdale, FI  
Debbie Ball, Director, MSI Consulting  
Roshawn Banks, Fort Lauderdale, FI

Patti Barney, B-CC  
Cecil Beach, Fort Lauderdale, FI  
Chris Bellissimo, Fort Lauderdale, FI  
William Bethel, Fort Lauderdale, FI  
Jill Bilanchone, AutoNation, Inc.  
Kareen Boutros, Executive Director, Broward Workshop  
Michelle Bowser, Pembroke Pines, FI  
Ellen Brodsky, Coconut Creek, FI  
Mitchell Brown, Fort Lauderdale, FI  
Mark Budwig, Greater Fort Lauderdale Chamber of Commerce  
Mario Cartaya, Broward Workshop  
Charles Caulkins, Fisher & Phillips  
Alliette C., MSI Consulting  
Patpartri Doe, Fort Lauderdale, FI  
Mayor Joy Cooper, Hallandale Beach  
Edward Curran, President, Fire Chiefs Association of Broward County  
Mark Curran, Coral Springs Fire Department  
Chedley Etienne, Administrative Assistant, CRC  
Ellen Feld, Esq.  
Paul Daily, Broward Workshop  
Chief Duncan Foster, City of Coral Springs Police Department  
David G., Coral Springs, FI  
Ingel G., Fort Lauderdale, FI  
Dan Glickman, Deerfield Beach, FL  
Samuel Goren, Esq., General Counsel  
Yolanda Grooms, Administrative Specialist, CRC  
Maria Gross, Assistant Executive Director, CRC  
Dennis Hass, Fort Lauderdale, FI  
Steve Halmos, Broward Workshop  
Franklin Hileman, Hallandale Beach, FI  
Alan Hooper, Fort Lauderdale, FI  
Dale Holness, Lauderhill, FI  
Cynthia Hollar, Plantation, FI  
Scott Israel, Fort Lauderdale, FI  
Pastor Allen B. Jackson, Fort Lauderdale, FI  
Christine Jones, Fort Lauderdale, FI  
Beverly Kennedy, Beverly Kennedy Show

Phyllis A. King, Transcriber, PKING Consulting  
Kathy Koch, Fort Lauderdale, FI  
Alan Levy, Broward Workshop  
Dan Lindblade, Greater Fort Lauderdale Chamber of Commerce  
Steve Lucas, Fort Lauderdale, FI  
Iasrissio Lopez, Channel 10 News  
Chris Madden, MAD 4 Marketing  
Mark McCormick, President, Broward Workshop  
Carlos Molinet, Broward Workshop  
Eddy Denison Molinet, Broward Workshop  
George A. Morgan, Jr., Broward Workshop  
Joan Murray, CBS 4 News  
Matt Norman, Director of Clients Services, MSI Consulting  
Marianne Nestor, Fort Lauderdale, FI  
Chief John Picarello, Pembroke Pines Fire Department  
Chief Robert Pudney, Plantation Fire Department  
Michael Putney, Channel 10 News  
Robin Rorapaugh, Hollywood, FL  
John Ruffin, Broward Workshop / Former Vice-Chair MESC  
Russell Rand, Fort Lauderdale, FI  
Elton Sayward, Gulfstream Media  
Norm Scavers, Fort Lauderdale, FI  
Tom Sher, Right Management  
Sol Siegler, Broward Coalition  
Carol Smith, Broward League of Women Voters  
Gaynet Smith, Tamarac, FI  
David Bruce Smith, Hallandale Beach, FI  
Mae Smith, Fort Lauderdale, FI  
William Stanton, Broward Workshop  
Chief Daniel Sullivan, Hallandale Beach Fire Rescue  
Paul Tanner  
Fred Thompson, Engineering Inspector, BC Highway Engineering Division  
Rosa Thorp, Sunrise, FI  
Bruce Tomin, Fort Lauderdale, FI  
Debora Van Valkenburgh, Fort Lauderdale, FI  
Lisa Vondrak, News Abstracts.com  
Gwen Watson, Watson Associates

Patricia G. West, Executive Director, CRC

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

A Public Hearing of the Broward County Charter Review Commission ("CRC," "Board," or "Commission") was held at 1:00 p.m. on Wednesday, April 9, 2008 at the Broward County Governmental Center Room 422, Fort Lauderdale, FL.

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

The Chair, Lori Moseley called the CRC Public Hearing to order at 1:12 p.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.

### **Pledge of Allegiance**

Everyone stood and recited the Pledge of Allegiance.

### **Presentation: Lori Moseley, Chair, Charter Review Commission**

The Chair advised that today is the second and final Public Hearing of the Broward County Charter Review Commission. She explained that copies of both the entire and summarized resolutions could be found on the tables outside the Commission Chambers.

The Chair requested Mr. Goren to explain the format of the Public Hearing.

**Mr. Goren:** For the record, the Charter Review Commission this morning at its first opening session confirmed the rules of the road for today's Public Hearing process. Allow me to state on the record what that process will be, so the public can be advised as to how best to present themselves, if at all, to this Commission this afternoon.

The attorney, who will be me, will read into the record the title of each resolution with a number, and will clearly set forth what the item is before this full Commission. Once the attorney has read into the record the title and the item being considered, then the Public Hearing will be opened by the Chair allowing for public comment on the topic, limited to three minutes of time

on the record. The Chair may allow additional time provided to the extent possible so as not to be repetitive or duplicative in the context of the presentation.

Once the Public Hearing is closed by the Chair, the members of this Commission will debate and discuss the subject matter before them, and will take appropriate steps to vote in connection with each individual item. At that time, if there are any changes or suggested modifications, we have a laptop computer and can make those changes as needed and as requested by the Board. Once the close of debate has occurred, then by appropriate motion and second, this Commission will then consider each item individually by vote.

As the Commission knows, pursuant to the rules established by the Board and pursuant to the Charter, it takes 13 votes to move an item from here to the County Commission, and thereafter to the voters in November. To that extent, then there are X number of items to come before the Board and that's the process that you have established this morning as your rules of the road to process each request. General comments will be allowed to the extent that there's a member of the public who would choose to speak on any item which is not specifically on the agenda as a Resolution. The Chair will also provide adequate time for that presentation at the beginning of the presentation this afternoon.

The Chair provided an overview of the charge of the Charter Review Commission. *Following the overview, the Chair allowed each Commission member the opportunity to introduce themselves to the public.*

**The Chair:** The members of the CRC formed (5) Subcommittees, which are:

- *Administrative Issues/ Governance Subcommittee*
- *Health and Social Services Subcommittee*
- *Land Use Subcommittee*
- *Public Safety Subcommittee*
- *Transportation Subcommittee*

**Mr. Goren:** Any emails that were submitted to the Commission through the staff offices over the past number of days since the last and first Public Hearing are all made part of the package in your agenda today. You have all those items in the backup as well, regarding any number of

different items that are currently coming before you this afternoon; they're all made part of the record for today's purposes.

Mr. Weiss inquired about the process of incoming phone calls.

The Chair advised that staff has a list of names and what their issue might be, and when the CRC gets to that item, staff will share the comments.

### **Public Comment – General**

#### **Resolutions: Second Reading of Public Hearing Items**

##### **1. Resolution 2008-001      Creation of a Metropolitan Transit Authority (MTA)**

*Mr. Goren provided the 2<sup>nd</sup> reading of proposed Resolution 2008-001 Creation of a Metropolitan Transit Authority (MTA).*

#### **General Public Comments**

##### ***Frank Hileman representing Michael Goode / City of Hallandale Beach***

**Mr. Frank Hileman:** I am here on behalf Mr. Mike Goode who couldn't be here today; he had an emergency in the City. I have been asked to address most of the Resolutions. Our Commission had a meeting and addressed them and wants me to convey our support or opposition.

The Chair suggested that the speaker sign up to address each item he has a comment on, to be called upon at the appropriate times.

Mr. Buckner provided a brief synopsis of Resolution 2008-001.

The Chair called for Public Comments.

## Resolution 2008-001 Public Comments

### ***Russell Rand – Fort Lauderdale, FL***

**Mr. Rand:** I wasn't going to talk on this, but I might as well because it's something that affects all of us. As you know, I worked for the County 29 years and was terminated for among other things and carpooling; waiting to catch a ride with my co-worker 5 or 10 minutes. Michael gave an excellent presentation many months ago on transportation needs, etc., and we had a brief discussion afterwards. Michael pointed out that the North-South corridors which runs along what is called the Miami Ridge, goes from the Kravitz Center, the mountain, down to Miami, which is on the mountain, which follows US1 to the highest point, and I-95, another North-South transit corridor parallels that. He didn't point out necessarily the reason why we're here. He said Broward was carved from Dade and Palm Beach County, because this was the swamp, no-man's land. We're in the depression of the river, so they've got the higher ground and we're in the low ground in the middle. At the turn of the last century, Governor Napoleon Bonaparte Broward, who the County is named after, spearheaded digging the New River Canal that goes to Lake Okeechobee to help barge traffic, which by the time the canal was built it was obsolete, because the horseless carriage replaced the horse and buggy. I mention that for a couple of reasons, thinking about transportation and how the bits and pieces fall together, you know the chain is as strong as the weakest link, so you have to consider the weakest link and all the points. When the Hurricane strikes, the Katrina or whatever, I'll talk again about that later. When the river goes backwards and it floods everything, then the tunnel is flooded for weeks, and there's structural damage. The bridges may not close because they'll be knocked off rack, off their foundations, so it's going to make it hard to get North and South. The river will eat its original opening through A1A, which is the Bahia Mar, so you won't be able to transit. These are the kind of things you have to think about before it happens, how you're going to get around. It's going to be difficult. There's going to be absolute breakdown and gridlock, as in Rita before the strike, and afterwards there are going to be issues. How things work; if you've traveled around Europe, as I am sure you have, it works pretty efficiently in France or Germany and what not. You get into Istanbul and Cairo and it's another thing; mass transit is trying to pack into the subways. There are some things that work, and any time I hear Lexus Lanes I'm thinking, that's stupid, because you've got the fly-over through the bottleneck on the Golden Glades, and you've got the bottleneck, which is a Bosphorus, like Istanbul has a Bosphorus; you have the bottleneck there, at I-595. Rather than build a fly-over, you might need to route the traffic

around there on Peters Road, and have it one way in the morning and the other way at night. There are simple things you know; keep it simple.

I said to Michael, how you shift, rather than 9 to 5, break up your workdays. Some people come in the morning, etc. You know simple things. The wave sounds like a good idea but the City wasn't planned for wide stuff downtown, so that's going to be a difficult thing to do. Las Olas Blvd. works fine. Parking at night, but not on Friday and Saturday; simple things, recutting the roads and having more lanes. There are a lot of simple things that need to be done, and the problem with bureaucracy is that 6-years in advance planning something that's obsolete. That fly-over on Davie Blvd, over 95, it was obsolete the day it opened; the lanes still need to re-cut, simple things. Things that could be considered, keep it simple. Thank you for your time.

***Dan Glickman – Deerfield Beach, FL***

**Mr. Glickman:** I strongly support this Resolution for a Metropolitan Transportation Authority. Some might say it's an additional unnecessary Advisory Board with some additional expense; it is additional. Right now, there's a Bicycle Pedestrian Advisory Committee to the Broward County Commission. Bicyclists have an Advisory Committee to go to. Pedestrians have an Advisory Committee to go to. Tens of thousands if not a perspective, hundreds of thousands of commuters, people who ride the bus or in the future rail perhaps, need to go somewhere to voice their opinion and to have their needs addressed. This is a function of the Metropolitan Transit Authority, at least to be heard, so that they can advise the Broward County Commission. That there is some additional, but minimal expense is true, but given the fact that commuters may have to pay \$4 or more per gallon and would like to give up a second or third car saving \$4 to \$6 thousand a year to make it affordable for middle class people, I think it's well advised to have a Transit Advisory Board, the MTA in this case. I strongly suggest that you do not wait for the Broward County Commission. It's been 3 ½ years since they have even broached the subject of something relative to a Transit Advisory Board, and I would not wait for them one way or the other. We need a Metropolitan Transit Authority to advise the Broward County Commission on the growth and necessity of transit in this County. Thank you.

***David Bruce Smith – Hallandale Beach, FL***

**Mr. Smith:** Good afternoon everybody, my name is David Bruce Smith. I've resided back in South Florida for four years. I grew up down here. My family moved to South Florida in 1968.

Unlike perhaps a lot of families in the 60's and 70's, who never got outside of Dade County, we came up to Broward County a lot and got to know all the great things that were up here. Like I said, I've lived up here now for 4-years, after living for the better part of 20 years before that in the Washington D.C. area. That's actually one of the reasons that I am up here to support the creation of a MTA.

I am the sort of person who has greatly benefited from those in the communities that I have lived in. When I left this area, I left to go to school in the Mid-West, and then lived in Chicago for a few years. I was fortunate to live just three blocks from the end of the L line, the Lending Station, in Wilmette Illinois. I also lived at various points near other L stops in Evanston, at Northwestern University. The sorts of economic and dynamic creation that you get near the L stops in that area, and this is the sort of thing that I can imagine as well happening with Commuter Rail, along the FEC tracks, if that ever ends up coming to fruition. I think it's something that could really help the economy of South Florida in general, but specifically Broward County, and more specifically the community where I live which is Hallandale Beach, which unfortunately as I am sure you'll soon hear, actually voted against this resolution unanimously. I think it was a very typical shortsighted manner. I also wanted to mention that when I lived in Washington, I actually lived in Arlington for most of those years, and my landlord certainly benefited from the fact that there were lots of people who wanted to live close to Washington, but not actually be in Washington. I was one of those persons who only lived 3 quarters of a mile from one of the Metro stops. I took it every day for about 17 years. It goes without saying; the advantages of it are self evident to anyone who's ever lived in an area like that. One other thing that I wanted to mention, I was actually hoping to talk to Mr. Buckner at some point, since I sent him an email a couple weeks ago about going to one of his meetings. I was one of the few citizens who actually attended the Broward County Transit Forum held last fall. I made a number of comments to the people that were at my table as well as some of the individuals I met who were present that day, about my dissatisfaction with a lot of aspects of things that I see in Broward County Transit, in the sense that, quite frankly, however well meaning, a lot of the Administrators are at the top.

The responsiveness is not always what it should be, and frankly a lot of times there's not a whole lot of common sense. One of the things that I actually told the people at my table at the time and it's unfortunate and I say unfortunate because it's unfortunately all too true. Something that I predicated to them back in October, was that I was going to be going to a couple of Oriole

spring training games over at the stadium, and was planning on getting there by going to the Tri-Rail, catching the station in Hollywood and getting off at Cypress Creek. I took photographs with my digital camera, and you can clearly see the stadium from the train station. There's actually no means of getting from the train station which millions of dollars have been invested in, to the stadium, in which millions of dollars have been invested also.

I understand that's the City of Fort Lauderdale's property, not the County's, but just the general idea, the inability for people who want to go to an event. Broward County spends millions; seemingly running full-page ads in the newspapers trying to encourage people to use the transit system. Here you've got thousands of people who want to go somewhere and the County, and the City of Fort Lauderdale doesn't actually provide a means for them to get from the Tri-Rail station, less than a mile from the stadium. I did that twice. I'm a fast walker, it only took me about 25 minutes, but I can obviously understand families not wanting to make that sort of walk, but to me that's the best example I can think of why things don't make sense here and why you need as much consumer and citizen input as possible. Thank you very much.

***Mayor Joy Cooper, Broward League of Cities***

**Mayor Cooper:** Good afternoon everyone, I'm actually here on behalf of the Broward League of Cities. It's good to see you all. Thank you very much for your hard work that's been taking place over quite some time. I am here in reference to the MTA proposal, and actually, we had discussed this at our Broward League of Cities meeting last month. We actually took action as of yesterday in opposition of this proposed Charter. We believe as elected officials, many of us serving on the MPO's realize that this will set up redundancy within a system that already has buy-in by the community, by the MPO, and by the working relationships. I am just here to say that you should have a copy of the Resolution that we passed unanimously yesterday as a Board. With members of your Board abstaining due to a conflict of not being able to share their opinion, we urge you not to add this duplication at this time. Thank you.

**Mr. Rogow:** Can we ask questions?

**The Chair:** Yes.

**Mr. Rogow:** Do you think we have a problem with transportation in Broward County?

**Mayor Cooper:** Well, that's a pretty broad and general question. I believe that we have a conflict as far as the focus, because of funding of possible transit issues and types of problems that we need to address because of the lack of funding. The MPO is very keen on working with the County. Our Chair of the MPO Dan Stermer and I'm actually on the MPO myself as well, realize that we are focusing on transit issues and that we're here to work collaboratively with the County as municipalities. We believe that creating a Board such as this would just create duplicity and redundancy in an already stressed system. We believe that the MPO is the right vehicle to work with the County, with Broward County Transit and with all the other members of that Board jointly within the County.

**Mr. Rogow:** Has the County been responsive to the entreaties of your organization?

**Mayor Cooper:** Actually I know, Chair Stermer and past Chair Richard Kaplan, we have been working out some of the kinks in the working relationships, and I think they've improved. Are there areas of improvement needed? Yes. We're here to actually support working within the current structure to work towards those resolutions of possible conflicts.

**Mr. Rogow:** Do you think an MTA could work with you all and the County and perhaps be more effective? You know that oil is at \$111 today?

**Mayor Cooper:** The gas issue, bus transit issues, and those types of cooperation grant programs, we're working very closely with the County to preserve them and actually get grassroots efforts within our communities to preserve them. I believe actually the Cities, as part of the MPO, are getting more proactive and understanding the issues and working collaboratively with the County.

**Mr. Mena:** We love you Mayor Cooper, but I am 100% opposed to what you've just stated.

The Chair asked Mr. Mena if he wants to ask questions or give his opinion when the issue is brought back to the dais.

**Mr. Mena:** Mayor Cooper in your opinion how much has the Transit Authority that we presently have now, the Department of Transportation as you would call it, how much have they accomplished in the last 10 years, the last 15 years, the last 20 years, for transit? Since the Broward League is opposed to this, could you tell us how they're going to accomplish the transit

that we so direly need in this County, and we keep talking about it and don't do anything about it but talk?

**Mayor Cooper:** I started out my comments pretty clearly in response to Commissioner Rogow's question. I think this is about funding leadership with transit. I know we sit and share the same passions as far as understanding that transit is the way to go in light of what is happening with gas dollars. I see the influx in my own community. I have young kids at 5:00 or 6:00 in the morning with 20 people standing at bus shelters or the lack of bus shelters. We agree on one particular point, that there is a need, and it needs to be addressed. *Regrettably, and this is my opinion; I can't speak as far as the Broward League of Cities, so I don't want it taken out of context; but I believe we made a grave mistake by not putting the penny tax on this ballot.* We need to put our money where our mouth is. We don't need to have duplicity in a governmental agency to make this vocal. I believe the municipalities and the County is committed, and understands that we have this need and we need to work with funding.

**Mr. Buckner:** Since the creation of the CRC and its Transportation Subcommittee, and the subcommittee looking at transit issues, what substantial proposal or change in policy has the County Commission or the MPO made in terms of lack of political leadership and failure to have a dedicated funding source?

**Mayor Cooper:** Again, for the Broward League of Cities issue, I believe that we and I can't remember; I'm sorry I must be getting old. I usual have a pretty good memory as far as our initiative and how we supported the penny tax. I believe, and correct me if I'm wrong, the MPO members, I think the MPO supported the penny tax and was vocal for it. We're also looking at our structure and looking towards being more collaborative, more understanding, and working towards transit issues within that realm. As far as leadership, it's a question again, I believe, of putting your money where your mouth is. We actually had an MPO member bring this issue up last meeting, of course, we've been following some issues, and this one was off the radar until one of the members had brought it up. As the Broward League of Cities President, this was unanimously opposed by the Broward League of Cities, to create another agency to look at Transit and Transportation issues in the County. The MPO structure we believe and have faith that if we work and roll our sleeves up together, can work to address these issues.

**Mr. Buckner:** So your answer is no? I mean under the County and/or the MPO.

**Mayor Cooper:** Actually, we structurally did a lot. We have been working this past year and we actually changed the Administration and actually changed some actual policies and procedures as far as hiring our staff and our independence as an independent operation within the County. We have been pushing and creating changes as an MPO to address some of these issues.

Mr. Benson: Mayor, can you express to us, some of the other components of MPO's concerns other than transportation.

**Mayor Cooper:** I believe from my experience and in my opinion, it is extremely difficult and frustrating for every MPO member that serves as a Metropolitan Planning Organization to continue to address transit and continue to address our roadways, and put plans and projects forward that simply because of money, not just within the County but statewide, that do not get funded. I think that if we had money and there was a will to address it, I think that we could see change. I think the plans are there. I've sat on the MPO for almost 8 years now myself and it's extremely frustrating, because it's a planning organization. We can put a million plans in work and address them, but without a funding source you know, you have to put your money where your mouth is. I don't know how others say it, but I am saying its broken, thank you.

**Franklin Hileman – Hallandale Beach, FL**

**Mr. Hileman:** Madam Chair I would just like to add that the City Commission, the Mayor is here in her capacity with the League of Cities. I just want to convey that our City Commission concurs with most of what she said. The concerns that the City Manager asked me to express to this Commission are that we are going to be looking at a situation where you got a MPO that does need the funding, and does need the support in order to push those issues that need to be pushed at this time. I am not going to beleaguer the issues that the Mayor brought forth to you, but I just do want to express on behalf of our City Commission that they are opposed to this as well.

**There being no other scheduled public speakers the Chair closed the Public Hearing for item 2008-01. She then called for further discussion or the entertainment of a motion.**

***[Dais Discussion proposed Resolution 2008-001]***

**Ms. Norris-Weeks:** Thank you Mayor, I have an issue that I think will probably present an issue for legal as you go into drafting ordinances and so forth if this passes, and that is; having it referred to as the Office/Department of Transportation. In the Charter currently, it is the Department of Transportation and I'd like to see that "office" comes out of the title. On Exhibit (A) if you look under 3.08, it says Office/Department of Transportation. I don't know why "office" would have been included, so I think that's a small thing.

The other thing I just needed a reminder of, and perhaps Michael can do this, is the differences in terms of responsibilities for the MPO and this entity, should it pass.

The Chair asked for clarification from legal counsel (Mr. Goren) regarding the word "office".

**Mr. Goren:** Section 3.08 of the Charter currently has as its title, The Department of Transportation, and the actual language in that section is exactly as it is in the proposal. The difference, as you correctly point out, references Office/Department of Transportation and the body makes reference to, for whatever reasons, both office of, or department. If you were to take it out of the title it would not do violence to the body and that can be chosen by motion if you so move, so to speak before final review.

**Ms. Norris-Weeks:** One other issue very quickly. When Sam and I were speaking, he brought that this maybe an earlier version, and so I wanted to have some assurance that there weren't already issues that we had addressed. One of the things that specifically in Section 12.02 (B), I thought there was some discussion at some point about the word, "shall" because according to the language right now, the County would have to provide for some type of cost which would work into funding this somehow. I just want to make sure that were looking at the same version that was passed.

**Mr. Goren:** This is.

**Mr. Buckner:** I've had, and members of the Transportation Subcommittee would witness, several heated discussions with members of the MPO concerning the MTA. I still at this point do not understand the resistance and push back from some of the Cities, the Broward League of Cities, and the MPO to this particular proposal. The MTA proposal and the MTA itself is an Advisory Board, it's not designed to take away authority, duties, or responsibilities from the

County Commission. It's not designed to take any duties, or responsibilities from the MPO. It's merely designed to assist both entities and any other transit related agency in this region to build a comprehensive regional public transit system.

One of the reasons why the penny sales tax initiative failed was because, I believe, and members of the transportation subcommittee correct me if I am wrong, I don't think the public really understood the significance of that penny sales tax, and the impact that would have on the lives of everyone in this County and throughout the region. One of the reasons why we want to design the MTA was to provide another mechanism that the County could use to educate the members of the public, because there is, and Mayor Cooper is right. One of the reasons why we do not have a comprehensive transit system is because of the lack of dedicated funding and we need dedicated funding, even in this economic down turn; we need dedicated funding for mass transit.

Could you imagine now, if we had a Comprehensive Mass Transit System, how many dollars people would be saving right now with gas now close and nearing \$4? We will no longer go to an era where we're going to have cheap gas, and so because the current entities that are in place now have not done anything. We can have all the representation up before us saying that, "We're working on it." Well, nobody has done anything, for the past 20 or 30 years, so we're going to continue to trust, and the reason I asked the question; "In the last 2 years, what has the County Commission or the MPO done?" They had an opportunity, they've known that this body has been worked on by the Transportation Subcommittee, and there's been no movement.

In order to answer your question Commissioner, the MTA would assist the County Commission in carrying out its transit related duties to provide feedback and analysis to create a comprehensive transit system. It would also recommend public education programs and plans to the County Commission so they can further educate the Community about transit and in particular, if there are any efforts that need to be done in order to create a dedicated funding source. The County Commission does have the power to give the MTA any additional duties that it feels that it needs in order to carry out the County Commission's duties under the Charter of County Ordinance.

**Mr. Mena:** I am one of the members that sits on the MPO, and I understand that the function of the MPO is a planning agency, but the idea of an MTA, when we discussed it, I was Vice Chair

of this committee, I want you to know that the main focus of the MTA was to focus **only** on transit. The MPO not only has transit, but many other programs, and we need leadership in one agency that will handle only transit. We have not had that in this County. We are the 5<sup>th</sup> largest County in the United States and it's about time we left Mayville and become a major Metropolitan area.

Now, the redundancy that my esteem Mayor has said, yes there may be some redundancy, but it is better to have redundancy than to have no action whatsoever. It's about time we stepped up and did something about transit and not just talk about it. There's a gentleman that comes here every time from Deerfield for the MPO, who talks about all the things they've done in the last 15 years, and where are we? I think that the people on the Broward Transit should also take the bus, not take the Cadillac or their Mercedes to work, so they can see what the public is going through out there. Lastly, it seems to me, *just seems to me*, that there's a little bit of a turf problem here. You are stepping on my grass. I think we need to stop thinking about that attitude, take the politics out of this; I can tell you as a politician. I say it proudly, "Get the politics out the transit business!" and let's get these people the system they need, like they have in Washington D.C. I've been there. Atlanta, Wow! You get on the bus on one of these light rails and you get to the destination just like that. Why can't we do that in Broward, almost 2 million people live here, and it's about time that we did something about it. What this particular organization would do is focus on one thing, transit.

**Mr. Rogow:** I think that Commissioner Mena is on the right track with the focus that we need to have, and I see another benefit to putting this on the ballot. I think that if it is approved by the people of Broward County, it will add an incentive to the County Commission to move in this direction, and the fact that we're talking about a *regional* kind of transportation system, I think is critically important here too. The MPO can work on planning, but they do have a lot of other things on their agenda. I think having a focused agency is the best way to approach it. I hope that Mayor Cooper is appointed to this MTA, because her passion for this comes through and I think that she would be an effective advocate.

**Ms. Tanner:** I just wanted to say that I think this is a really great item to be put up to the voters, and it's something that we need to do for progress; it's something we need to do to catch up with the growth of our County and to promote regionalism within Broward County, Palm Beach, and Dade County. I thank the subcommittee and the rest of the Commission for looking at this and thinking forward, thank you.

**Mr. Maus MOTIONED to approve Resolution 2008-001 Creation of a Metropolitan Transit Authority (MTA), Ms. Rogers SECONDED.**

**Mr. Buckner:** I just have a motion to change two editorial items Madam Chair if I may.

- *Page 2 of the proposal section 12.03 (A) (1) second to last line engineering; - **delete semicolon and insert comma.***
- *Page 5 of the proposal section 12.05 (D) second line the language should read: functions as authorized **by** the County Commission.*

**Ms. Norris-Weeks:** I am wondering if the office issue is something that we can strike as well.

**Ms. West:** I wanted to confirm with County staff, because I think that it's now the Office of Transportation, and I can find out right quick, but I think they did change it to the Office of Transportation.

**Ms. Norris-Weeks:** I am not sure how they could have changed it, if in the Charter it tells you what it is, so what I am suggesting is that we make it neat one way or the other. I don't mind "Office," I am just thinking that when legal goes back to prepare ordinances and resolutions and they have to cite this, you're going to have things on both sides and it's going to be very confusing. I think we should be consistent one way or the other.

**Mr. Goren for the record:** That item, 3.08, the actual language which is underlined as you accurately state is in fact what it says, it actually has both meanings; The title is now an additive. To select that, you could by designation as a body, make the designation as to whether you want to call it an Office or Department, so you get to make that decision if you so choose by amending section 3.08. To the extent that the current provision appears to provide an option, this Commission could in fact make a designation.

Mr. Benson suggested that the language should marry into the existing language of the County Charter.

**Mr. Goren:** The cure would be just to leave the word "office" in the title and leave the body as it is, because it gives the County the option then to make the designation.

Mr. Benson agreed with Mr. Goren.

**Ms. Eisinger:** I would like to make a comment and I may be one of the few I guess speaking in opposition to this now. When a lot of our proposals first came before us, and we have been here almost 2 years now, property tax reform has now gotten so aggressive that we've got concerns and we're looking for a source of funding which is going to come from the County Commission. I caution everybody. I think just yesterday at the County Commission meeting there were some residents voicing concern about funding and cutting back bus service. In today's time with property tax reform, I ask everybody to cautiously think about what we're doing, because services are being cut, we're adding another layer of government and bureaucracy, but we can't afford to provide the buses for our residents of this County. Is it a good idea? Yes. Is the timing right, not at this point.

The Chair agreed with Ms. Eisinger.

**Ms. Kaletta:** I think that now is the time for us to have an MTA with the cutbacks, because they can be the ones to coordinate and to make sure that cutbacks are done appropriately; not to have them just across the board. It would be more positive to have the MTA to do a positive thing with this. To me, I see there's more reason to have the MTA now with budget cuts.

**Mr. Weiss:** First of all, I wanted to say that I really do think there's a substantial problem with transit, but I think that several of the proposals on the agenda today are proposed solutions because the County is not doing what it should be doing in the various areas. and I think this is one of them. I think that the County staff and the County Commission have a responsibility to take care of this problem. Our firm does represent the MPO, it's not a conflict, but I wanted to disclose it. I am familiar with the duties of the MPO and if you read the duties of the MPO, they are exactly what is being proposed here, which is to coordinate, to get funding, to plan transit, including everything from rail to bicycles. If the County is not doing what it should be doing, then the answer has been sometimes here, just to create some Board. I feel like this is one of those instances and it is a terrible problem. There's legislation that creates the MPO that even talks about fuel and the cost of fuel. It's down to that level, and I think creating another governmental entity will not help to solve this problem. The solution to this problem should lie with the County Commission, and I think that this discussion has been good in highlighting the problem, but I am going to be voting against it because I just don't think that creating another Commission is going to make this situation any better.

**Mr. Buckner:** I just want to ask how many people on this body have taken public transit in the last 2 years. I would think not a lot of people have. To tell the average citizen who is sitting out in the hot sun right now or in the rain with no bus shelters because the County doesn't have any money for it. Not to be able to provide the ability to go to and from, from Palm Beach County down to Miami-Dade County, from Broward up to Palm Beach, or wherever they want to go in this region, is because the County doesn't have any money. Yes times are hard right now, but because of this inaction, it is now imposing it into a tax on our citizens. Because of the increasing gas prices each one of us is paying more money than we would if there was a dedicated funding source. If this County had a penny sales tax that passed a few years ago, the average citizen would be paying less money with that one-penny sales tax, so we are paying now in terms of increases in gas. I don't understand this; we say that there's a problem and we say that the County Commission has that responsibility, but then there's ample evidence that the County Commission has not fulfilled its responsibility over the last 20 or 30 years. To me, logically, if you know that someone or some entity is not doing their job and they continue not doing their jobs, then why would you allow them to continue not doing their job when you have an opportunity to create something in order to assist that body to fulfill its job, and as well as provide a mechanism that eventually will be able to provide a funding source because that's what we need. The County Commission will not have the political will to seek a dedicated funding source if we all want to be intellectually honest. This entity is an attempt to try another way to seek dedicated funding, so as we're voting, you need to look at whether or not we want to remain status quo. If people want to remain status quo that's fine; however, if you want a different type of transit system then voting for this MTA is the first step.

**Ms. Eisinger:** Again Mr. Buckner, I understand and respect where you're coming from. We do have a problem but I caution everybody. We're faced with property tax reform; the money is not there to provide the services. We're cutting back Library, Parks, Transportation, and we're going to direct funding to form a Committee at what expense? Or further cutting our current transportation services; the money is not there. We can't even raise the taxes to bring in the money. The Florida Legislature is limiting. Where is the money coming from to be able to fund this? It's going to come from cutting the current services, so our residents are going to pay for this, maybe on a short term basis. You're talking about a few years, but they're not going to have the bus services because the money is not there to provide it. Yes, it is a good idea, but no, this is not the proper time to do it.

**Mr. Goren:** There were three corrections on the record, which would relate to principally scribes errors or of grammatical changes.

**Restatement of the Motion**

**Mr. Maus MOTIONED to approve Resolution 2008-001 Creation of a Metropolitan Transit Authority (MTA) as amended, Ms. Rogers SECONDED.**

The Chair called for a roll call vote at 2:09 p.m.

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

**Motion PASSED on a roll call vote of 15 YES to 4 NO.**

**2. Resolution 2008-002 - Non-Interference in County Administration**

*Mr. Goren provided the 2<sup>nd</sup> reading of Proposed Resolution 2008-002 Non-Interference in County Administration.*

Dr. Rosenbaum provided a brief synopsis of Resolution 2008-002.

The Chair called for Public Comments.

### **Resolution 2008-002 Public Comments**

#### ***Russell Rand – Fort Lauderdale, FL***

**Mr. Rand:** As you know, I have addressed you briefly on this before and I tried to address your meeting that I missed or you postponed and all these things. I am trying the idea, and this is an old idea, certainly non-interference, no micro management and all that fun stuff. There is a difference between interfere and intervene. When you're trying to cross a street, you don't want that car to interfere with you, but if it does and you're run over, you want somebody to intervene. Help! There's a difference, interfere is bad, and intervene is good. I have a series of memos I've told you about, here is one from Commissioner Parrish in 1991, "*copy the letter Mr. Rand to the County Administration and we'll further review the allegation, etc.*," she's inquiring that's all. Commissioner Lieberman 1998 various things, Commissioner Lieberman 2001, Lori Parrish 2002, "*I will have the County Attorney look into this etc.*," Lori Parrish 2004, "*look into this and see if Mr. Rand has been treated fairly.*" You know this is 13 years that goes by because they can't interfere or intervene. There's County Administrator Desjarlais in 2000, "*I believe no communication, it's not my policy or intent to allow communication to override or circumvent established existing administrative protocols.*" In other words, he's not going to interfere or intervene either. The idea is to intervene for good purposes. Here's the Professional Standard Unit under the County Auditor, they're not going to dismiss your concerns; this is back in 1997 or 1998. You're administratively closed, 2004. Here's the County Attorney, they're still looking at it under the complexity working on the response, and the last thing was they were not going to allow me, the County Attorney, to play games with the legal system. That's the four things that are sitting here at every meeting if none of them will interfere or intervene this is a dog chasing its own tail. I mean this has gone by for decades. This is 32 years. I want you to understand that they think, it's somebody else's job; somebody else is going to take care of it. Nobody takes care of it. That leads to the melt down. When the hurricane hits or whatever, meltdown, or somebody else's job, we don't want to interfere or intervene. I've been there done that, any questions.

**Franklin Hileman – Hallandale, FI**

**Mr. Hileman:** This resolution was discussed by the City Commission and they did want me to convey that they do support this resolution; they think it's an effective way to govern.

**[End Public Comment]**

***[Dais Discussion 2008-002]***

There being no comments from the dais, the chair called for a motion.

**Mr. Mena MOTIONED to approve Resolution 2008-002 – Non-Interference in County Administration; Ms. Good SECONDED.**

The Chair called for a roll call vote at 2:16 p.m.

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

**Motion PASSED on a roll call vote of 18 YES to 1 NO.**

### **3. Resolution 2008-003 - County Commission Meetings Rules and Voting (Recusal)**

*Mr. Goren provided the 2<sup>nd</sup> reading of Proposed Resolution 2008-003 - County Commission Meetings Rules and Voting (Recusal).*

Dr. Rosenbaum provided a brief synopsis of Resolution 2008-003.

The Chair called for Public Comments.

#### **Resolution 2008-003 Public Comments**

***Pastor Allen B. Jackson, Fort Lauderdale, FL***

**Pastor Jackson:** Madam Chair, could I please ask a major favor? I am running late to pick my seven year old daughter up at Horizon Elementary, but I just needed to try to sweat it out. She got out of school at 2:00 p.m. but I wanted to speak briefly on another issue, can I combined both of those real quickly.

**The Chair:** Sure.

**Pastor Jackson:** Thank you so much. I don't know what are exactly or on the books now in terms of recusal and Commissioners walking out on things that would appear to be a conflict of interest. It's very cute when they say I am going to recuse myself from this vote for the sake of it looking like there may be a conflict of interest, but then they continue in the discussion. They continue talking; they continue giving their input on the issue. They haven't recused themselves at that point. They continue to give whatever influences that position holds and continue that conversation. What I am asking is that the review Committee, this Charter Board here somehow, someway, develop some type of stricter, or stiffer penalties, because I think one of the major things is that if I just keep getting a smack on the wrist and it doesn't really hurt me, then there's nothing to stop me. What I am asking this Committee to do is to also look at including, if that is under your auspice, some type of stiffer penalty for those Commissioners that don't stop talking and giving their input when these issues of conflict arise.

Also quickly on item number 8, which is later. I came before you previously, to your last meeting as it relates to the Ethics, and the things that we're trying to put in place to make sure that the Commissioners operate ethically. I am sure all of you know the definition of integrity.

Integrity means doing what's right when no one is looking, so you get at a 4-way stop sign 3:00 a.m. in the morning, the light is red and you look around and no cars are driving, you don't see anybody anywhere, and "Hey nobody is out here, so let me just go ahead and go through this light." I am sorry, I've lived in this County for 38 years and I've been involved in community mobilization for the last 14 years. Our County Commission is really lacking ethics in my personal opinion, so I'd like for this Board to look at doing something that perhaps may make them a little more ethical. In Miami-Dade they have an Ethics Commission and this Commission is appointed by a Chief Judge, a Chief Judge of the Eleventh Judicial Circuit Court appoints 2 members, the Dean of the University Of Miami School Of Law, and the Dean of Saint Thomas University School of Law, appoint a member. The Director of Florida International University Center for Labor Research and Studies, and the Miami-Dade League of Cities each appoint one member. So what you have is if the County Commission is appointing the people on the Ethics Committee then you're asking the County Commission to police them selves. I think to really put some teeth in this ethics ordinance, this review committee needs to put some type of language or put some type of thing in place similar to what Miami-Dade has in place. In Escambia County, they have some seriously stiffer penalties for County Commissioners who step over bounds or get involved in things that they have no business doing. I can provide that information to you if you'd like. At the end of the day, I don't know about you guys, but I counsel our members at our church. I talk with people all the time, and it's tough out there, it's really tough in this community, and everybody's not making 6 digit figures, everybody's not even making \$30,000 and what they're depending on is the government to do what it was put in place to do; to watch out for the little people. To make sure that everybody gets fair play, to make sure that the playing field is level and in Broward County, this County has been dogged, this County has been dominated, and this County has been run by lobbyist. We have got to put something in place. County Commissioners are able to operate as a County Commissioner and a lobbyist at the same time, so thank you and I appreciate the time that was giving to me.

***Franklin Hileman – Hallandale, FL***

**Mr. Hileman:** Again, the City Commission has asked that I come before you and state their support for this resolution. They are absolutely in support of it. In fact, the City is in the process of incorporating virtually the same language into our protocol manual as we speak, so thank you.

***[End of Public Comment]***

***[Dais Discussion 2008-03]***

Mr. Benson referred to Page 6, Article 2.05, Section (E), Items (1 and 2). He advised that the current language is confusing.

**Mr. Goren:** This topic was discussed in great detail and there is a dichotomy between (E) 1 and (E) 2, and there's a reason. Under (E) 1, it makes reference to a clear conflict under Chapter 112, which was suggested that because of a voting conflict or some other inherent issue under the statute, the voting members would not be able to vote on the subject. They would actually recuse themselves and file a voting conflict form. This provision, by the way, supersedes State Law in the context of making an affirmative obligation on a member to physically leave the room because of that conflict. Subsection (E) 2 is a little lighter, where it basically says; under 286 which is another statute governing the Sunshine Law in Florida that if there's an appearance of a conflict, but not a conflict under 112, a member can physically remain and debate as such in the context of that decision. Ultimately, however, the section regarding penalties would prevail to the extent of a third party complaint, should someone complain about behavior or activities of the County Commissioner, but that's the dichotomy in 1 and 2.

**Mr. Buckner:** Under this proposal, would it prevent a County Commissioner from representing a Homeowner's that they belong to or Condo Association that they may belong to, or represent any type of interest concerning that association before the County Commission?

**Mr. Goren:** No.

**Mr. Buckner:** Why or why not?

**Mr. Goren:** There's no affirmative preclusion in the provision that would say that they could not do that. That was discussed by the subcommittee, discussed by the full Board when the drafting occurred, and that was not an item which was actually circumscribed or not allowed in the language.

**Mr. Buckner:** Would it prevent a County Commissioner who may represent cities or any other governmental entities or bodies that might have business before the County Commission?

**Mr. Goren:** No, also not provided for as preclusion. That was also discussed as an item, which was excluded intentionally.

**Ms. Norris-Weeks:** Just to be clear, I think the gentleman who was just speaking before us during the public comment session, what he is describing is a scenario in which even under a 286 conflict, the person would not participate. I'm wondering if this body at this point, if anyone had any interest in something like that. I'm comfortable the way that it is but I'm also wondering if there's any interest in going a bit beyond this to at least, if not have the person leave the room on a 286 conflict, certainly not have that person participate in the discussion if they believe that there is a conflict pursuant to that Chapter.

The Chair asked the CRC if they wished to entertain Ms. Norris-Weeks suggestion - hearing no response she recognized Mr. Rogow.

**Mr. Rogow:** I was opposed to this before when we first discussed it and I'm still opposed to it. You know, first of all, I don't like the idea of having to get up and leave the chamber. I think that if you declare a conflict, if you recuse yourself, there is no reason why you can't still sit there; you'd have to leave the dais for who knows how long.

**Mr. Maus MOTIONED to approve Resolution 2008-003 County Commission Meetings Rules and Voting (Recusal), Ms. Good SECONDED.**

The Chair called for a roll call vote at 2:29 p.m.

Commissioner Hayward Benson	<b>Yes</b>	Dr. Mark Lieberman	<b>Yes</b>
Michael Buckner, Esq.	<b>Yes</b>	Joseph Maus, Esq.	<b>Yes</b>
Mayor Debby Eisinger	<b>Yes</b>	Commissioner Ted Mena	<b>Yes</b>
Mr. David Esack	<b>Yes</b>	Mayor Lori Moseley, Chair	<b>Yes</b>
Ms. Patricia Good	<b>Yes</b>	Burnadette Norris-Weeks, Esq.	<b>Yes</b>
Ms. H.K. "Petey" Kaletta	<b>No</b>	Ms. Maggie Davidson	<b>Yes</b>
Mr. Mark Ketcham	<b>No</b>	Commissioner Hazelle Rogers	<b>Yes</b>

Bruce Rogow, Esq.	<b>No</b>	Mr. Wil Trower	<b>Yes</b>
Dr. Irv Rosenbaum	<b>Yes</b>	Richard Weiss, Esq.	<b>Yes</b>
Ms. Jodi Jeffreys-Tanner	<b>Yes</b>		

**Motion PASSED on a roll call vote of 16 YES to 3 NO.**

**4. Resolution 2008-005 - Broward County Housing Council**

*Mr. Goren provided the 2<sup>nd</sup> reading of proposed Resolution 2008-005 Broward County Housing Council.*

Mr. Trower provided a brief synopsis of Resolution 2008-005.

**Resolution 2008-005 Public Comments**

***Dan Lindblade, Greater Fort Lauderdale Chamber of Commerce***

**Mr. Lindblade:** I talked to you at the last meeting. I am also on the Board of Directors of the Broward Housing Partnership, and we absolutely applaud this movement. There's no doubt at our latest report that we just came out with only 2 of all our municipalities even coming close to reaching an average score with respect to Workforce Housing and Affordable Housing, so this is the absolutely the right direction for us to be going. What we would ask, is in the listing of the appointments, that someone from the Broward Housing Partnership be delineated there in one of those seats, if that's possible, we would sure like to see that. Thank you very much.

***Franklin Hileman – Hallandale, FL***

**Mr. Hileman:** Again Commissioners and Madam Chair, the City Commissioners asked me to come and voice their opposition to this proposal. The concern I think again is it mirrors the concern that they have with the MTA proposal. There's a concern that we're going to create another layer of not necessarily bureaucracy, but just another layer of oversight that may or may not actually encourage what it is we're looking to encourage, which is the Affordable and Workforce Housing Programs. The City of Hallandale Beach works very hard on its Affordable

Housing and its Workforce Housing, but we're just looking not to overdo it when it comes to how much oversight we're going to have for these programs.

***[End of Public Comment]***

***[Dais Discussion 2008-005]***

**Ms. Norris-Weeks:** Commissioners, this is an item that I am very concerned about and worked very hard to try to get where we are today. I am hoping that you will vote in favor of this. I can certainly appreciate the comments made by the City of Hallandale Beach's employee; however, this is merely an Advisory Group. One of the things that we vetted quite extensively in our subcommittee meetings was that this would not be a group that would impose any specific requirements on any City for any reason. This is merely a body to hopefully collaborate and bring ideas together and it's something that many experts, when I sat on the MESC, said that it's badly needed. We've heard from housing experts and it ran the gamut in terms of the testimony we were able to receive on the issue, so I am hoping that this body will support this fine resolution.

**Mr. Benson:** Mr. Lindblade proposed that the Broward County Partnership be considered for a position in this group. Does that work and would there be any opposition to that?

**Ms. Norris-Weeks:** No, not at all and I don't think a motion has been made as of yet on the issue.

**Mr. Benson:** At the appropriate time Madam Chair, I would like to propose that the Broward Housing Partnership be added to this body.

**Ms. Tanner:** Along with this, bringing a lot of the people who are involved in the housing arena to the table. This is also a group that would support housing models elsewhere in the country. This is a group that would advise and give information on alternative housing programs throughout the County and the Country. This is for people to share and explore different funding strategies. There are a lot of things that could come to the table to help promote and benefit the housing industry.

**Mr. Buckner:** This question is directed to the subcommittee, if anyone has a response to this. I was looking through some of the emails that we received after the first Public Hearing and one

citizen commented about the fact that she applauded the idea of this committee but was wondering about any representation from middle-class families. I just wanted to know whether any of the current membership categories or particular designations in this proposal would reflect or be able to represent the interests of middle-class families.

**Ms. Norris-Weeks:** Certainly if you look at Item (3) Section (B), you would have someone who would be a recipient of Section 8 housing assistance, as well as any of these other categories could certainly be a middle-class person. I don't think anything in this resolution speaks to income.

**Mr. Trower:** We did provide in the listing of the up to 19 people who can serve on this particular council, the option for the County Commission to appoint to other members to this council who must fit into that particular category. We did strive, and there was a lot of discussion if you remember, both at the subcommittee and also at the CRC meeting to try to designate generic categories here that are representative of the broader housing environment; so we did stay with some generic categories, but we did specifically do one based upon economic or income status.

**Dr. Lieberman:** Item 15 is the Broward County Housing Authority, is the Broward Housing Partnership a different entity?

**Mr. Goren:** It is legally.

**Ms. Kaletta:** I support this, but I just have a question because we keep talking on every other issue, it keeps coming up about finances and budget items. Are there any costs to this and if there are, then I don't see them addressed in here.

**Mr. Trower:** I believe we talked about this when we passed this at the CRC meeting, the costs are nominal. This would be staffed by the County's Housing Agency which currently exists and this would be a volunteer Board. The feeling was to try to bring a little more cohesion and focus in the housing community.

**Mr. Esack:** Taking into consideration the addition of the Broward Housing Partnership would then we need to change the number of 19 members to 21 members?

**The Chair:** You want to keep it an odd number.

**Ms. Eisinger:** I certainly share, and am cautious of anything that adds additional expenses with this. I don't see any duplication of efforts throughout the County, unlike the MTA and the MPO. The cost is certainly nominal and it meets on a bi-monthly basis, so I'm going to go ahead and support this issue.

**Ms. Good:** Regarding the additional member, I remember we discussed that before. Was there an issue regarding it having to be a certain odd number of members on the Council?

**Mr. Trower:** Yes, but the discussion was not to be specific about agencies because agencies from time to time, some participate more and some participate less, so what we were trying to do was come up with the generic categories.

**Ms. Good:** Maybe if we can ask Mr. Lindblade for a brief comment of what his agency is all about and we can see if it fits in one of these categories now, or what is the difference between the Broward County Housing Authority and the Broward Housing Partnership?

**Mr. Lindblade:** The Broward Housing Partnership was created by the Greater Fort Lauderdale Chamber of Commerce. It is a Public-Private Partnership. It is a 501(c) (3) Organization. We've just received that status as opposed the Broward Housing Authority which receives State funds, and I believe Federal funds as well and distributes that money.

**The Chair:** Do you deal with only Fort Lauderdale residents?

**Mr. Lindblade:** We deal in Broward County. The Greater Fort Lauderdale Chamber of Commerce created the Broward Housing Partnership, but we cover all cities in Broward County.

**Mr. Rogow:** What would you be doing that would be different from what this organization would do?

**Mr. Lindblade:** Well, I see it as a synergy. The stuff that we're doing right now is working on Housing reports, that's what we've done up to this point, to really analyze what the problem is and the extent of the problem, and report cards on each municipality are just coming out right now. We are meeting with private entities right now to develop a portfolio of about \$25 million, which we will utilize in a Land Trust; then buying and purchasing real estate, and then developing Workforce Housing. I see it as a nice synergistic relationship with what you're proposing today.

**Mr. Rogow:** Isn't that really what this group would be doing too?

**Mr. Lindblade:** It's not my understanding Commissioner that would be what this group would be doing, and I would defer to Commissioner Weeks about that, or Commissioner Trower, but my understanding is this would be more of a clearinghouse to make sure that there's coordination among municipalities throughout the County and with bodies like the Broward Housing Partnership.

The Chair asked Ms. Good if she needed further clarification.

**Ms. Good:** I was just trying to see how it would fit into the puzzle, if there was some way that his organization could be part of this group, if it's appointed by the County Commission.

**Ms. Rogers:** Couldn't it be under number 6, because it speaks to Not-for-Profits?

**Multiple Commission Members:** Yes it could.

**Mr. Rogow:** Let me try to understand this. There would be no costs tied to this, no real costs, they would have no power, they would have no authority and they will have no money, correct?? Then I'm for it.

**Mr. Esack:** I just want to defer back to our esteemed subcommittee Chair. Our sentiments were not micro-managing the individual members, and the fact that there are two At-large additional seats available; I don't know that we need to add an additional name.

**Mr. Ketcham:** I was on the subcommittee and this is really hard for me because I've always been a housing advocate, but I just don't feel that this belongs in the Charter. After what Mr. Rogow said, it doesn't have any power, money, anything and then we're running into this complication here about this committee or that committee; I think this should be a committee of the Department of Housing or a Committee of the Chamber of Commerce and they come together and put this together. That's all I'm going to say on the issue, I'm done.

**The Chair:** I just have one comment since I'll be last and I'll let you finish. I think the greatest problem is lack of coordination. We have all of these groups that want to do something and everybody is running in different directions, therefore you're not creating the synergy that you need to create, because you have everybody with a great, different idea, and you become a

clearinghouse of ideas and solutions. I happen to sit on the County's Blue Ribbon Foreclosure Task Force and a lot of different individuals in different sectors or the Housing area. It's collaboration between elected officials, Realtors, Loan Officers, United Way and the Mayor of Broward County. I can already see that that works, so I can only believe that as this is further enhanced. I believe as this becomes further enhanced that it really will be something that is very useful for this community because housing in the United States is never going to become a non-issue.

**Mr. Trower:** This is not meant to be a do- nothing group. It is a place to facilitate and coordinate. One of the things that we heard from all of the housing experts was that there are a lot of agencies out there, but there isn't the type of interaction and focused strategy in terms of how to spend those dollars.

**Ms. Rogers:** Can this committee deal with issues foreclosure crisis issues?

**The Chair:** It says, not limited to.

**Mr. Trower:** When we were drafting this if you recall, and when we discussed it in the CRC, foreclosure wasn't an issue, but again, that is why this was left to be general and not limited to those specifics, because they will from time to time, change.

**Dr. Lieberman MOTIONED to add the Broward Housing Partnership to Item 6 of Resolution 2008-005 - Broward County Housing Council, Mr. Benson SECONDED.**

The Chair confirmed that the motion would be specifically replacing Item 6 with the Broward Housing Partnership. The Chair called for a roll call vote at 2:53 p.m.

Commissioner Hayward Benson	<b>Yes</b>	Ms. H.K. "Petey" Kaletta	<b>Yes</b>
Michael Buckner, Esq.	<b>No</b>	Mr. Mark Ketcham	<b>No</b>
Mayor Debby Eisinger	<b>No</b>	Dr. Mark Lieberman	<b>Yes</b>
Mr. David Esack	<b>No</b>	Joseph Maus, Esq.	<b>No</b>
Ms. Patricia Good	<b>No</b>	Commissioner Ted Mena	<b>Yes</b>

Mayor Lori Moseley, Chair	<b>No</b>	Dr. Irv Rosenbaum	<b>Yes</b>
Burnadette Norris-Weeks, Esq.	<b>Yes</b>	Ms. Jodi Jeffreys-Tanner	<b>Yes</b>
Ms. Maggie Davidson	<b>No</b>	Mr. Wil Trower	<b>No</b>
Commissioner Hazelle Rogers	<b>No</b>	Richard Weiss, Esq.	<b>No</b>
Bruce Rogow, Esq.	<b>Yes</b>		

**Motion FAILED on a roll call vote of 8 YES to 11 NO.**

**Ms. Norris-Weeks MOTIONED to approve Resolution 2008-005 Broward County Housing Council as originally proposed, Ms. Good SECONDED.**

**Mr. Goren:** A couple of scrivener’s corrections for the record:

- *Subsection (D) of 11.07 this Board at the last meeting added number 16 which was the Florida Association of Mortgage Brokers. You actually have 16 voting members for record not 15.*
- *Subsection (D) 2, the language would state by the honor of business that employees “fewer than” 15 employees.*

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

The Chair called for a roll call vote at 2:56 p.m.

Commissioner Hayward Benson	<b>Yes</b>	Mr. David Esack	<b>Yes</b>
Michael Buckner, Esq.	<b>Yes</b>	Ms. Patricia Good	<b>Yes</b>
Mayor Debby Eisinger	<b>Yes</b>	Ms. H.K. “Petey” Kaletta	<b>Yes</b>

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

**Motion PASSED on a roll call vote of 17 YES to 2 NO.**

***[The Chair called for a brief recess at 2:58 p.m.]***

***[The Chair Reconvened the Public Hearing at 3:15 p.m.]***

**5. Resolution 2008-006 - Broward County Regionalism Policy Statements**

*Mr. Goren provided the 2<sup>nd</sup> reading of Proposed Resolution 2008-006 Broward County Regionalism Policy Statement.*

Ms. Norris-Weeks provided a brief synopsis of Resolution 2008-006.

The Chair called for Public Comments.

**Resolution 2008-006 Public Comments**

None

**[Dais Discussion 2008-006]**

**Scrivener's Error**

- Page 1, 8<sup>th</sup> line, "Broward County Regionalism Policy Statement," should be changed to "Broward County County-wide and Regionalism Policy Statement"

**Mr. Goren:** That will conform and we can change that as we speak.

- Page 3, change the words "less than Regional basis" to "less than County-wide basis"

**Mr. Mena MOTIONED to approve Resolution 2008-006 Broward County Regionalism Policy Statements as amended, Mr. Benson SECONDED.**

The Chair called for a roll call vote at 3:20 p.m.

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

**Motion PASSED UNANMOUSLY on a roll call vote of 19 YES to 0 NO.**

## **6. Resolution 2008-007 - Broward County Parks Preservation**

*Mr. Goren provided the 2<sup>nd</sup> reading of proposed Resolution 2008-007 Broward County Parks Preservation.*

Mr. Weiss provided a brief synopsis of Resolution 2008-007.

### **Resolution 2008-007 Public Comments**

#### ***Carol Smith – Broward County League of Women Voters***

**Ms. Smith:** Thank you all for all the work that you've put in for the past couple of years. I'd like to just take this opportunity to thank you for allowing me to make these comments. Let me note at this time, that part of the League's Mission is to inform voters of ballot issues on two fronts with a pro/con explanation of issues, and with our action arm supporting or opposing those on which we have positions; we are planning those presentations now. I just wanted to let you know.

This time I am speaking specifically in regard to the Parks Perseveration. Since 1970, the Broward League has supported acquisition development and management of park lands, greenways, and open spaces. We were strong supporters of the Safe Parks and Land Preservation Bond Program of 2000, which has been a positive force in the County. In the 1980's when privatization and commercialization of parks was seen as a way to increase the County coffers, the Broward League undertook a study and reached consensus in 1989 on evaluation criteria for such commercialization. I would like to commend you on voter protection of Natural Area or Regional Parks and Passive Recreation Parks, protection of green space, natural areas, and water resource areas is vital. This is one place where voter protection is a good thing; however there are a couple of places where I think the wording in your actual Charter language is a little confusing. Under the definitions there are three items, one says "Disturbed Area" and that term is never used again, so I don't know why you're defining it, but maybe there's a reason.

Mr. Weiss advised that the term is used in Section 8.13 (B) and (G).

**Ms. Smith:** The other point is, “Park Purposes”, that definition only applies to Regional Parks and passive recreation parks purposes only applies to Natural Area Parks. Why not put those two terms in your definition so when somebody is reading through the Charter and they come to the part that says Natural Area Park they know what it applies to. When they come to the park that says parks purposes, they know that only applies to our Regional Parks. The categories that you’ve listed are excellent. They really define the Parks in the County, but that particular part of the definition, I just thought was a little confusing. Thank you very much.

***Russell Rand – Fort Lauderdale, FL***

**Mr. Rand:** Having worked in the County Environmental Division for 29 years, I know all the parks and brooks, and places all around. I was curious in the Bond Program, why the County was buying open spaces or swamplands and things. Some makes sense and some of you wonder why they are doing it or whatever. I was curious about what this was about protecting, to keep condos from being built on, put up fences or in case somebody puts a development in there overnight. It sounds kind of strange to me, but I am in favor of protection and all, but when you read about Port Everglades considering destroying large areas of mangroves to expand the port and all you wonder. They’ll say the manatees can’t get in there or whatever, but you can’t replace mangroves; you’re just eating the environment and they’re going to renege on the agreement that they made 25 years ago. It makes you wonder, will they renege on other agreements in the future. You can’t replace the Natural Areas, so it doesn’t make sense. If we all want the Port and economic development but sometimes the economic development will go to Port St. Lucie or somewhere else. We’re shifting from Miami to here because we’re cheaper and all, so it may not necessarily work in the long run. It makes me wonder if they’re to destroy mangroves. Now I see why they want to put up gated fences and security guards at the parks, or something to keep the development in there. It sounds good so I am in favor, thank you.

***[End of Public Comment]***

***[Dais Discussion 2008-07]***

**Ms. Good:** I think it’s important also for the general public to know, when the Committee discussed this item, one of the key issues we also discussed at length and intended in this proposal was the operation and maintenance or title transfer without a referendum if the park is going to be transferred to the local school board. A key difference is in the one that is currently

in place in Miami-Dade County. I think that the Board had the mission to ensure that there was still the possibility of co-locating and shared uses between the two governmental entities, and I just want to applaud the subcommittee for that.

**Ms. Rogers:** My question as it relates to the percentage of voters that would be required to make any changes, would that be on the ballot so the voters will know that it takes 60%? Will that be very clear?

**Mr. Goren:** It is actually in the ballot question. You drive a 60% factor from the constitutional amendment that requires statewide amendments to have that type of number, so-to-speak, and when you made the suggested change that is not only in the title but also in the ballot question itself requiring the 60% vote count.

**The Chair:** I am very much pro-open space, I am pro-maintaining open space but there already was a mechanism in place that the County could use to continue to maintain property as open space. I guess I'm a little sensitive to putting a referendum on the ballot, depending upon when it would go on, how much time lapse there would have to be before the referendum could go on the ballot. For instance, in my City for there to be an election, it's \$100,000. I believe there was a mechanism already in place to preserve the parks. For instance, we had a privately owned golf course in my community that the owner abandoned, nobody would buy and it was creating a major eyesore for the community, the City couldn't afford to run it and all the neighbors were in agreement with it. For something like this, if it were a County-owned park, we'd have to go out for a referendum for everybody to vote and get approval on it. I think it's a great idea, but I think there was already a mechanism in place and I just wanted you all to know why I was going to be voting no.

**Mr. Mena:** I'd just like to make a comment about the fact that when this was presented to us at the last CRC meeting, I asked one of the promoters who is a current Commissioner, I believe it's Jacobs, something about the fact of transferring land from the School Board or to the School Board; I don't see it in this current proposal, but I was concerned about it.

**Mr. Goren:** It's on page 8, Section (G) including the acre for acre that was asked for as well, which will be the replacement acreage.

**Mr. Mena:** That's about the replacement acreage; it doesn't have to be in shared use. Here's my concern, if you recall, I discreetly asked, what was the purpose of the park being used if it is

now in the School Board's hands. My concern is for example, if you have a festival and the School Board thought that you could not sell beer, most festivals which are in the County parks, you can sell beer, there are some limited restrictions and so forth, but I don't see anything here to ease my mind that they will still be able to use that park even though it's on school board property.

**Ms. Good:** There was a School Board representative at our last meeting who indicated that there is a School Board policy in place that certainly does not allow that type of use. I think the discussion was that maybe that was something that could be handled on a case by case basis. Understand that although there is a reason why that prohibition, that policy is in place as far as the School Board is concerned because, typically the issue of alcohol and children is not one that mixes well. I think what is good about item G is that it does allow that co-location of facilities. You have the opportunity for the School Board to enhance park property and have the County use it and there is an ability there to save funds for the County so the School Board can enhance a piece of property; build a school and have the ability for everyone in the community to utilize it jointly. I think that's a great benefit to the community as a whole and I understand your concern that it may limit, especially if you don't have a lot of park land within your community, but there is always that concern between children and the sale of liquor on School Board property.

**Mr. Mena:** I'm familiar with that and it is a good policy, but if they're going to have the County now giving the property to the School Board, I think we talked about the fact that at least the County's laws and rules would apply, if it were a County piece of property in the first place. The gentleman who you are talking about from the School Board said that they'd look into it, but you see when you leave it for somebody to look into in the future, your answer is always going to be "no" and I just don't think that's a fair evaluation of that.

**Ms. Good:** If the property remains a County site, then it's not the School Board property, but you could have the opportunity for the School Board to enhance a County piece of property and utilize it for recreational purposes for their school, but it still remains under the County jurisdiction. The School Board policy may not apply to that County parcel, which is why it was left open ended; that will be established between the discussions between the County and the School Board as far as lease agreements, etc.

**Mr. Weiss:** Mayor Moseley, I think you bring up a very good issue which we discussed at our committee. I think you're referring to the fact that there are existing bond covenants on property that was purchased. What's interesting though, when we spoke with the County Attorney's office about this, is that the restrictions that are on the particular pieces of property which might require a supermajority of the County Commission to release that property, those can be changed by a simple majority of the County Commission. That was of great concern to the Committee. ; What we felt was this additional protection as necessary? To Mr. Mena's question, when property is transferred from the County, if it is transferred from the County to the School Board as Ms. Good indicated, I think that what that property would be used for would certainly be subject to negotiation, if it was a piece of park land that was used by the County for some sort of festival. Certainly that could be part of the conversation between the County and the School Board. If I have to err, I'm going to err on the side of protecting the parks as opposed to being overly concerned about the use of liquor in parks.

**Mr. Mena:** I just thought at the time that this particular item could have been included, but if it is the pleasure of the School Board and the County to work together...

**Mr. Weiss:** This by the way came to us through Commissioner Jacobs, I want to thank her. When we first wrote this, it had a lot more detail in it, but as we started to analyze this and talk about it, we felt that to try to micromanage these parks would not be in the best interest of the County, so we decided to use some very broad parameters which protected the park land. We actually had originally prohibited commercial uses and advertising, all sorts of things in the parks and we backed way off of that because we felt like it just got way too complicated.

There being no further discussion the Chair entertained a motion.

**Ms. Rogers MOTIONED to approve Resolution 2008-007 Broward County Parks Preservation; Ms. Eisinger SECONDED.**

The Chair called for a roll call vote at 3:37 p.m.

Commissioner Hayward Benson	<b>Yes</b>	Mr. David Esack	<b>Yes</b>
Michael Buckner, Esq.	<b>Yes</b>	Ms. Patricia Good	<b>Yes</b>
Mayor Debby Eisinger	<b>Yes</b>	Ms. H.K. "Petey" Kaletta	<b>Yes</b>

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

**Motion PASSED on a roll call vote of 18 YES to 1 NO.**

**7. Resolution 2008-008 Broward County Environmental Policy Statement**

*Mr. Goren provided the 2<sup>nd</sup> reading of Proposed Resolution 2008-008 Broward County Environmental Policy Statement.*

Mr. Benson provided a brief synopsis of Resolution 2008-008.

The Chair called for Public Comments.

**Resolution 2008-008 Public Comments**

***Russell Rand – Fort Lauderdale, FL***

**Mr. Rand:** It's getting awful hot in here due to the global warming, sorry to talk about the elephant in the room. Protection of the environment near and dear to me, mom and apple pie although mom died of cancer. Protection from clean air water is prima facie first facts 1981, 4 or 5 years ago, 1976 boiler room asbestos. Mr. Rand was assigned a job sweeping the asbestos pieces and dust. It took approximately an hour to sweep, even with the double doors wide open. There was not much air circulation, no protection. Therefore, the sweepers would have to step out every so often to let the dust settle enough to allow them to sweep again. He's

recently asked that this be written, which was never sent to anybody. They sent me to a doctor once in 32 years. I have the loaded gun to my head, Russian roulette, carrying the coalmine; the clock is ticking. "The purest asbestos she's seen," certified analyst. We also use chemicals, 23 gallons a month discharged septic tank drained filled, no clean up, and no report exists. Benzene, Chloroform, Hexane, Rocket fuel that was shot down from space, we used to dump it. Official White Wash Report 1998 can't find any wrong- doing. Photos of the chemicals that we later used that were later disposed of properly. I was fired for car pooling and coming back from lunch early. I filed a lawsuit, discrimination retaliation, public expression of matters of public concerns, etc.

That's not what I came to talk to you about. The other part that's missing is protection from the environment; that's hurricanes, which are contained in here. I was denied of leave for hurricane granted to co-workers. When the event happens, it will come in with a force of a hydrogen bomb. I survived the one in 1955, direct hit in Connecticut. We worked in the one in Irene, that's crazy. Floyd almost killed a lot of people, that's crazy. When Katrina formed in the Bahamas, a national hurricane, nothing came from anybody. Lonnie Quinn Channel 6, "I think it will just stay a Tropical Storm," I call him, "It's crossing the Gulf Stream more moderate, bump it up to category 1 at least." So, the first warning came from me, the person fired because of this. When it comes in the triple conversions, the perfect storm, five feet of rain came in the Yucatan from Wilma, 140 mph, \$150 billion damage storm surge. When it comes out it will be like flushing your toilet, everything will be scraped right out. What do we need, what's the solution; 24 to 36 hours in advance, shut everything down. People flipping hamburgers are going to die, why? 10,000 dead 105 years ago still the record. It hasn't happened yet, the greatest disaster hasn't happen yet. We're the only place with this much real estate people on this narrow piece of land this close to the water. So, I want 36 hours for people to shut down everybody, you too.

***Ms. West read an email from Mr. John Thomason into the record.***

**From:** john thomason [mailto:concertlover64@hotmail.com]

**Sent:** Wednesday, April 09, 2008 1:19 PM

**To:** Charter Review

**Subject:** question for group

Can you tell me related to the item for your consideration on the

Broward County Environmental Policy Statement why would you place this item in the charter?  
I believe the Broward County Department of Environmental Protection is the appropriate venue that could implement any environmental changes without a change to the charter. I believe this committee should consider that adding this will cost the supervisor of elections money to place this on the ballot, and the charter does not need to be amended to provide Broward residents with more protections.

Thanks,  
John Thomason

**Mr. Weiss:** I'd be glad to answer Mr. Thomason's question. This section is being added to the Citizens' Bill of Rights which delineates the rights of citizens including the protection of human rights and the protection of consumer rights. This emphasizes the fact that the Citizens' Bill of Rights should include a protection of the environment; it's a policy statement and the rights of the citizens.

**[End Public Comment]**

***[Dais Discussion 2008-08]***

**Mr. Benson:** That response could very well be that there was no bifurcation of this particular item to be voted on by the citizens of Broward County, independent of what is going to happen in the Charter. Therefore, the cost will be a part of the entire cost that goes with the items that are to be voted on by the citizens of Broward County. There is no independent cost for this item.

**Mr. Rogow:** Here's my problem with it. I think it's a dangerous addition to the County Charter. "Broward County shall enact ordinances which protect citizens' rights to a sustainable environment." I am not quite sure what kind of ordinances that would mean. Compared to the protection of human rights provision in subsection (N) of 1.04 talking about protection of human rights and protection against discrimination based upon religion, etc., we've got some formulas for that; there are statutes and laws that address that. To me, "Shall" is mandatory and it requires the County to enact some ordinances. I'm not sure how you would describe what ordinances they will enact that would protect the rights to a sustainable environment. I just don't think it belongs in the Charter. Mr. Thomason may be right about that. There are other

provisions in the Charter or County Ordinances that will take care of it. If you take a look at all of the Citizen’s Bill of Rights, I don’t think any other one has this mandate that is so unfettered to any kind of established law. Subsection (O) talks about protection of consumer rights, “The County shall enact ordinances for protection of citizen’s consumer rights from unfair trade practices by all persons, so that is tied to something specific. This is much too vague for me to feel comfortable with it.

**Mr. Benson MOTIONED to approve Resolution 2008-008 the Broward County Environmental Policy Statement; Dr. Rosenbaum SECONDED.**

The Chair called for a roll call vote at 3:49 p.m.

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

**Motion PASSED on a roll call vote of 16 YES to 3 NO.**

#### **8. Resolution 2008-010 Broward County Ethics Commission**

*Mr. Goren provided the 2<sup>nd</sup> reading of proposed Resolution 2008-010 Broward County Ethics Commission.*

Dr. Rosenbaum provided a brief synopsis of Resolution 2008-010.

The Chair called for Public Comments.

## Resolution 2008-010 Public Comments

None

### ***[Dais Discussion 2008-010]***

**Ms. Norris-Weeks:** This of course came out of the Administrative Governance subcommittee. One of the critical issues that we were dealing with to a great degree and I believe it was number one our list when we started initially, was the issue of influence and having some discussions about what could possibly be done about influence in County Government . We had a number of proposals that have come before you previously some dealt with lobbyist. I think we just missed the votes necessary to bring that issue forward to deal with lobbyist in County government, which some of us believe was pervasive; the influence that is. What we ended up with was a really watered down version of what we are already required to do in our County Charter and that is have an Ethics Ordinance that could adequately address, similar to some of the ones that you saw in backup materials from the previous meeting this morning. That's what this is really doing; having this entity established just for the sole purpose of putting in place a Code of Ethics for the County Commission. I guess now is the best time.

We have had at least two different public comments from citizens that basically said that perhaps the County Commission should not be the people appointing the members to this Commission. As you know pursuant to Exhibit (A), Section (B) there are 11 appointees to this Commission, 11 voting members, 9 of which are County Commission appointees, and 2 of which are folks that are appointed by the Broward League of Cities. To the extent that the nine appointees by the Commission are in fact appointed by the Commission, there had been some discussion that perhaps this may not be the way to go. Staff sent out a number of different Code of Ordinances from various County's and some of those show that the Chief Judge in the Circuit has been responsible for making appointments for these Commissions, similar to the one being proposed today, and because I knew this was going to come, I spoke with our Chief Judge not long ago and I asked him whether he thinks the Judiciary would be opposed to making appointments like this if that was something that was recommended to the voters and if in fact approved. The Chief Judge was happy to hear that these issues were being discussed and said that it wouldn't be a problem and he didn't think his successors would have any issues.

I didn't know until the gentlemen spoke this afternoon that Miami-Dade County, I guess has something similar where the Chief Judge makes those appointments, so I am very much in support of this resolution. In addition to the language in this resolution I've also proposed that the appointees of this Commission be appointed by the Chief Judge in the Circuit of this County.

**Ms. Good:** I think one of the other key components of this proposal also is the ability for it to sunset. The issue related to the fact that, if the Commission does not adopt the proposal that's presented to them by the Broward Ethics Commission, then it will go to the voters. I think that's very important that everyone understands that. We discussed at length and sooner or later an Ethics Commission proposal will be adopted and that will be going to the voters in November 2010. I just wanted everyone to clearly understand that.

**Mr. Mena:** I will not support it the way it is written. If you want to make a motion Commissioner to change this to the idea of having the Judiciary appointing, instead of the County Commission and then I will support it. I feel that if you're going to let these people appoint, the people are going to give them their Ethics directions. Like I said, it reminds me of the fox handling the henhouse. I think we should reconsider that particular section of the membership on page 1 of your article because I will not support it the way it is right now. Ms. Norris-Weeks or whoever from that subcommittee will modify this section, if that's their wish to do so because it might be prudent to do so.

**Mr. Ketcham:** Another important thing, I remember us talking about was in Section 11.08 (A), "The Broward County Ethics Commission shall work in a collaborative and communicative nature with the County Commission in drafting the Code Ethics," in other words they're supposed to work together and not force anything on each other.

**Mr. Rogow:** I think everyone is for ethical behavior, but I think this is demeaning to the County Commission. I think that if there are laws that are broken, there are ways to enforce those laws. I think that having the Chief Judge appoint the members of the Commission is a terrible idea. It is a terrible idea to have the judiciary involved with this very highly charged political kind of area. I assume you spoke to Judge Tobin, who may have said it's a good idea, but I don't think that he had the full range of all the kinds of choices and the other kind of situations in other Counties that address this. I respect Judge Tobin, but I am hesitant to say that just because he said yes in a conversation, that this becomes a good idea that we should now include somehow in this proposal. The bottom line is I don't like this being in the County Charter. I think that there is an

obligation that the Commissioners have to pass their Code of Ethics and if they don't pass their Code of Ethics, somebody can run against them and the electoral process can result in them being removed from office by the citizen's vote. To have this cumbersome thing, I think it is not a healthy situation, and I have been involved with the Dade-County Ethics Commission and I don't think it serves any great purpose. It just creates another area of conflict and publicity, often times harming people who are trying to do their best job in their elective office. Someone complains to the Ethics Commission, then prompts an investigation that gets all kinds of publicity and creates friction where there's no need for it.

**Mr. Benson:** Does the existing Charter have the provision for a Code of Ethics?

**Mr. Goren:** One line, the one line says there shall be...

**Ms. Norris-Weeks:** That's the issue, it did not take place.

**Mr. Benson:** With all due respect, to Bruce, if they had the charge and nobody took the responsibility of coming to the floor with a response, there is suspect behavior whether it will ever get done. In speaking to the Chief Judge, was it your thought that the Chief Judge would be the appointing agency to the exclusion of everybody else?

**Ms. Norris-Weeks:** That would be my proposal. Whether or not you want to leave in the League of Cities to still have 2 appointees is within the discretion of this Commission. I believe the Chief Judge should appoint all of the members.

**Mr. Benson:** Then I will go back to Bruce's observation, and I would kind of agree with you there, that all the appointments should be formed by the Chief Judge. I think there could be some other significant input, and would think that the League of Cities may wish to be involved.

**Ms. Eisinger:** I sat on the Administrative Issues and Governance Subcommittee where we did discuss this, and I'm a strong advocate of doing anything that increases the public trust of elected officials. We discussed some specific things that we passed earlier today. I can support that where we discussed non-interference voting conflict, but we had a great deal of discussion about lobbying influence, and we as a group couldn't come up with a proposal to put on the ballot. I would be uncomfortable, and I do agree with Bruce about the feeling of demeaning our elected officials, and certainly, I would be uncomfortable with having one Judge make all those appointments. I think we do have a sense of protection. All of the elected

official's ethical behavior falls under Chapter 112 of the Florida Statutes. I just think that we citizens have to be more observant and cautious and if someone falls out of line, that's the protection of the citizens of Florida. The comment was if we're unhappy at the fact that our County Commissioners have not passed their own Code of Ethics, well the citizens have a right in the voting booth to make a decision on that one as well, so I'm not going to support this resolution.

**Ms. Good:** Again, I think that the way this is written right now I find it acceptable. We were all appointed here by Commissioners and I can tell you that we have very different opinions, and I think we've done a fantastic job. When I remember discussing this issue, I thought we meant it to be more a collaborative effort between the Ethics Commission and the County Commission. I personally didn't want it to be or allude to, that anyone on the Commission was doing anything unethical. I think that we're trying to deal with public perception and improve that public perception. I think that this is an avenue to get that done. I think it's fine that way its written and I think it would certainly deal with all of the elements that we discussed early on.

**Mr. Buckner:** I want to echo Ms. Good's statements about the fact that anyone who thinks that the appointment process by the County Commissioners would interfere with the ability of the next Commission preparing a comprehensive Code of Ethics but, I would alter the appointment process slightly. I do feel that the County Commission should have some appointments on this body. I think if we're going to have a cooperative process where you're actually cooperating between the Ethics Commission and the County Commission that the County Commission should have some type of representation on such a body. I also feel that there should also be other interests represented on this Ethics Commission. So, I would propose leaving 4 seats being appointed by the County Commission, 2 from the Chief Judge of our Circuit, 2 from the League of Cities, and 1 each from the Major higher institutions of learning in this County, Nova Southeastern, FAU and BCC in order to provide some type of academic representation on this body; people who are learned in ethics and professionalism and other related studies. I think if you have a broad base type approach like that, you'd be able to have a meaningful dialogue in order to come up with a Code of Ethics. The Ethics Commission could meet and decide that we don't need to have an enhanced Code of Ethics, but one of the reasons I sat on this subcommittee where we talked about this, we didn't feel that we had enough time and resources in order to really thoroughly study all the other ethical issues that might be out there. I think that giving one body that opportunity to thoroughly vet all the ethics issues and determine

whether or not this County needs to have a Code of Ethics, maybe they will decide that we don't need one. Therefore, then that would be the most appropriate decision, but right now there are a lot of questions out there. The voters I think are not satisfied with what the County Commission has done. I think it's up to us to make sure that the original intent that the previous CRC had passed is actually fulfilled.

**Mr. Rogers:** It's going to be easy, because I will support what Michael just proposed. I do not believe that we should remove it from the purview of the Commission totally. If my League would sponsor a similar resolution asking every city to adopt a Code of Conduct, Ethics Standards and they have the authority to sit and Judge in a Legislative body, I am in for the County Commissioners having some input and some say via the appointment process. Also, whatever you do, you should make sure that there is citizen representation as well.

**Mr. Maus:** Having sat through many meetings on how we've worded these ordinances and how we've picked a few political appointments for the committees and the people that are going to be on committees, I truthfully don't think we're going to come to any resolution today to change how this has been worded so far, or at least anytime soon. I'm in favor of it going forward the way that it is. Keep in mind that the County Commissioners are the ones that appointed us and we're the ones who came up with this. So you are going to have so many diverse interests on a panel that's appointed by the County Commission that's charged with coming up with an Ethics Code. I just don't share the concern that somehow all those appointees are going to come up with a Code of Ethics that really is meaningless, because that's not what's happened on this panel. I've heard repeatedly about issues with the County Commission not acting properly or not taking the lead, or whatever the issues have been. Therefore, I'm in favor of moving it forward as is. I agree with Bruce, that the Chief Judge does not need to be involved in this. I think it's worded properly.

**Mr. Maus MOTIONED to approve Resolution 2008-010 Broward County Ethics Commission as written, Dr. Rosenbaum SECONDED.**

**Mr. Esack:** How would the 9 or 11 Commissioners select four seats?

**The Chair:** Normally if an entire body is selecting; the members of the body submit names, and the body votes on them by the majority.

**Mr. Trower:** Just for clarification, my understanding is that there is a Code of Ethics that the County had passed. I saw something when we first talked about this and the comments were that they weren't sufficient or extensive enough. I also heard comments that the last Charter Review Commission required the County Commission to create a Code of Ethics. I look back at the ballot question from last time and it was a non-interference ordinance, which actually resides at Section 2.07. It's not an Ethics ordinance, it a Non-interference Ordinance which is the one Mr. Goren referred to, so I don't find anything in the current Charter about Ethics per say unless I missed it.

**Mr. Weiss:** It's in Section (J) of the Bill of Rights. It requires the County Commission to enact an ordinance.

**Mr. Trower:** My point earlier was that there is something that I believe we saw; which was an ordinance that the County Commission had enacted not too long ago, as I recall. It was while we were discussing it, I believe that it came across our desks. Is that in affect at this point?

**Ms. Norris-Weeks:** The County Commission had been working on it, and I believe they had an Ethics Committee and they came up with a proposal that met the intent of letter (J) and that proposal went forward; it did not pass. There was something else that was passed, which I don't think anybody believes who's looked at this, that meets the intent of what was required by the Charter and what the voters actually voted upon, so that's the issue. The voters have already voted due to the last Charter Review Commission. It went before the voters, the voters said yes we want a Code of Ethics it has a Code of Conduct. With that in mind, it has not happened, so the intent and the will of the voters have not been carried out, and that's why we are talking about this resolution.

**Mr. Mena:** I have been listening since I initiated the fact that I said that I wouldn't vote for this I have been listening and I like Mr. Buckner's proposal. I don't agree with my esteemed professor over here that this is demeaning to the Commissioners. I don't think that was the intent of the proposal. I think that what we're looking at is trying to setup a body of Ethics that they can live with. I will retract the fact all the appointees should be from the Judge. I think it's an excellent idea, but let's not get too cumbersome. If we can't do that, I may change my mind as voting on this. Right now, I am coming back to the center only because I think that we do need this. They haven't done anything since 2002, so that's six years that have gone by. Let's do something about it. If my vote makes a difference, then I will of course have to think twice on

voting for this particular proposal, because I don't want to be responsible of not having something in place. I don't like the way it's set up, but if you don't want to modify this time, I will go along with it, but I would like to be the last one to vote.

**The Chair:** This is very different than what they have in Dade County. Dade County is a whole different entity. What this is talking is a short-term board that is going to sunset, so if you want to use Code of Ethics or Code of Conduct either way, all its saying is that there hasn't been a general conduct written up, so there hasn't been a Code of Ethics. The County Commission was unable to come to an agreement and that's not a judgmental statement. They were just unable to come to agreement. The group that would sun-set would help them come to that agreement, and that was the impetus for this. We really did talk about the fact that there would be cross dialogue and cross communication here. I really believe that as this is written, I would surely not want to bring the judicial system in or others in to deal with this Code of Ethics. I would prefer that they be appointed this way only that it is a sun-setting Committee whose job is not to say what infractions there are, its job is to work in collaboration with the County to draw up a Code of Ethics. That's their only role here. It's not the same as a prosecuting body that accepts complaints or whatever; it's to draw up a code.

**Ms. Norris-Weeks:** I think we just have to keep in mind, and I appreciate your comments Madam Chair and I will support any suggestion that will get this further along than it is right now. Having said that, do you have anyone else on the queue?

**The Chair:** I have two more on the queue and then we're done.

**Mr. Buckner MOTIONED to amend the proposed language specifically on Section 11.08, Subsection (B) of Membership to state that "The Broward County Ethics Commission shall be comprised of 11 voting members – The County Commission shall appoint 4 members, the Chief Judge of the Circuit Court shall appoint 2 members, the Broward League of Cities shall appoint 2 members, and the Chief Executive Officers of Nova Southeastern University, Florida Atlantic University and Broward Community College shall appoint 1 member respectively;" Mr. Benson SECONDED.**

**Mr. Rogow:** I am opposed to having the judicial branch involved in this at all. I just think that there are three branches of government and even at the local level, I think we should keep them separate and not have the Chief Judge involved in this at all.

**Ms. Eisinger:** I agree with Bruce too, but I would like if we could modify the amendment. First, I want to retract a statement. I don't like the statement that a Judge would appoint the members. I would support any measure that will help increase the public trust of elected officials. I was uncomfortable with this ordinance in itself because we on the subcommittee were able to come up with specific ordinances governing non-interference and voting conflict. I felt that this was broad because we couldn't find a solution to the lobbying conflicts and others, but perhaps if we broaden the participation on this Ethics Committee and include representation from the educational community, maybe then this Committee could be more effective in coming up with standards of conduct and ethics. I could support a modification or a friendly amendment to Mr. Buckner's amendment, which would take out the Judicial Committee because I believe they are separate branches of government. It shouldn't be included in there, so I don't know if Mr. Buckner would like to modify his amendment.

**Mr. Buckner:** I just have one comment. There are other Counties in this State, there are other Counties and other Cities, and other States in this Country that have Committees that have appointments from the various Judiciaries, whether it is the Chief Judge of the Circuit or whatever the respective State calls it. At the federal level, the judiciary also provides appointments to various different Committees, so I don't understand the dispute about that but in terms of the friendly amendment; I don't have a problem with changing that. I still think that there needs to be some type of legal knowledge on the Board, whether it is the Broward Bar or some other type of legal organization.

**Mr. Goren:** Madam Chair the amendment relates to 11.08 Subsection (B) and then we conform thereafter, that will be the change in membership as prescribed by the motion.

**Restatement of MOTION Amendment**

**Mr. Buckner MOTIONED to amend the proposed language specifically on Section 11.08, Subsection (B) of Membership to state that "The Broward County Ethics Commission shall be comprised of 11 voting members" – The County Commission shall appoint 4 members, the Chief Judge of the circuit court shall appoint 2 members, Broward League of Cities shall appoint 2 members, and the Chief Executive Officer's of Nova Southeastern University, Florida Atlantic University and Broward Community Colleague shall appoint 1 member respectively." Mr. Benson SECONDED.**

The Chair called for a roll call vote at 4:25 p.m.

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

**Motion FAILED on a roll call vote of 8 YES to 11 NO.**

**Mr. Weiss:** I don't think there should be any misconceptions about where this is going. Mr. Buckner made a comment that they can decide that we don't need a Code of Ethics. Well this requires that they must present a Code of Ethics. Ms. Norris-Weeks suggested that we're not going to the same place as the Dade County Ethics Commission. The truth is, where this is going, is to create a real Broward County Ethics Commission to deal with issues, and it's limited to only the Broward County Commission. It does not deal with officers of Broward County, it does not deal with appointed officials of Broward County, and all it deals with is a Code of Ethics for the Broward County Commission. It's not a Code of Ethics for Broward County, it's a Code of Ethics for the Broward County Commission, and it only deals with them. I think that's probably where this goes. Is there some sort of an Ethics Commission and their job is to judge the Ethics of the Broward County Commission? I think it's awfully hard to vote against this because it's like you're voting against ethics. I think that if Mr. Buckner is right and they can come up with no Code of Ethics that might be something I could support, but this mandates that they present a Code of Ethics to the Broward County Commission. It doesn't really leave the possibility open that you suggested. I will tell you this, having said that, it's hard to vote against it. I am really vacillating here. We represent a lot of elected officials who I think that the vast majority of them really do try to comply with the law. I really do have great faith in elected

officials. The laws are so complicated in Dade County that well meaning people are very easily tripped up by them, and there is Chapter 112 in place, which is a Code of Ethics for the State. My big concern about this is, and we've had clients, friends, and people who are really trying to do the right thing and they fully comply with state law; they get tripped up by the Dade County Ethics Commission. That's one of my concerns.

The second concern is that based upon the experience that we have, the Dade County Ethics Commission is a place for disgruntled people who aren't happy with what elected officials are doing, maybe having nothing to do with their Ethics but having to do with votes. They took, to challenging people who didn't do well and who may have been on the other side in elections. All sorts of things go through that Dade-County Ethics Commission; very difficult and very confusing. We, I think, know as much about Dade County Ethics certainly as most people and we're continually on the phone with them because we're concerned about the fact that the opinions that we're giving, they might disagree with, because it's so complicated to try to blend State Law with a local Ethics Code. I guess in the end, if there was a possibility that this Ethics Commission could come up with no Code of Ethics or has that option, I probably could support this, but mandating a Code of Ethics really sort of sets the pattern in place; that does give me some concern.

**Ms. Kaletta:** I want to reiterate what you said without repeating everything you said. There are three things. One is it will restore more to the public, the fact that there is an Ethics Commission. I am sorry but perceptions are extremely important out there and while I agree with you that most politicians try to do their best, I don't think any of them go and think they're going to take advantage of what's going on. I think that there's such mistrust in the public today, that something like this could help them have that. I also see this as mandating and not insulting the Commission. I think it's going to work in collaboration with them because that's what the first few words say, collaborative and communicative nature with the County Commission. This is something that I think can be very positive in helping them and they can make the decisions on how stringent it is. I mean it's going to be working with the Commissioners and it's not for the County; it is just for the Commissioners. I like the way it's written now. I think the subcommittee spent a lot of time on this and worked with it. I'd like to make the motion for us to go ahead and vote on this one as it is written.

**Ms. Norris-Weeks:** Speaking of friends, I have friends on the Commission and one of these friends actually appointed me. I don't think any of us are thinking that the County Commission

is somehow doing anything sinister. I just think people can't agree on an Ethics Code and the voters have already said we want an Ethics Code. This Commission is a sunset Commission. I am not quite sure what Richard is talking about when he says he doesn't know where this is going. This is going to hopefully get a Code in place. I am not quite sure why anybody would vote against this. I really don't understand it. My initial intent was to try to get a little bit more teeth for it and at least a feeling from the public that, "hey the County Commissioner isn't appointing their own people to do whatever they want to do." If this is going in that direction fine, let's move forward with the resolution which I would gladly support.

**Ms. Eisinger:** I have something that was just brought to my attention if I could share. As an elected official, I would do anything that would increase the public trust particularly a Code of Ethics, but I am just not sure that this is the right way to go about it. What was just brought to my attention, are we aware that the County Commission did pass a Code of Conduct for Employees and elected officials?

**Ms. Norris-Weeks:** Yes, we just discussed it.

**Ms. Eisinger:** In complaints with the Charter they did implement something. Just to bring to everybody's attention and I wanted to share that with you.

**Mr. Weiss MOTIONED to AMEND Mr. Maus' Motion to approve proposed Resolution 2008-010; to also include the establishment of a Code of Ethics for Broward County Government.**

**Mr. Weiss:** I think there are several changes that Mr. Goren is going to need to make in order to do that, but I feel like if we're going to do a Code of Ethics it should apply to employees of the County. That should be considered as part of this discussion.

**Mr. Benson:** Mayor Eisinger alerted the CRC to the fact that the January 2007 Code of Conduct has been passed.

**Ms. Norris-Weeks:** That's what we were talking about earlier; it really doesn't address much of anything.

**Mr. Benson:** I have not seen the document.

**Mr. Goren:** The subcommittee did look at the ordinance as I recall, and suggested based on their review of it; but had not gone sufficiently far enough to support their beliefs that there should still not be an ordinance that would be in more detail or in greater detail. That's the reason for the recommendation of this proposal before the Board today. It is a compromise recommendation which you have talked about in several moments of time. Today there are many different other options. This was the most global option and was the least stringent that was considered by the subcommittee.

**Mr. Rogow:** Code of Conduct is the word that's used in Section (J) not Code of Ethics. Code of Conduct; they passed the Code of Conduct. You may not like it, you may not think it goes far enough, but now we're talking about a whole new régime with a Code of Ethics that "I don't know where it would take us." I don't think it's fair to suggest that the County Commission hasn't acted pursuant to the Charter mandate in terms of a Code of Conduct. That's the trouble with this. That's all it said "pass a Code of Conduct." It could've said "wear a tie and jacket, that's part of our Code of Conduct." This is the vague kind of stuff that I think is dangerous to fool with, in the Charter, then to have a Commission that would try to conjure some kind of Code of Ethics. Apparently there's a concern here about lobbyist and I guess maybe that's where the heart of this is, although it seems to me that all of us have been lobbied over various things during the course of this Commission. I just don't see any need for this kind of action especially in light of the fact that the County Commission has done what it was supposed to do, pass a Code of Conduct. Either you like it or you don't like it, if you don't like it, vote them out.

**Mr. Benson:** Mr. Rogow is speaking to a Code of Conduct, that's what this document addresses a Code of Conduct. However, I am hearing Code of Ethics. What are we talking about Conduct or Ethics?

**The Chair:** Our Charter item says Ethics.

**Mr. Benson:** We are taking a step beyond a Code of Conduct to establish a Code of Ethics. We need to have legal counsel define the differences between the two.

**Mr. Goren:** You just did. In item (J) it opens up prohibited conflicts of interest for example, but then goes on and talks about a Code of Conduct. What this proposal does is it actually enhances a stricter version under Chapter 112. That was the subcommittees' charge.

**Mr. Benson:** Earlier today we did pass other resolutions that addressed recusal from leaving the dais. We also passed another one, now is that in Conduct or Ethics?

**Mr. Goren:** It's a separate item added to the Charter. It not in the Bill of Rights, it's a separate section which we will have added as a voter choice, which would go separately into the Charter as an Ethics issue.

**Mr. Benson:** I am wondering now, if you just did a compilation of those things, would that suffice the Code of Ethics for the County Commissioners?

**Ms. Good:** I just wanted to get a clear understanding. What was it that the voters asked for? Was it a Code of Conduct or a Code of Ethics being established?

**The Chair:** It was conduct.

The Chair read section (J) of the Citizen's Bill of Rights of the County Charter to the CRC members:

*"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."*

**Ms. Tanner:** I am very torn about this, because of course we all want to have Ethical Commissioners and everyone has their own opinions. As I see in the Charter under Item (J) the Code of Conduct, and I see we have Ethics coming before us, is there a happy medium that we can strengthen this that is in the Charter right now, because I don't see really where this going right now.

**Ms. Norris- Weeks:** What we're talking about in Item (J), it requires the Commission to come up with Code of Conduct. However, if you look at this item that Commissioner Eisinger spoke of, it doesn't even address the issues that are in item (J). Specifically it says here, that the Commission is suppose to create a Code of Conduct to deal with even the appearance of impropriety in the performance of their duties and responsibilities. It has a litany of things outlined here that are not in this Code of Conduct ordinance that is required by the Charter. Now the Charter prevails, so just because something was thrown together to try to meet the intent of whatever this was, and frankly it doesn't meet the intent, and so that's what this Commission

would do. This Commission would actually sit down and go through what the Charter requires. They don't have any other powers, duties, enforcement, or anything. They're just going to come up with something that addresses these provisions that are outlined in the Charter. This is not what this does. Our subcommittee discussed this at length. We went through each of the words; we dissected it in a thousand different directions. This is the most watered down version of anything that could've come back before this Commission for consideration. I really don't understand the point. I won't even get into how this issue came up again, but just suffice it to say, I think we really need to move forward. This is not anything way out of line; this merely mimics what we're supposed to be doing pursuant to the Charter.

Ms. King inquired about the name and ordinance number of the document Ms. Norris-Weeks referenced.

**Ms. Norris-Weeks:** The document is Broward County Ordinance number 2007-02.

**Mr. Trower:** I think it's important for us to be clear on what we're talking about here. Earlier we spoke about the issue of the Ethics Commission. This as I read it, specifically relates to the County Commission. Whereas if you go to Section (J) in the Bill of Rights, it relates to the entire governmental entity employees, board members, etc., including County Commissioners. We also have an issue between the concept of Code of Conduct versus a Code of Ethics, and it sounds like maybe there's some agreement that what we need to do is impale on an outside group who can come together with the County Commission to put together a better Code of Ethics or Code of Conduct for the entire County Government. It just seems to me that whatever we do here needs to be consistent with section (J), so that we're pulling the County Commissioners out of letter (J) and putting them in a separate category or including the employees in this resolution that we have in front of us. I'd be in support of it either way.

**The Chair:** That was Richard's amendment to change the word from County Commission to Government. How about Broward County Ethics/Conduct Commission so it mirrors it. Would that be alright for your motion, or no sir?

**Mr. Weiss:** I think that if this is merely an implementation of (J), then we should use the exact language in (J) which is I believe is Code of Conduct. Perhaps we should refer to paragraph (J) so we don't need to restate it and we know exactly what we're talking about, but there is an independent obligation. I would like to have a copy of this Ordinance that we're talking about. I

know it has been distributed before, but again, I am with Hayward, if we got it I didn't look at it very carefully.

The Chair asked staff to provide a copy of the ordinance and requested legal provide a comparison during recess.

***[The Chair called for a 30-minute recess at 4:47 p.m. The meeting was reconvened at 5:27 p.m.]***

**Mr. Maus MOVED to CALL THE QUESTION on Resolution 2008-010 Broward County Ethics Commission.**

**Mr. Goren:** For the record that would end the debate currently on the dais. That's the objective of calling the question and then you have to actually make the decision.

The Chair called for a roll call vote at 5:30 p.m.

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

**Motion PASSED on a roll call vote of 16 YES to 4 NO.**

**Mr. Maus MOTIONED to approve Resolution 2008-010 Broward County Ethics Commission as originally drafted, Mr. Benson SECONDED.**

The Chair called for a roll call vote at 5:34 p.m.

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

**Motion PASSED on a roll call vote of 16 YES to 3 NO.**

**9. Resolution 2008-014 - Redistricting Process**

*Mr. Goren provided the 2<sup>nd</sup> reading of proposed Resolution 2008-014 Redistricting Process.*

Dr. Rosenbaum provided a brief overview of Resolution 2008-014.

The Chair called for public comments.

**Resolution 2008-014 Public Comments**

**Carol Smith – Public Speaker, Coral Springs, FL**

**Ms. Smith:** I am speaking on behalf of the League of Women Voters of Broward County. Requiring the use of an independent agency to draw district plans for approval of the Commission is wonderful; a very positive step. The League statewide is currently undertaking a petition drive to do a similar type of thing. Having standards is a positive step to preventing gerrymandering and we certainly have that in Broward County, both all the way across the board from Congressional all the way down to County Commission. A couple of things, I do not notice in the ballot wording that you have in your backup material, that there is any explanation of standards; is that correct?

**The Chair:** Actually, it's there.

**Ms. Smith:** All I see is that there will be standards. Now maybe it is there, what I have is what I picked up from up front.

The Chair stated that she will get Ms. Smith clarification from legal counsel regarding the standards as soon as she is finished speaking.

**Ms. Smith:** My other concern is making contiguous and compact, secondary to representativeness and competitiveness, it seems to open up the possibility of drawing lines to include or exclude a current Commissioner's block or a particular condominium area. You've defined representativeness, which makes sense. You do not define competitiveness; so I don't know exactly what that means in what you're putting into the Charter, so that is one question.

I'm also concerned that you are making contiguous and compact, secondary to representativeness and competitiveness. I would also point out that in 2.17 Section (D), on the fourth line it says, "Shall be secondary to the goals of representatives." I think you mean *representativeness* there also, but it doesn't make a whole lot of sense.

**Mr. Goren:** You are correct, it's a typo.

**Ms. Smith:** The other sentence that I don't understand, with respect to compactness to the extent practicable a contiguous area of population shall not be bypassed to incorporate an area of population more distant. It's confusing wording, talking from someone who's going to have to explain this to the voter. I don't understand what you are trying to arrive at. I guess what I

would rather see is, if you put all of the qualifications of the standards that you need to follow, obviously the population equality, compact, contiguous, communities of interest, representativeness, etc.; and not assign order.

**Mr. Goren:** The key issue and I think Carol you're correct. Under 2.17 Subsection (A), the main predicate is following the Voting Rights Act as it applies. That's the principle document and the other subsets are simply clarification or supplement to that requirement. In the context of the greatest extent possible or in some other method by which to balance those other issues, the Voting Rights Act as is applied by the consultant, is the law that must be applied to the assignment.

**Ms. Smith:** That's mostly population and contiguous.

**Mr. Goren:** Yes, and we've added some additional language that follows some of the case law that relates to other factors to be considered. The objective is the engagement of the consultant who must in fact be qualified and competent in the opinion of those that are hiring him that meets those qualifications as well. As to the ballot question, ballot title, it is not possible to include every possible component part in a ballot question, as you know. The actual substantive change to the Charter will actually be posted at the polling place. The Exhibit is in fact what the voter will get to see. It's virtually difficult, if not impossible, to write a ballot question of 75 words that cover this particular kind of issue alone. The standards that you described though are part of the ultimate approval in that question.

**Ms. Smith:** Okay, but it doesn't even really say "standards."

**Mr. Goren:** Which are parts of the substantive change in Exhibit A.

**Ms. Smith:** In the ballot language, it would seem like you should say, "following certain standards as outlined in the Charter or as outlined in something," but to at least make reference to the fact that you are going to be using standards.

**Mr. Goren:** What might be useful, if I can offer it to the Chair and members of the Board here, would be that in the context of the question after the word "Redistricting Consultant and to develop plans," you may want to include "**Plans and appropriate standards for redistricting,**" which are referred to by the way in the document. That would be something which would be consistent with your comment.

**Ms. Smith:** Section (E), under 2.17 you really have listed a wide range, those are very good. Those actually do outline exactly what should be followed with redistricting.

**Mr. Goren:** If the Board is willing to add the language and the question that refers back to standards as appropriate; that would then tie back to the document that is attached to it.

**Ms. Smith:** All I would like to say again is that I hate to see contiguous and compact take second fiddle to everything else, which is basically what it says in that last sentence of Section (D). "Respect for contiguous and compact districts shall be secondary to the goals of representativeness and competitiveness." It seems like they should have either equal footing or primary footing. Thank you very much.

***Sol Siegler – Public Speaker, Lauderhill, FL***

**Mr. Siegler:** During the recess, I just had a chance to observe the folder outside on redistricting and I just have some observations. On Page 3, Section 5 first line "That the County Attorney is hereby directed to insure" it's not "insure" it's "**ensure**." On Exhibit A, Page 1; Item 2 says "Each district shall be assigned a number from 1 through 9 Commissioners from districts and so and so," however, due to the out flux of many of our residents, we've probably lost about fifty thousand people in Broward. We could well turn out to be 8 districts or whatever, which might make the demand for 9 questionable, just an observation.

**Mr. Goren:** The answer for the record is that the Charter requires 9 single-member districts. That's what's required by the current Charter.

**Mr. Siegler:** Well, we're hiring an independent consultant who theoretically is an expert. If he comes up with that kind of solution, what can I say? On Page 2, the redistricting process on 2.16 Item (C) 1 & 2, "The County can either elect one of the plans forwarded by the County Attorney that was developed by the independent redistricting consultant", and that's two plans that would be submitted or item 2, "Request the independent redistricting consultant to develop additional plans for the Commission's consideration." I think that item 2, some type of a limit has to be set on the number of plans that a Commissioner can request, inasmuch as a Commissioner may be very unhappy with the solutions that came up with the independent consultant. I think perhaps some limits should be put on that. Thank you.

**[End Public Comment]**

CRC-pak  
04.09.08

**[Dais Discussion]**

**Restatement of the amendment language**

**Mr. Goren:** Add the language in the fourth line, “To provide for the use of an independent Redistricting Consultant to develop plans and implement appropriate standards for redistricting.”

**Mr. Weiss MOTIONED to approve Proposed Resolution 2008-014 Redistricting Process as amended, Ms. Good SECONDED.**

**Mr. Goren:** How about implement? “Implement the appropriate standard”, that would still be under the count, that would work.

The Chair called for a roll call vote at 5:49 p.m.

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

**Motion PASSED UNANIMOUSLY on a roll call vote of 19 YES to 0 NO.**

**10. Resolution 2008-016 – Continued Support for Children’s Services**

*Mr. Goren provided the 2<sup>nd</sup> reading of proposed Resolution 2008-016 Continued Support for Children’s Services.*

Ms. Tanner provided a brief overview of Resolution 2008-016.

The Chair called for Public Comments.

**Resolution 2008-016 Public Comments**

None

**Mr. Benson MOTIONED to approve Resolution 2008-016 Continued Support for Children Services; Ms. Eisinger SECONDED.**

The Chair called for a roll call vote at 5:51 p.m.

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

**Motion PASSED UNANIMOUSLY on a roll call vote of 19 YES to 0 NO.**

**11. Resolution 2008-018 - County Commission to provide Responsive Report to MESC**

*Mr. Goren provided the 2<sup>nd</sup> reading of proposed Resolution 2008-018 County Commission to provide Responsive Report to MESC.*

*The Chair pointed out that the recommendation is self-explanatory. She advised that she had no speakers signed up to speak on the item.*

**Resolution 2008-018 Public Comments**

None

**Mr. Benson MOTIONED to approve Resolution 2008-018 County Commission to Provide Responsive Report to MESC; Mr. Rosenbaum SECONDED.**

The Chair called for a roll call vote at 5:53 p.m.

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

**Motion PASSED on a roll call vote of 18 YES to 1 NO.**

**12. Resolution 2008-019 - One Year Hiatus between End of MESC and Beginning of CRC**

*Mr. Goren provided the 2<sup>nd</sup> reading of proposed Resolution 2008-019, One year Hiatus between End of MESC and Beginning of CRC*

*The Chair pointed out that the recommendation is self-explanatory. She advised that she had no speakers signed up to speak on the item.*

**Resolution 2008-019 Public Comments**

None

**Mr. Mena MOTIONED to approve Resolution 2008-019 One Year Hiatus between End of MESC and Beginning of CRC; Mr. Benson SECONDED.**

The Chair called for a roll call vote at 5:55 p.m.

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

**Motion PASSED on a roll call vote of 16 YES to 3 NO.**

**13. Resolution 2008-015\*    Composition of County Commission**

*Mr. Goren provided the 2<sup>nd</sup> reading of Proposed Resolution 2008-015 Composition of County Commission*

**Resolution 2008-015 Public Comments**

***Ms. West read into the record all emails received from the Public concerning Resolution 2008-015 Composition of County Commission: (Original emails have been incorporated into the pages of this transcript and made a part of this public record).***

**From:** Christie Caliendo [mailto:christie\_c@mad4marketing.com]

**Sent:** Wednesday, April 09, 2008 12:03 PM

**To:** Charter review

**Subject:** Let the voters decide

I strongly feel that having a county-wide elected mayor should be an issue decided upon by the voters in November, so please allow us to have a say in our future by putting the issue on the ballot.

**Christie Caliendo**

*Director of Public Relations*

**MAD 4 MARKETING**

5203 NW 33 Avenue

Fort Lauderdale, FL 33309

954-485-5448 ext: 210

Fax: 954-485-5410

From: Jennifer Stillson [mailto:jennifer\_s@mad4marketing.com]

Sent: Wednesday, April 09, 2008 12:00 PM

To: Charter review

Subject: I want the right to vote

I want the right to vote for a County-wide elected mayor in November!!!

Thank you,

Jennifer Stillson

*Production Manager*

MAD 4 MARKETING

5203 NW 33 Avenue

Fort Lauderdale, FL 33309

954-485-5448 ext: 220

Fax: 954-485-5410

From: wcatron06@sprintpcs.com [mailto:wcatron06@sprintpcs.com]

Sent: Wednesday, April 09, 2008 12:14 PM

To: Charter review

Subject: Right to vote for a County-wide Elected Mayor in November

As a resident of Broward County, I am demanding the right to be able to elect our mayor through the proper democratic process of a free and open election, not back room deals. It is the only way that the voters of Broward County will be able to have their votes count, unless this is done. There is no reason that the democratic process should continue to turn a blind eye to the current commission appointed mayor. The Status Quo has to change and it is now the Time for Change! Yours truly:

William L. Catron

1630 SE 10th Street

Fort Lauderdale, Florida 33316

**From:** Elyse Taylor [mailto:elyse@mad4marketing.com]

**Sent:** Wednesday, April 09, 2008 11:59 AM

**To:** Charter review

**Subject:** Please add to public record

To Whom It May Concern,

**I want the right to vote for a County-wide Elected Mayor in November!**

**Thank you**

**Elyse Taylor**

**9188 NW 52 Ct**

**Coral Springs, FL 33067**

**954-346-2303**

**From:** richardmancuso@bellsouth.net [mailto:richardmancuso@bellsouth.net]

**Sent:** Wednesday, April 09, 2008 11:59 AM

**To:** Charter review

**Subject:** Elected Mayor proposal

**Dear Charter Review Board,**

**Please place Resolution 2008-015/ Elected Mayor on the November ballot so that the proposal will be debated and voters will have the right to decide if it is appropriate.**

**Thank you for your consideration.**

**Respectfully,**

**Richard Mancuso**

**From:** Jim Johnson [mailto:Jim@JimjohnsonRealtor.com]

**Sent:** Wednesday, April 09, 2008 11:19 AM

**To:** Charter review

**Subject:** Elected Mayor

We should have the right to elect a Mayor rather than one being commission-appointed. Please pass my word of support for an Elected Mayor to those who have the power to make such decisions possible.

Thank you,



**From:** FTLRealty@aol.com [mailto:FTLRealty@aol.com]

**Sent:** Wednesday, April 09, 2008 11:15 AM

**To:** Charter review

**Subject:** County-wide Mayor

We need a County-wide Mayor standing for all of Broward County.

JD Pryor

**From:** Gaynel Smith [mailto:gaynelsmith@bellsouth.net]

**Sent:** Wednesday, April 09, 2008 11:06 AM

**To:** Charter review

**Subject:** Yes for an Elected Mayor

**CRC members:**

Please give me the chance to vote for our county-wide Mayor, I live in Sunrise and need more input in the

government that my local rep might not be providing. We are tired of the same faces and need new input. Please, please let me vote.

**From:** Michael Scarpino [mailto:mike@prudentialcressfl.com]

**Sent:** Wednesday, April 09, 2008 11:02 AM

**To:** Charter review

**Subject:** Mayoral election

To whom it may concern:

I feel it is important that the citizens of Broward County, including myself, be given the right to vote for the position of Mayor of Broward County.

Regards,

Michael Scarpino, CCIM

**From:** Gaynel Smith [mailto:gaynelh@yahoo.co.uk]

**Sent:** Wednesday, April 09, 2008 10:55 AM

**To:** Charter review

**Subject:** Yes to Elected Mayor

I am in support of an Elected County-wide Mayor for Broward County. My family has been living on the west side of Broward and feels left out of the loop and having a county-wide Mayor would give us more representation. I hope the members of the Charter Review will respect our need to vote for a Mayor.

*Gaynel H. Smith*

**From:** Chuck Black [mailto:cblack@signsbytomorrow.com]

**Sent:** Wednesday, April 09, 2008 10:48 AM

**To:** Charter review

**Subject:** Elected Mayor

I want an Elected Mayor! Please vote YES!

C. A. (Chuck) Black, Owner Signs by Tomorrow Ft Lauderdale

906 N Federal Hwy

Fort Lauderdale, FL 33304

**From:** Ray Kooser [mailto:ray@rsrealtygroup.com]

**Sent:** Wednesday, April 09, 2008 10:48 AM

**To:** Charter review

**Subject:** Elected Mayor

As a citizen of Broward County I request the right to be able to vote for a county mayor. Whether an individual is for or against, it is the privilege and right of our citizens to make that decision and it is obligation of the commission to carry out the wishes of our community.

Ray Kooser

R&S Realty Group, Inc.

333 SW 2nd St, 2nd Fl

Ft Lauderdale, FL 33312

954-270-1952

**From:** George Morgan [mailto:GMorgan@morganpg.com]

**Sent:** Wednesday, April 09, 2008 10:00 AM

**To:** Charter review

**Subject:** County-wide elected mayor

A County-wide elected mayor makes good common sense for Broward County government. People want the right to vote for their mayor. They want consistent leadership and they want someone to be accountable. The CRC needs to give voters the opportunity to weigh the pros and cons of adding an elected mayor and additional At-large county commissioner, and then make their decision in November. The voters have a right to decide this important issue. Don't take their right to vote away.

**George A. Morgan, Jr., President**

**401 E. Las Olas Blvd., Suite 1000**

**Ft. Lauderdale, FL 33301**

**P: 954-522-6010**

**F: 954-522-6003**

[www.morganpropertygroup.com](http://www.morganpropertygroup.com)

**From:** Steve Hickman [mailto:shickman@floridashoresbank.com]

**Sent:** Wednesday, April 09, 2008 10:01 AM

**To:** Charter review

**Subject:** Elected County Mayor

I urge you to support our citizen's right to decide if they prefer an Elected Mayor for Broward County, by allowing this issue to appear on November's ballot. After I distill all the opposition to the citizen's right to decide, it is clear to me that those who oppose this initiative do not share our Founding Father's basic ideal of democracy, the citizen's right to decide. Please cast your vote IN FAVOR of this initiative.

Regards, Steven D. Hickman, President & CEO Florida Shores Bank

**From:** Steve Hudson [mailto:Steve@HudsonCapital.com]

**Sent:** Wednesday, April 09, 2008 9:58 AM

**To:** Charter review

**Subject:** YES - County-wide Elected Mayor

Dear Charter Review Commission:

I urge you to vote YES and add the Elected Mayor proposal to the November ballot. Let the VOTERS decided what is right for their community...

**Steven W. Hudson**

Hudson Capital Group

CEO and President

1850 SE 17th Street, Suite 300

Fort Lauderdale, FL 33316 USA

O: 954-356-5801

F: 954-356-5781

CRC-pak

04.09.08

E: [steve@hudsoncapital.com](mailto:steve@hudsoncapital.com)

From: Richard Wessel [mailto:rowessel@comcast.net]

Sent: Wednesday, April 09, 2008 9:59 AM

To: Charter review

Subject: County-wide Elected Mayor

As a member of the Broward Workshop, I support the right to vote for a county-wide Elected Mayor in November.

Richard O. Wessel

**From:** Bill Mahoney [mailto:bmahoney@mahoneyandassociates.com]

**Sent:** Wednesday, April 09, 2008 9:59 AM

**To:** Charter review

**Cc:** Kareen Boutros

**Subject:** County-wide Elected Mayor...

**To The Charter Review Committee:**

**It just makes simple and basic sense that the voters in our community should have the right to decide on the above. Please get this significant matter on the voter's ballot and let US decide this important issue!**

CRC-pak  
04.09.08

**Bill Mahoney, President Mahoney & Associates, Inc.**

**2455 East Sunrise Boulevard, Suite 300,**

**Fort Lauderdale, FL 33304**

**From:** lhmaier1@bellsouth.net [mailto:lhmaier1@bellsouth.net]

**Sent:** Wednesday, April 09, 2008 9:57 AM

**To:** Charter review

**Subject:** My Vote Should Count - Let's Have Public Elections for our next Mayor!

**Importance:** High

To the Charter Review Board of Broward County:

I would like to express my desire to support County-wide Mayoral elections in Broward County. As a resident and business leader for almost 50 years, please accept my opinion regarding this issue. Our vote is important, and your decision is, key to maintaining involved citizens in our community. It is my belief that voters should decide who the Mayor is. It is also my belief that a 4 year term will provide a higher level of consistency and support for leading important initiatives regarding key regional issues, long term planning and vision, with continuous, recognizable leadership. Thank you for the opportunity to express my opinion.

Very truly yours, Lonnie H. Maier, Citizen of Broward County

**From:** Melissa Coleman [mailto:MelissaC@advancedroofing.com]

**Sent:** Wednesday, April 09, 2008 9:53 AM

**To:** Charter review

**Subject:** Fight the Opposition - Demanding the right to elect your Mayor (on behalf of Rob Kornahrens of Advanced Roofing)

To Whom It May Concern:

I would like the right to vote for a County-wide Elected Mayor in November.

Thank you.

Rob Kornahrens  
Advanced Roofing

**From:** Kurt Langsenkamp [mailto:KLangsenkamp@sfab.com]

**Sent:** Wednesday, April 09, 2008 1:32 PM

**To:** Charter review

**Subject:** County-wide Elected Mayor

To whom it may concern,

I want the right to vote for a county-wide Elected Mayor in November! A county-wide Elected Mayor who serves a four-year term will provide a broader perspective on key regional issues, promote long-term planning and vision, and provide continuous leadership.

Kurt Langsenkamp  
721 N E 44th Street  
Fort Lauderdale, FL, 33334

[klangsenkamp@sfab.com](mailto:klangsenkamp@sfab.com)

**From:** bgraberb@bellsouth.net [mailto:bgraberb@bellsouth.net]

**Sent:** Wednesday, April 09, 2008 1:36 PM

**To:** Charter review

**Subject:** Elected Mayor

Dear Madame Chair and Honorable Commission members,

I encourage you to please support placing the elected mayor proposal on the ballot. This will add prestige, accountability and efficiency to county government. Thank you for your hard work and dedicated service to your county and its residents.

Respectfully submitted,

Ben Graber, former County Commissioner and Mayor of Broward (2000-20006)

**From:** JCA [mailto:JCA@amaturogroups.com]

**Sent:** Wednesday, April 09, 2008 1:59 PM

**To:** Charter review

**Subject:** COUNTYWIDE ELECTED MAYOR

Dear Broward County Representatives on the CRC:

Unfortunately as a 60-year Broward citizen, I cannot attend today's meeting, but I sincerely urge that you allow the citizens of Broward to decide the matter of adding 2 more Broward County Commissioners, they would represent all of Broward County, and as interested citizens and experienced office holders, you know that a band of 9 or 11 people trying to work together need a leader. Not an absolute leader, but someone that has the interests of the entire county at heart. We will call that person Mayor.

I urge you to vote "YES" and allow the people of Broward to say YES or NO to this decision.

Sincerely,

Joseph C. Amaturio

From: Inger [mailto:inger13@aol.com]

Sent: Wednesday, April 09, 2008 2:55 PM

To: Charter review; inger13@aol.com

Subject: Resolution 2008-15

I support this mayor and commissioner item being passed. Please allow the voters to vote on this issue. I remain,

Very truly yours

Inger M. Garcia, Esq.

954-894-9962

Confidential attorney-client communication

**From:** Bernie & Cynthia Hollar [mailto:bernieandcynthia@comcast.net]

**Sent:** Wednesday, April 09, 2008 4:56 PM

**To:** Charter review

**Subject:** Resolution 2008-015

Composition of County Commission

Thank you to the CRC members for all of your hard work this year! I would like to hear discussion on an eight member commission plus a Mayor. I realize that we now have nine districts. However, the census is coming up and redistricting will likely occur. Now is the time we can make the above suggestion possible. So, especially at a time when we are talking about cutting bus routes, why are we discussing adding an additional two members to the commission?

Cynthia Hollar

[bernieandcynthia@comcast.net](mailto:bernieandcynthia@comcast.net)

**List of Callers to County Commission Office**

**Ms. West** read into the record a list of telephone messages received by the Broward County Board of County Commissioners' office in response to proposed Resolution 2008-015.

**Elena Dorfman** – “Against Elected Mayor”

**Helen Fuller** – “No”

**Emanuel Guzman** – “No more Commissioners spending too much money”

**Daniel Labow** – “Objects to additional things that raise taxes”

**Deloris Stallion** – “No”

**Lee Warbin** – “Vote no more members on the Commission, no more elected officials”

**Ethel & Carl Swartz** – “Yes, to decide to Elected Mayor”

**Jack Foster** – “No we don't need more Commissioners”

**Francis Klein** – “No Mayor”

**Francis Stone** – “No”

**Celia Todd** – “No, answer no to that proposal, no too much bureaucracy” (called 3 times).

**Millan Dwald** – “No, the answer is no; that's all you need”

**Deloris Dartsby** – Tamarac, “No”

**Ethel Lymon** – “No to additional members on the Commission”

**Katherine** – “I don't want to spend any more money”

**Ruth** – “Vote no on the tax issue”

**Elaine Baker** – “No to adding additional money to Commissioners”

**Marilyn Dreglin** - "My vote is no"

**Arlene Arkin** – "No, having tough time financially having another burden is not necessary"

**Dorothy Timpennillie** – "No, gas is too high, food too high; give money to people who are not losing their homes"

**Ms. West:** There were 11 more callers who left no names, but they all said no.

### **Continuation of Public Comments Resolution 2008-015**

***Carol Smith – Coral Springs, FL***

**Ms. Smith:** My name is Carol Smith and I am from Coral Springs, again representing the League of Women Voters of Broward County. Just a little background following a study of Broward County Government begun in the mid 1960's, we developed criteria for County Government including support for a Strong Appointed Administrator, support for scheduled Charter Review by an impartial representative group, and finally support for the Charter presented to the voters in 1974. In 1983, we began a review of the governmental structure in the Charter surveying over 50 other Counties of similar size, interviewing officials, and discussing the pros and cons of the various forms of government.

Our consensus reached in 1984 is as follows:

- *Creation of a County-wide Elected Executor or Mayor for Broward County who would not serve on the Commission*
- *Retention of a professional Administrator to be appointed by the Executive*
- *Change to single-member districts*
- *Members would be elected by only the voters in his or her district*
- *An increase in the size of the Commission, "which at that time was 7 Commissioners"*

We felt that even then the rapid growth in the County diverse population, and economic interest required one person elected County-wide accountable and responsive to all the voters, separating legislative and administrative functions, providing strong political leadership, building consensus; all that was vital. A Professional Administrator would still be needed to handle the

day-to-day operations and should be responsible to the Mayor. Single-member districts would provide better representation of underrepresented political and ethnic minorities and provide a balance with the Mayor. At the time we felt that the Commission was too small. We have reaffirmed this position every year since. The League frequently lobbied Charter Review Commission since 1987, in addition to attempting several citizens petition drives to bring about the necessary changes. The 9 single-member district proposal was passed by the voters in 2000, and the title of the Commission Chair was changed to Mayor with no changes in duties, and this you all know. Your present proposal at least presenting a Mayor elected County-wide with a four-year term is a major improvement over the present system. However, we would hope that you could include the following:

- *Have a Mayor appoint the Administrator with the consent of the Commission, making the Administrator report to the Mayor*
- *Instead of expanding the size of the Commission by two, either have the Mayor serve as non-voting with veto power or make the size of the Commission 10. Perhaps requiring a 6:4 vote would make sure that policies passed benefit the entire County.*

Thank you very much.

***Sol Siegler – Lauderhill, FL***

**Mr. Siegler:** I'm here to represent the Broward Coalition a united group of condominium, homeowner associations, and community organizations comprising of 750,000 members. We have coalition members have a jaundice view of Resolution 2008-015. We feel it to be a capitulation to some members of the establishment. We feel it to be a reward to favorite professionals or want to be's for services rendered or to be rendered to current government. The appointment of two more members with their own agendas to the County Commission is totally unnecessary and could possibly be harmful; they're just not needed. What is magic about the number 11? What more can 11 members do that 9 cannot, and at a cost of some \$500,000 to beleaguer taxpayers.

I read with some amusement the pr ads for the appointment of an additional Commissioner and a Strong Mayor; whose term is projected to be four years. The ads read that we finally will have

a Mayor who will be accountable to the electorate, nonsense. Scenario, if we the people are fortunate we would have a benevolent thespian who would be an honest leader, acting in the interest of all residents. If we are not fortunate then we would just have a desk spot without the benevolence. It would simply be the luck of the draw, this we don't need; we've already had enough of this kind of behavior.

Accountability is not something that can be learned it is inbred in the person's character. It comprises the best of courage, duty, and devotion to serve well and honestly. These are truly the marks of a distinguished public servant. I find myself thinking about the current television series (John Adams); such people are not to be easily found. Our current Mayor shows promise in meeting these requirements. Members of the Charter Committee think well, be cautious; act in the welfare of us, the residence of Broward County. Thank you.

***Franklin Hileman – Hallandale Beach, FL***

**Mr. Hileman:** Madame Chair and members of the Commission the City of Hallandale Beach City Commission has asked that I come before you and voice their support for this Resolution. They discussed it at length and there was some very serious discussion about it. The consensus is that the two additional Mayor and Commissioner would in fact give us better capability to deal with the Commission, work with the Commission, and voice our opinions, the City's opinions; with respect to matters that are pending before the City.

Clearly I think what your phone calls demonstrate; and it's something that the City Commission discussed, was the concern about the increase in the budget. Certainly the City is not in a position to talk to the County about its budget but the City Commission did recommend that I recommend to you that in the Resolution you should indicate some sort of language that would account for the potential increase in the budget for the County Commission. Clearly that's an issue for many people and the City Commission is asking that you address that issue as part of this Resolution as well. Thank you for all your time today.

***Russell Rand – Fort Lauderdale***

**Mr. Rand:** I'm in favor of a Mayor and it should be elected County-wide. We need strong leadership and leadership by committee just doesn't work. We have a Commission that is the legislative branch, and that's what they should be doing and focusing on. Right now you have a

ceremonial musical chairs type Mayor and have some background and what not but you really need a super person or whatever that can work above and beyond; that has a long extensive experience. Who can really seize the reigns of this government because it's really imploding from within. This ship is really sinking right now money- wise. It's heading through the ice storms, heading right for the iceberg and that's going to be a terrible thing. The only way to have accountability as Mr. Rogow said you could unelect one of the Commissioners or whatever, if they were really stealing that much or whatever, but you can't unelect the entire body. You really need a king of the mountain type person; it seems to work with the President of the United States. You have that separation and balance between the three and that's the most stable form of geometry 101, a pyramid. You need somebody in charge.

As far as money, I think if it were strong leadership in a leadership position then that person would carve out the money because there's plenty of money. You talk about dedicated funding sources. I was hired 34 years ago I see plenty of waste. You can carve that money out there. This ship is sinking by the weight of its own stuff that shouldn't be being done right now. The things that have unethically been done to me in all, this shouldn't have happened to me. A 10 year old kid could figure this out, but if you have one person that the buck stops somewhere; otherwise right now it's just going around and around in a revolving door. Nobody wants to make a decision and you can't, when that time comes; I keep talking about the hurricane or whatever, you need somebody who's in charge.

If you get on an airplane and the pilot says to you we'll take off as soon as I read through the instruction manual; get off the plane. You need somebody who has been there and done that who has walked through the coals on hot fire and their hands and knees and fingertips, things like I've done to get here. That's what we need as a strong leader of the County. Right now we have weak leadership and it's just not getting anywhere properly. I urge you to put this on the ballot and let the voters decide, they seem to be pretty much in favor of it and they want somebody that they know that they can elect out of office if need be. Thank you.

***George Morgan Jr. – Fort Lauderdale, FL***

**Mr. Morgan:** I am here as the chairperson for the Broward Workshop. I'm not going to spend a whole lot of time speaking to you about all of the reasons we believe that we should have an Elected Mayor. You've seen articles that have appeared in the paper either through articles that

we have done. You've seen full-page advertisements of it as well. We've been before your governance subcommittee on several occasions. We've been before this board on more than one occasion. I was asked two different times today by reporters; why is the Broward Workshop so interested in this? I think it comes down to one simple thing. We're looking for a continuity of leadership. In speaking with every one of the County Commissioners, most of whom have been the Mayor at one time or another; they'll all tell you the same thing, that they didn't have enough time in that office to accomplish what they were trying to accomplish. In fairness, it's a revolving door, and I'm not saying that derogatorily, but when you go from the emphasis that Commissioner Graber had when he was Mayor on the Committee structure, you go to Joe Eggelation whose emphasis is on transportation, and now you're with Lois Wexler and her emphasis is on education and there's nothing wrong with any of that. All of those agenda items are important and they are important to the people of the Broward Workshop and the residents of this County, but you need a consistency that we're just lacking. You are not getting on issues as important as the Port and the Airport and Transportation in general through the SFRTA and their efforts, transportation issues for this County. We're not getting a continuity of leadership. There's no one that's accountable, and that's the issue. There is no one at the helm on a consistent basis that can keep moving an agenda forward, other than for twelve months. I can't imagine what it would be like to change the leadership of my company every twelve months and I don't see how government can operate any more efficiently under that kind of a scenario.

Setting all of those issues aside more importantly this issue has been discussed more than probably any other issue before the Charter Review Commission. There have been more people that have sent in messages to you all individually, to County Commissioners who've appeared and spoken on this. You've had very little feedback from the public today on any of these issues and yet there are people here even though it's the last item on the agenda. At the very least, this item is important enough that it deserves to go before the voters. There are pros and there are cons to every issue. There are pros and cons to this issue. We have many months between now and November. The issues can be clearly laid out for everyone. Both sides can be heard, but the voters of Broward County have a right to decide this. That's what the Charter Review Commission is suppose to do, give people an opportunity to vote on an important issue; and that's what we're asking.

***Dennis Haas – Fort Lauderdale, FL***

**Mr. Haas:** I wish I knew I could send an email, but it has been very educational spending the afternoon with you. I'm not here to talk about the wisdom of the good government or not of this proposal. I'm only here to address the \$500,000 or \$700,000 that's at issue. It may sound like a drop in the bucket when you're talking about the County budget generally, but I've spent most of my time in the last 2 months, whether it be in Tallahassee or at various meetings locally listening to discussions about how to whittle away, down to whether you're going to serve coffee or bring your own toilet paper in some instances, verses how to provide and maintain some integrity in this human services safety net; it's really getting down to that. There are very different issues but somewhere in this discussion budget impact is a very real part of what we're dealing with and the other shoe has not yet dropped from Tallahassee, so consider the cost in evaluating the proposal. Thank you.

Mr. Rogow asked Mr. Haas if a price could be put on good government.

**Mr. Haas:** I don't know how to answer that. I'm not the expert on the issue. I'm here to raise the flag and say, absolutely I believe in good government. You could argue this in many different ways, as you all have probably done for a very long time. I'm just saying to consider in the grand scheme of it, in whatever your analysis is, whatever your position is, the cost of it. My personal view is that this County Commission and this structure has done good service with respect to what I'm particularly interested in as a taxpayer, and as an individual that is involved in providing human services to our citizens and done one of the best jobs from what I've heard of any Commission in the state, so from my personal view, I don't believe that it is necessary. Although, I absolutely admittedly have not studied the issue and not been involved in it other than very recently. Thank you.

***Kareen Boutros – Fort Lauderdale, FL***

**Ms. Boutros:** Good evening, I just want to hopefully get you to remember that at the last Public Hearing there was a room full of people that did make some comments, mostly in favor of this proposal. I believe that yesterday you also received emails and phone calls from citizens that were responding on their own free will, not due to any other method to respond to this positively. I would just like you to remember that there are many citizens like myself who would like the opportunity to vote for this issue in November. I feel that the status quo is just not acceptable and I don't think I want to live for another decade with the system that we have. I really think I

would like to vote for an Elected Mayor and I'm asking you to consider that and to remember all the people who have come before you, the majority of whom have been positively in support of this issue. Thank you very much and please vote with your conscience.

Mr. Mena asked Ms. Boutros what the Broward Workshop plans to do to educate the public if this proposal goes through tonight.

**Ms. Boutros:** I think we'd like to continue doing what we've done. We've taken a first step by placing some ads in local community papers as well as the two major papers. We've promised to build a coalition of not only business organizations in the community, but reach out to ethnic diversity groups from Hispanic Unity to the NAACP and the Urban League. We're looking at possibly putting together some informational forums; we have no problem doing that. We've offered to do that, and we will continue to put some ads in the paper. We're willing to debate anybody in a public forum such as how members have done that before with the Beach Council. We're willing to do what it takes to help educate the public and like the previous gentleman said there is no perfect system. Let's take the opportunity to educate the people on the pros and the cons and let the people vote in November. Thank you.

Ms. Kaletta asked if the Broward Workshop would support keeping the number at nine and having an Elected Mayor.

**Ms. Boutros:** Can I defer that question to the Chairman of my organization?

Ms. Kaletta responded yes.

***George Morgan, Executive Director Broward Workshop***

**Mr. Morgan:** At your subcommittee there were discussions about a program of 7:2, there was discussions about 8:1, and both of those lacked any form of consensus and never passed even at the subcommittee level, so that alternative was looked at. In addition to that, there's certain legal concerns about reducing single-member districts when it's not a part of an overall

redistricting that's a part of the census. Let's say as an example, when in 2010 there may be an opportunity to reconfigure. When you are refiguring the districts, you may be able to change the numbers as well, but to do that in order to add a Mayor or a At-Large Commissioner and reducing the best legal advice we've been given, that won't stand up to the courts. We have that on good authority including through some advice that we received from the Attorney for the CRC, your own Attorney that, that would not fly effectively. It's not that we're trying to grow government. That was another question I had earlier; we're not trying to grow the government from 7; original Commissioners, then the 9 now to 11, but that's the way we know that we can do it and meet all of the legal ramifications of that. So, it's not a matter of do I just want to change that and go back to having 7 and 2. It's just not that simple, and I think you can discuss that with your Council.

Ms. Norris-Weeks asked Mr. Morgan if the Workshop would be agreeable if the Commission came up with a proposal that would address in the Charter allowing the Mayor who's elected by the other Commissioners to serve for an extended period of time, which would exceed up to 2 years but leave the single-member districts in place.

**Mr. Morgan:** I think what we're looking for is the County-wide representation. As we said in our position papers and otherwise, we believe having a County-wide elected official; call it a Mayor, call it an At-Large Commissioner. We think that's important for the balance that's needed to deal with the issues that go across the County, so just say taking the appointed Mayor that's appointed by the Commissioners themselves and taking it from a 1-year term to a 4-year term which was suggested to me by one of the Commissioners as recently as yesterday, I don't think that accomplishes all of what we are trying to do. It does get more continuity than what you have today. Would that be a better system? I'd like to see how the nine County Commissioners would ever come to agree on who's going to lead them, for four straight years. That would be very interesting, but they've had the opportunity to put that proposal forward to you all. Until 2 days ago, I'd never even heard that as an option. It's hard for us to respond to something, when we had a year and a half plus of working with the CRC; to respond to something. Do you follow what I'm saying? I don't think that's the whole answer, the answer is trying to get away from the parochialism. That's appropriate for single-member districts but not to have that as being the all-guiding force. We need the County-wide elected officials to hopefully give that County-wide perspective. Again, I don't think the County Commissioners would find it very easy to select one of their own for a 4-year term.

**Marianne Nestor – Fort Lauderdale, FL**

**Ms. Nestor:** I came before this group when you first met with the case I'm making, and I'm so passionately in favor of having an Executive leader of this County. My position is that I lived in a County that went through this transition in 1974. It's a County of 1.2 million people, and I've witnessed over those years the growth, the continuity, the leadership, the making sense in government that County has now; the difference. Having moved here in 2000, I am frustrated when I read the paper, and I read about grants that go unused, and I read about IT problems that cost a half million dollars, and it's on and on; and those are kinds of things that are accountability issues. You talk about budgeting; we've lost money because no one knows what's going on. I plead with you to get this on the ballot we need a lot of education by the way. The public has to understand what this means. It's not just you know I get to vote. They vote for something. Vote for leadership and continuity. Also it attracts business to a County, beautifully, when people know that the County is in good hands and it's steadfast.

Lastly, I have my one little point being a teacher, I guess. The word Mayor is not quite right. I went to the dictionary, and I think I'm right, and a Mayor is really too small for what this responsibility is, because a Mayor is "*The principle officer of a municipality, city or town, the Chief Magistrate of a city or burrow.*" I think that is not the right word. Executive, I looked that word up too; it came from an Account Executive; "*a person charged with or pertaining to execution of laws or administration of affairs.*" I would encourage you to consider the word Mayor. I think it's not quite adequate for this position and I beg you to get this on the ballot, please.

**Jim Cummings – Fort Lauderdale, FL**

**Mr. Cummings:** You know I don't know of any issue that has come before this Commission that has had more input, more response from the public, more people coming to meetings at 10:00 o'clock or 1:00 o'clock and staying for the duration, than this issue. Quite frankly, I don't know of any item that has had more diverse input than this issue. I think we've had more positive support than any other issue that's come before us. We're talking about continuity of leadership here. Joe Eggelton, as most of you know was very much opposed to the transportation initiative that I was pursuing. It wasn't until October that he called, while he was Mayor, for a Transportation Summit. There were approximately 40 tables at this summit with 10

people at each table. A question was asked, "What is the most important problem that we have with transportation here in Broward County?" Virtually every table stood up and said it is leadership at the County Commission level. Joe is a perfect example. He supported it finally. November, he's out. The next Mayor unfortunately is not so responsive to transportation.

I've heard several of your responses today that I know. Actually I know pretty much how all of you people feel because I've talked to you. I've heard one of you say, well this needs to go on the ballot to let the people decide. That was a statement made by one of you today, and as I look around the room, I'm looking at you. There was another one made that said the Commission is not doing their job, and therefore we don't need a mass transit authority. Well you're right; the Commission isn't doing their job, that's why we want some Regional perspective here. We want somebody who votes for the entire County not just my district, because that minimizes their impact for Regional initiative.

One other thing I want to say, you heard the lady from the League of Cities say that one of the charges would be an impartial group. To me that means you may be lobbied by the individual that appoints you but you have to think on your own on this. Everybody that has come before you that has spoken has been in support of it with the exception of maybe one individual. All I can ask that you do is just vote your conscience. Believe me our United States would be a lot less troubled if our Executive Branch listened to the voters and the people of the United States. It's the same thing here in the County. Let our County people vote. Thank you.

***Robin Rorapaugh – Hollywood, FL***

**Ms. Rorapaugh:** I feel very much like the earlier speakers that we heard from, and most of your emails and telephone calls, and the testimony that I've listened to and looked back upon in your minutes from the last year and a half. You all have a remarkable opportunity in front of you. To put a question to the voters that they are intelligent enough to determine an answer to. Remember Broward County voters have voted down a mayoral proposal before. They voted for the tax cuts that they are supposedly enjoying now. The discussions that you all have had have gone over a 7:2, an 8:1; adding to Commissioners. You guys have had long discussions on that, and you had come to a consensus in December. Now what happened between December and your last meeting in January maybe it was Amendment 1 election, but everybody on this Commission has voted on something today that will cost money. This is the one thing that

you've heard from the public, that they truly want the County to spend money on letting us vote and choosing if we want to have an Elected Mayor or Commissioner. Let us the taxpayers decide if that's how we want to spend our money. I'll tell you it's not a vote for you all to spend the money if you vote in the affirmative. It does not mean you support a Mayor, it does not mean you do not support a Mayor. What it does mean is that you support the voters' right to make this very critical, important decision.

We are a County of 2 million people. We are a County that is going to be facing water problems, transportation problems, employment problems, and we have to have a clear and defined leader to help us go through that. Right now most people in Broward County do not know who their Mayor is. They do not know who the Mayor was last year. They won't know who the Mayor is tomorrow because they do not have someone that they can hold accountable. They do not know who in government to go to. A Mayor will help solve that situation and will help give the continuity for the business community, for the retirees, for the education community, and for all the various constituencies of Broward County to go to. To help come together and solve the problems that 1-year will never be enough time to solve. Thank you all for your hard work. I know it's not been pleasant for you from time to time and hopefully we'll be seeing you guys and discussing this issue when it goes on the ballot. Thank you.

***Jill Bilancone, Esq. – Auto Nation***

**Ms. Bilancone:** Good evening, my name is Jill Bilancone and I'm here on behalf of Auto Nation located downtown. Auto Nation like many of the other speakers before me does strongly support and Elected Mayor and respectfully request that the CRC vote yes on the Resolution. Thank you for your time.

***Scott Israel – Fort Lauderdale, FL***

**Mr. Israel:** Good evening Madam Chair and Commissioners, thank you for all the time you're putting in. My name is Scott Israel and I'm a Police Chief and a Broward County resident. Conceptually I have no problem with adding a Commissioner and a Mayor. However, I don't think this is the right time based on the County analysis with the Mayor, the Commissioner, and Staff, it would be approximately \$700,000. At this time due to the issues in Tallahassee and some of the mandates coming down, we're being asked to cut about \$100 million out of our

budget, \$52 million from the Broward Sheriff's office at a time when contract negotiations are going on and money is at a premium. I don't believe that this is the right time to cut \$700,000 from our budget. Thank you for your time, I appreciate it.

***Mark McCormick – Fort Lauderdale, FL***

**Mr. McCormick:** Goal Coast Magazine and the Broward Workshop. I've spoken to almost every meeting that we've had, so I will try to avoid being redundant. Along this process my view has changed somewhat. Before I thought the most important thing that we were discussing was the Elected Mayor and as I've watched this process take place, I've realized there is really a topic which is more important to me than the Elected Mayor. It's the question of, "Do the citizens of Broward County have the right to choose their own form of government?" With all of the support that I have seen for this initiative both newspapers coming out and supporting it, almost all the Cities coming out and supporting it, 9 out of every 10 emails and phones calls and people who are willing to show up here support it. With all that support, if this group of 20 people can't analyze that and say, "Hey this is important enough that we think the people should decide this" our system is broken. It's simply broken; it shouldn't be that hard a decision.

I think we've said it before but with the 20 of you, you're not voting whether we're going to have an Elected Mayor or not. Saying I'm going to put this through is saying the people can. If the people say they're against this, I'll tell you what and I'm for it but I'm fine with that. If the temperature is, "Hey this is too expensive and the people say that" I'm fine with that. If you guys say that, I'll say I'm not fine with that as a citizen. I don't think that this group these 20 people should decide the fate of this proposal. I think it's important enough that it needs to go to the people. It should be 20 to nothing. The only people I can see against that have political objectives that are coming from high above and I've talked to all the Commissioners and everybody knows where they're coming from.

It should be 20 to nothing, let the people decide it. To me that's the bigger issue. If this one doesn't go through, I'll tell you what, it will never change. The people in Broward County have no control over their form of government. If we don't see this go through, that is confirmed that is the one thing I will know about this process, and as a magazine person I'll tell you what, that is the one thing I care about; that's what the people should know. That this group could put it

forward to the people or you have no control over your form of government, that's the issue. Thank you for your time and all the hard work you've done.

The Chair corrected the fact that there are only 19 members of the CRC.

**Mr. McCormick:** Did you reduce one along the way?

The Chair responded that they had not reduced the CRC.

Mr. Rogow informed Mr. McCormick that the people of Broward County could vote on the Commissioners that they have now and they could vote them all out of office.

**Mr. McCormick:** Their form of government, not the individual Commissioners. This is the form of government, "Do we have an Elected Mayor or we don't?" If this doesn't go through they have no control. I can tell you what with all of the people that have come forth and said, "We want the people to be able to say this," your saying no today, it's not going to happen ever. I'm convinced in my lifetime that this will never come through. The people do not have control over their form of government. They can pick their individual Commissioners but the County Commission controls the form of government. I'm convinced of that if this doesn't go through.

***Ellen Brodsky – Coconut Creek, FL***

**Ms. Brodsky:** It's clear to me from all the emails and discussion that I'm hearing today that I should have stayed home and sent an email. Basically, it's very clear that people really want to vote on this issue, whether yes or no. I definitely am in favor of an Elected County-wide Mayor because it has independence from the Commission, fresh ideas, and County-wide representations. As people have said, the Commissioners have been recycled among themselves for years. It creates strong leadership and accountability of County Government and also it attracts business nationally and internationally, to have a strong leader. To sum it up, it gives government checks and balances by representation, accountability, innovation, and independent leadership. As far as the benevolent desk pod, I'm listening to everybody and hear what everybody is saying. I came here today planning on speaking on public input on additional topics. After the whole day and from what I understand, you voted before the meeting started to remove that item.

The Chair asked Ms. Brodsky to please stay to the topic.

**Ms. Brodsky:** This is part of it. I'd like to ask the Committee here, since I was sitting here all day waiting to speak on that issue, to vote whether or not you will allow me to reinstate the public input on additional topics.

The Chair stated that it was a procedural and voted on, and asked if Ms. Brodsky would like to continue on the topic of the change of governance.

**Ms. Brodsky:** Yes, in reference to what the gentleman just said, I'm appalled that I'm not being given a vote by the Committee on this issue. As far as the desk pod, if I was able to speak about my composition for independent office of the Inspector General for the voters to vote on, that would have solved that problem because we'd have an office that would be able to oversee all government agencies and contracts in the public's interest to save us lots of money. That's part of what I was going to speak about. Thank you very much and yes, definitely vote to have us vote on the Mayor; everybody wants to vote on it.

***Dan Lindblade – Fort Lauderdale, FL***

**Mr. Lindblade:** Congratulations, you're almost at the end. I applaud you for all your efforts and have realized that if I'm ever asked to be in your seat, I will always decline it. I represent a 1500 member organization, I mean 1500 businesses. We have approximately 75,000 employees that cover all of Broward County from Weston, to the Beaches, to Uptown, you name it; they're our members. I have a 45-member board, and we debated this issue. Our board, while it didn't take a firm stance on the Broward Workshop proposal, they did take a firm stance on the fact that they wanted the voters to get a chance to take a look at this.

The Chamber is going to stand behind this. If you do elect to put it on the ballot, we will educate consumers, we will put public forums together with the Council of Chambers, which represent every Municipality within Broward County. I thought in closing, what could I share with you all in my experience in over 20 years of running non-profits throughout the country? What I could share with you that might make a difference and I thought back to my time when I was up in Orlando, FL, Orange County back in the 80's. I was the Government Affairs and Public Relations Director for the Realtor Association up there, at the time the largest Realtor Association in the State of Florida. We put a coalition together to bring about a County-wide

Mayor up there for many of the same reasons that we're looking at right now. If you know what happened up there with Commissioner Linda Chapin and Bill Donovan, maybe some of you know some of those names. They built Orange County to what it is today. It's not Disney, Disney is part of it of course, but those leaders, that County-wide Mayor when they put that in place, they had the leadership and they had the oversight for an extended period of time. That's what put Orange County on the map and that's why it's grown to what it is today. Thank you for your time and I look forward to voting on this in the ballot.

Mr. Rogow asked if the Chamber would support the proposal if it were put on the ballot.

**Mr. Lindblade:** Support the education of the proposal, absolutely. My Board of Directors did not take a firm stance on the Broward Workshop proposal that we're talking about today. What they did take a firm stance on was that they want to put a County-wide Mayor on the ballot. I'm sure if this does pass that our Board would debate it vigorously and come out an either support or not support.

***Dan Glickman – Deerfield Beach, FL***

**Mr. Glickman:** The issue before you today is whether to put this on the ballot. It is always legitimate to disagree, and I do not impute to anyone's motives or judgment who disagrees with me, but the phrase, "Do the Right Thing" usually implies that deep down most people know what's appropriate. Doing the right thing is allowing people to vote on what they believe to be the right form of government. They will weigh the pros and cons, especially if it's worth the cost. All the people who said no will vote no. If they were the majority so be it. There should be 1 million votes not 19. It's impossible for me to conceive that seven negative votes on this Commission will control the destiny of 1.6 million people who choose to vote on their form of government. I ask you please do the right thing, vote to put this on the ballot.

***Joseph Amaturio – Fort Lauderdale, FL***

**Mr. Amaturio:** I hadn't expected perhaps you didn't either want to be here quite this long. I received a call requesting that I should come back here and that's what I am doing. I've been in this community 50 years. I would say this to you, if I were a Commissioner, repeating what I said once before, if I were a Commissioner and I know I was elected by one slice, 1/9 of Broward County; I believe that I would be respectful of that. I would be considering their

position first unfortunately rather than the County. It's just that simple in my mind. It doesn't mean that I'm against the County but I have to say to myself particularly if I am running for election again; I've got to think of what I'm doing for these people. That doesn't allow people who are Commissioners to be leaders for the community. We have huge problems facing this community, huge. I think what we need is somebody who is going to call the meeting to order and say here is the procedure, we've got to get over; this thing, this thing, this thing, and then we're going to go on to something else.

Those of you that have been Mayors for 1-year, I know must be frustrated because how could you possibly get your ideas across in 1-year? It's very difficult if it's a large issue. That's my thought, that's why we need that. I've run several businesses in my life \$700,000 is not a small sum, but the budget here is very big and if we had somebody who was really going to look at the budget for the County, I suspect he will say more than the \$700,000. Finally the biggest thing here that came to me tonight even more so than before and that is this. As 19 members representing the people of this County, I think you should have a respect for the people of this County. Allow them to make this vote. Your vote should be yes, we will leave it to the people to tell us what they want to do or what they don't want to do. Thank you very much.

Mr. Weiss asked Mr. Amaturio if he believed it should be placed on the ballot because he believes the voters should have a right to choose.

**Mr. Amaturio:** Yes sir.

Mr. Weiss asked Mr. Amaturio if he thinks they should have a right to choose on any important issue that comes up.

**Mr. Amaturio:** I don't think that would be possible.

Mr. Weiss asked Mr. Amaturio how he would differentiate between important issues versus non-important issues.

**Mr. Amaturio:** This is a huge problem, this is a huge issue. This has to do with the governmental process and representation in this County. There is no elected person now who says, "Let me speak about what is good for Broward County first." Now I know one Commissioner said, "I do that all the time." Well I hope he does, but the point of the matter I

would say is, it would be very difficult if I were the Commissioner. I would have to say, I'm running for re-election and it would be very difficult for me to say that the County comes first and those of you that represented me, you come second. I don't think I'd be re-elected.

Mr. Weiss asked Mr. Amaturio if he felt transit is an important issue.

**Mr. Amaturio:** Absolutely.

Mr. Weiss stated that Mr. Buckner's original Mass Transit Authority proposal had failed and asked Mr. Amaturio if he felt that should have gone on the ballot.

**Mr. Amaturio:** I don't know enough about it to answer that question adequately. If it is an issue that has to do with the whole County and it's a serious issue, and certainly transportation is; I would really think about doing that.

Mr. Rogow asked Mr. Amaturio if the issue related to the form of government itself should be presented to the people.

**Mr. Amaturio:** I think you have the answer, the way you phrased it Mr. Rogow, absolutely, without any question whatsoever. That's where this group can show respect for the general public's mind, opinion, intelligence, and their ability to make a decision that will affect them as individuals. Thank you.

***Charles Caulkins, Esq. – Fort Lauderdale, FL***

**Mr. Caulkins:** Good evening, my name is Charles Caulkins; I'm a managing partner of the Law Firm of Fisher and Phillips, we have an office here in Fort Lauderdale. We actually have 19 offices around the United States. I was going to address a couple of things. One as a manager of our law firm this week, in fact today, I was in Ohio and yesterday in Pennsylvania. We look for places to have offices and one of our questions is the type of effective government that's going on. That's part of the equation as to whether it's a good place for us to put an office. I've been involved with other businesses that have decisions about locating offices, but I can tell you if you've had that experience, I'm sure you would agree with me that it's very important for encouraging businesses to develop and to go into this County or any other County to look at the

type of government that's in place. That and some other issues are the reason I am in favor of having an Elected Mayor in Broward County.

The other thing I wanted to point out is, you guys voted in December to put this on the ballot 16:3 as I understand it. If 16 of you said that's a good thing to put on the ballot in December then what changed between December and now; I'm not sure. I understand in January, or I think that's when your second vote was, there was some concern about the expenditure of funds that the citizens had voted on Amendment 1 to be more cautious about the expenditure of government funds. If that's the reason then let's talk about that and I'm sure you have talked about that. Isn't that then a decision for the citizens to make here on this issue? Isn't that a decision to take to the Broward county citizens and allow them to decide, do they want to spend more money whatever that is in Broward County? They had a vote on Amendment 1 and voted yes. I don't know about Broward County but the citizens of Florida did.

I think if you don't put this on the ballot to go out to the media and the TV people are out there right now I think, and explain to them why you decided not to put it on the ballot. You're going to create I believe cynicism in this County about how to get change in our government. Sixteen of you said it was the right thing to do, how can you not put it on the ballot and let the citizens decide? How can you sit here and say that it's going to cost us more money, so you're going to decide for the Broward County citizens not to spend the money. I think that is something that would be in bad form. It will not be good for future CRC's' that meet, and I think hopefully that you would stick with your 16:3 or make it 19:0 kind of a decision that you did in December. I also want to echo what our other speakers said, thank you very much for agreeing to serve our community in this role. It's a very important role for our community and I know there are a lot of people that appreciate all the time that you put into this. Thank you.

Mr. Mena asked Mr. Caulkins what keeps him in Broward County and if he is originally from here.

**Mr. Caulkins:** No I'm not originally from here, but we've had our office here since 1981 and it's grown. We have 12 lawyers and about 20 staff people. This office has not grown for a while because we've decided to put our growth in other areas in Florida, Orange County Orlando. There isn't one thing that makes that decision but it's certainly an important decision that we make and I know business people make when they are looking at expanding or they are looking

at opening an office. We need in Broward County more businesses. The Broward Alliance got a big effort right now that's being headed up by President Ray Ferrero of Nova Southeastern University to bring in more business. You can talk to him and I guarantee you that one of the questions on the agenda item is what kind of government do they have in Broward County, is it effective and is it doing the kind of job that we would want to be a part of Broward County. Thank you.

The Chair stated for the dais, that there are three speakers remaining and then she will close the Public Hearing for a 5-minute break prior to discussion.

***Joy Cooper – Hallandale Beach, FL***

**Ms. Cooper:** I wasn't going to speak on this, I know I've addressed this body before on my thoughts as a resident being able to directly elect a Mayor and certainly support it. After sitting and listening to the conversation, and actually hearing some of the politics that have been going on, I have to tell you I believe strongly in public service. I do what I do because I love my job as a public servant. I do not enjoy politics and I am disturbed at the point that we would have calls going out to seniors and our citizens again gerrymandering tax increases, and playing to the same rhetoric that we're hearing on a state level that government shouldn't cost anything, services shouldn't cost anything. I'm here to say they should cost a lot. Democracy has cost people's lives; the right to vote and have fair representative government is the core to our democratic values. That's how I was raised, that's why I believe in government. I know we have a lot of issues to deal with but I believe people should have the right for representative government, and it will be a good choice for you to vote yes and empower people to make this decision.

Everybody has budget issues, budget issues need to be left and in all fairness and I've said this before; I've said this to County Commissioners in front of boards. It is disingenuous to make this a tax issue. They need to evaluate their budget, evaluate their staff, and learn to do more with less as every municipal government has been doing. I'm going to say one more thing because it's been burning me. I am tired of hearing that government shouldn't cost a thing because it does. To have a State Representative and a Governor and all our representatives in the state making laws for the past 10 weeks and then coming home and not having to deal with the stuff that we have to do on a daily basis, and basically dealing the drug that I call now tax

cuts to people that think that it's the best thing; they're hooked on it, they're stoned on it, but they don't realize what it's doing to our economy and what it's going to do to our quality of life. We need to start thinking about the cost of government to realize that it's not free, it's very valuable, and it cost money. Thank you.

***Alan Levy – President/CEO of Great American Farms***

**Mr. Levy:** Ladies and gentlemen, thank you for this opportunity once again. It's good to be able to talk with you about this issue. I think it means a lot to this community to have this dialogue, and if we can come out with a positive answer to this question, "Do the citizens have a chance to be involved with government?" I think we will have won a great race. Let me just go into a couple of things. I am President and CEO of Great American Farms. I've been in agriculture my whole life. My family and I moved here in 1942, so I've seen a lot of changes; a lot. I can tell you we'll celebrate our 50<sup>th</sup> Class Reunion of Fort Lauderdale High School this year. You've seen things, you've seen governments change, you've seen communities grow, and you've seen a western Broward County.

When we decided that single-member districts had to come into play because of the control that was taking place in certain lock votes that's what brought single-member districts in, bigger than anything else did. We need single-member districts. I'll tell you why, because each Commissioner is a single-member Commissioner who represents about 200,000 people. Now if the population grows as anticipated, they'll represent almost 300,000 people. That's a lot of people and I think people need representation, but the question is, "Is that district Commissioner spending enough time with their district or are they out trying to politic making deals all over the County." I think that's the big question.

As far as the cost of running a commission office it keeps going up and up and up. I've been trying to get these figures; \$350,000 for a commission office to run that for a year! I think that's preposterous, and if it is costing that I think somebody needs to look at it. I think that you could absorb two more Commissioners typically without raising another dime. I think there needs to be some consolidation and some resources that we could save some money on. We have got to work together ladies and gentlemen. I am a member of the Broward Workshop; I've been a member of the Broward Workshop for 25 years and I'm very proud of it. The organization is a private organization and we're here to try to improve business conditions in this area in Broward

County. Remember we use to be basically an agricultural community. We now have the chance of becoming a very diverse and very excited economic base for many clean industries. Let's put somebody in charge that can at least recognize opportunities, direct the districts, and work as everybody's friend to try to make a difference. Thank you.

***Judy Stern – Fort Lauderdale, FL***

**Ms. Stern:** Good evening, everyone I know this has been tenuous for everyone. My name is Judy Stern, and I was not going to speak tonight but I think it's really important to remind everyone that 900,000 voters had the opportunity only 8 years ago to vote on this same identical issue of whether or not to have a Strong Mayor issue on the ballot. In the year 2000 there was a ballot initiative, there were two competitive issues. The voters of this County voted to have nine single-member districts. They did not vote to support the Mayor initiative. So for anyone to repeatedly state that the voters have a right; the voters did have a right, this was the opportunity that they chose. They also chose to implement term limits and each Commissioner today serves for three terms. That was voted again by the voters. The voters had the opportunity to speak. This County has not withheld the opportunity for the voters to have a say so to the form of government. That is what's being addressed today. Ms. Norris-Weeks you brought up the issue about consistency. If the issue is about consistency, yes there are ways to change some of the policies within. You have to weigh what's important as to what should be Charter or what should be policy. You have a Mayor that last year brought closure to the issue of the airport expansion, also during the term of that Mayor, you also cut the greatest cut that was ever cut out of this budget. This year's Mayor is already halting public workshops to cut \$100 million out of the budget. It is a financial issue; it is something that's being forced.

Growth is slowing down in this County, we are at build out. People can't afford to live here today. We also have to consider the balance of continuation of providing public service to the residents, public services being social services, police, safety, etc. These are all of the issues that deal with the County Commission. They have taken leadership roles in that position, so before everyone starts saying the voters have a right, the voters did have a right and they voted 8 years ago. This was a decision that the voters mandated into this County. Thank you.

Mr. Mena advising Ms. Stern that he believed her opinion was a little myopic asked her if she believes that since the people had the vote in the past they shouldn't have the right to revisit it even though in 6 years our population has grown.

**Ms. Stern:** What I am saying is, when you stand here and say that the voters haven't had a right to say about the form of government, that's incorrect. The voters did have a right; they did vote they voted in 2000. At this present time, that's when they voted to initiate a Mayor and second Chair; they selected nine single-members, and they also voted in term limits. Four years from now, there's also going to be another change in government because you will be having at least three of the members, or four of the member's term limited out. Thank you.

**[End Public Comments]**

***[The Chair called for a 5 minute recess at 7:16 p.m. and reconvened the Public Hearing at 7:25 p.m.]***

**[Dais Discussion on Proposed Resolution 2008-015]**

The Chair reminded everyone that the CRC has debated and had countless conversations with regard to the Composition of the County Commission. She then opened the floor for discussion of Item 2008-015.

**Mr. Trower MOTIONED to approve Resolution 2008-015 Composition of County Commission; Mr. Esack SECONDED.**

The Chair opened the floor to discussion.

**Mr. Weiss:** First of all, I just wanted to say that I don't plan to demagogue this; I think people know how I feel about it. I do want to put something on the record as briefly as I can. I've made some notes so that I don't get disorganized, then I'm going to be done with this. First of all, I want to say that I don't take any of this personal and I think everybody has their own feelings about it, and I respect the feelings of everybody in the group. I have thought about this very hard, and I just disagree with the proposal. I frankly feel like this has been an excellent lobbying

job. Some of the things that have happened in the course of this including peoples jobs being threatened, including people being threatened over this issue which happened, even just this evening. I don't think this is consistent with the kind of debate that we've had among our commission but that's just the way it's been.

I do want to say that I don't think there's a ground swell for this proposal. I didn't get a chance to analyze the people that spoke this time but I did get a chance to analyze the people that spoke last time, and out of the 17 people that spoke last time 16 were supportive. Of those people the best I can tell because it's difficult to find out, 10 of them were from the Broward Workshop. I think the constituent group here that is supporting this is the Broward Workshop. I really don't have very much information about them, and I certainly respect their right to advocate a position but what I see here is the Broward Workshop. I don't see a big citizenry. The only gentleman here that represents a significant group represents 900,000 people and he opposed the proposition.

On the substance of it, first of all I think that this measure is misleading to the public. It implies that this Mayor will have two points that have been, the biggest point is accountability and I don't think this Mayor has any more accountability than the current Mayor. The current Mayor has no control over administration, can't hire anybody, can't fire anybody, has no control over the department heads, has no control over the budget, has no control over the attorney, can't reorganize the County, can't set policy, and the truth is because they are subject to the Sunshine Law can't even do some consensus building privately because they can't talk to any members of the County Commission outside the County Commission meeting.

In addition to being misleading to the public, I think it's unfair to the person being elected, because I've seen circumstances where people are elected, they have the title of Mayor and the truth is this person is not going to be able to do much. They are going to be able to lead the meeting and they can have some input into the agenda, but beyond that they have no power at all. I am against expansion of government. The budgetary reason is secondary to me, but the idea that more County Commissioners is going to make this County any better, I don't believe that. I frankly think that less government is better, and some of the proposals today I voted against because I feel like they were just adding additional government.

The issue of continuity I think is significant, but last time when we amended the Charter there is a provision in Section 2.03 of the Charter which allows the Mayor to be re-elected by their peers for successive terms. It provides for 1-year terms, but there is no prohibition if the person is doing a good job and their fellow Commissioners want to re-elect them to re-elect them again. There is nothing in the current Charter that prohibits a Mayor from serving for the 4-years that's being discussed.

The item that I tried to discuss a little bit with the gentleman earlier if I was too strong, I do apologize. I don't think we have an obligation to put everything on the ballot. I think that the most significant proposal that we decided not to put on the ballot was Michael's proposal on the Transit, but we decided to make that decision. I think we have an obligation to put things on the ballot that are good. Otherwise, there is no reason for us to exist. I think that we've spend a lot of time trying to put things on the ballot that are good that we think will better the County. Just because a proposal has been made, and again I've talked about who I think is making this proposal; I don't think we have an obligation to put something that we don't think will be better on the ballot.

This item has been discussed more because the same people keep showing up and talking about it over again. The last point is that I do feel like the current County Commission is not parochial; I don't. I think that a lot of them have a County-wide perspective. I think they try to do what's right for the County and, yes I think they're interested in their districts, but I don't think that's the way they're making decisions. As I said earlier, I do think there are problems with the County, but I don't think there's any problem with the structure of the County. I don't think by adding two more Commissioners are going to make any difference. I believe that is all I had in my notes. I don't plan on speaking again that's the way I feel. Thank you.

**Mr. Rogow:** A lot of what Richard said is really very well taken, and I was surprised when we passed this 16:3 in December and then I missed the next meeting and low and behold it was defeated; then of course it's come back. When I made the motion originally I thought it was a good proposal then, and 16 of us did, and I still think it's a good proposal. Although I don't know what the outcome of this will be both in terms of how the voters will act on it, or how the new Mayor, if the voters approve it and the other At-Large person will change the government. I just don't know what will happen with it, but I think it's worth a try to see if we can advance the County in some significant ways.

I think what really most impressed me about today is the sense I got, from many of us, when we were voting on other proposals of dissatisfaction with the way the County is operating now. I mean we have made the redistricting something that is going to be farmed out for final approval by the Commission, but still taking it away from the Commission and the Commission's ability to make the decision without any outside input. We talked about, and we approved statements that it's a regional government, we've got housing, we've got the transportation, all of that began to talk to me and say that the sense I got and I didn't agree with a lot of those proposals and voted against some of them. The sense I got was that it wasn't working in the optimum kind of way that we would like to see it work or else we wouldn't have put some many of these things on the ballot trying to encourage, even by our resolutions, trying to encourage the County to act in ways that were more able to meet the needs of the County as a regional government.

I think that this is not going to be a dramatic change because two votes, if it's approved, is not going to make the difference. All that we're talking about here, I think, is creating an atmosphere that may make change possible. I do think what Mr. Amaturro said about each Commissioner being responsive to his or her district, I that's accurate. Although I do agree with Richard and I think that most, probably all of the Commissioners are seeking to do what's best for the County, but still the perspective that they come from is a more parochial perspective. Having someone who is elected County-wide, two people elected County-wide, I think will create a new dimension to County Government. It may not but I think it's worth a try.

I don't think that it's so important to have a Mayor with all of the powers, because I agree with Richard that the Mayor won't have any powers. As I said before when there was no power, no money, no anything I was for it; so I am still for it, but I do think there is a certain gravitas that goes with someone who is elected County-wide. I think that person in terms of dealing with businesses that are coming will create a feeling of more comfort for businesses that are coming in. A person they can talk to who won't have the power, because Richard is right, that person won't be able to lobby all the other Commissioners, but that person will be the face of the County, and that person would have been elected County-wide. I think that creates an image that is helpful, you know? So much of what we see in politics and life really is image, and I think that having this image of a Mayor elected County-wide, it's not a strong Mayor, but it is a person who would have to go out and canvas from Hallandale Beach to Parkland, maybe even go to Coral Springs. I think that will give that person a sense of the whole County and hopefully the person would have to be a terrific person to be able to work with the other Commissioners and

encourage them to do what's best for the whole County, so I think it's a good proposal, I think we liked it in December, and I think we should like it now.

**Ms. Norris-Weeks:** First of all, I do want to thank the Broward Workshop for educating and helping us to think outside the box. My conversation with some of them particularly Alan Levy was very knowledgeable, and has been very helpful to me in helping me to think through what other kinds of things can accomplish what they are putting forth. One of the first issues that I spoke with folks at the Workshop about was the concern of if there's an issue and your district Commissioner does not support that issue; how do you get that issue out to the forefront if your district Commissioner does not take that issue up? So I proposed this morning in the meeting, before this meeting, to this wonderful body what I thought was at least a recommendation to the County Commission to try to create some sort of procedure where residents would be able to put items on an agenda. There would be a process for this of course but residents would be able to agenda items and be heard even if there County Commissioner wouldn't necessarily put the item on the agenda. At least there could be some vetting and some discussion about that item. I still think it's a good idea and I think that would get to one of the issues that lead to what the Broward Workshop is trying to address.

Another issue that they brought up was an issue today and this was the first that I've heard of it. I guess I was thinking along the lines of someone else who said they spoke with, but along the lines of continuity and how do we deal with the issue of continuity? I think you can deal with that without creating an Elected Mayor. Again you can extend the term, you can mandate that whoever they choose to serve, serves for some particular period of time. There are many ways you can get to that issue. I've been listening very carefully to what some of the concerns are.

Another thing that's been brought up time and time again in my conversations with the folks at the Broward Workshop is to try to deal with the issue of influence. Again that's an issue that we tried to bring up in our process. I don't know if we will ever be able to really address it in a very meaningful way, but too much Influence of outside sources with County government. Some people have a concern whether it's real or not it is a concern, we tried to address those issues we've talked about them and there are things that we can do with that even still.

I do think that as Richard said, there's a false sense of hope about what this Elected Mayor would be, if it's not a strong Mayor. One of the things that's been proposed by the Broward

Workshop they said to me, "Well this will get at least headed in the right direction," and I think that's why putting forth something to the voters, something that's just getting us headed in the right direction as opposed to something that could really address what their issues are. So, I disagree with the proposal on many levels, notwithstanding that fact that there was just an Amendment 1 vote not long ago which was overwhelmingly supported by the residents of this area and Broward County, not only that but throughout the State of Florida where people seemed to want less government. So call it what you want, but when I listened to the County Commission yesterday debating how they were going to reduce bus service and people who really needed it elderly folks, and disabled folks. I mean there is a real issue I think with respect to funding that we can't ignore.

Then, what happens when this county-wide Mayor that you elect happens to be one the side that... There's always going to be a majority and a minority in terms of whose sitting and what votes are taken, and that seems to be at least a pattern of this Commission. What happens if your Mayor is on the side of what seems to be in the best interest of the community in which you live in? What do you do then? So, there are all kinds of things that could potentially be problems and while I would welcome the opportunity to address some of the Broward Workshops' concerns. I think we can do it in other ways other than having what I consider a half baked County-wide Elected Mayor on the ballot. Thank you

**Ms. Good:** Again this is an issue that's very important to all of us and certainly, to many of those out in the community. I just want to speak a little bit about some of the comments made earlier, especially regarding comments from my friend Richard. Some of the comments, I think that Richard mentioned was the fact that the public has been misled regarding this proposal. I agree with you, but not on the same idea. I think that the public has been greatly misled on the fact of how much this is going to cost. Let me start by saying that I've always questioned the issue of the money that's being attached to this proposal. Nevertheless, I am very fortunate that I live in Southwest Broward and I am very well represented by the Commissioner in that area. I think the Mayor that we have currently serving, Mayor Wexler is an excellent Mayor and I wish she could serve for another 3 years as Mayor. I am very fortunate that I am well represented and I can speak to my Commissioner and hopefully present ideas, but not everybody is going to be that way and it might be that way in the future when Commissioners change and evolve to different positions. I think it is important to have that additional representation, and it is an important to have an At- Large perspective. I certainly know the value of it from the School

Board. I greatly value having an At-Large representation on the School Board. It's wonderful that if you don't happen to agree with your particular district Commissioner, you have two other voices and two other perspectives that you can go to. It may not always be to your favor, as you indicated, but you know what? There are two other people who you can go to and present your case.

I think this is a very important issue. Certainly the Broward Workshop has done a fantastic job. There's no question that they have come and they have presented facts to this entire Board but they are voters and residents of Broward County. The fact that was mentioned earlier, the majority of the people who have come before us have been from the Broward Workshop. I don't know if all those emails and all those phone calls were from people from the Broward Workshop, but certainly they are residents and the fact that they belong to an organization such that doesn't negate the fact that they think it's an important issue that should be decided by the voters.

Lastly my friend Richard mentioned that less government is better. I just don't agree. Most of the time I agree with that position, but in this particular case I don't think it has to cost the taxpayers as much money as has been indicated. I do think that having additional representation would be a benefit to the entire County, and I support the measure and would hope that we allow the voters to vote, no matter what we personally feel about the issue. I think it's had so much commentary not only from the public, but even from the local media that it's obviously important enough to let the voters vote it up or down. Let them decide whether they feel that additional budgetary dollars to have that representation is necessary. Thank you.

**Mr. Benson:** I too would like to offer my compliments to the Broward Workshop, and the efforts that the Workshop and its representatives put forth to get this issue before the Commission and have it vetted in the manner that it has been vetted. I however, tend to disagree with the position that the Broward Workshop has taken on this. I do not intend to continue a lot of discussions on this in that the observations that were made by Mr. Weiss on this matter clearly points out my position as well. There is however, one overriding factor that I think both Mr. Weiss and Mrs. Norris-Weeks did not address when we talked about the issue of continuity. If you recall I asked a question, "Don't we have a provision in the existing Charter that will allow the Mayor to serve more than a 1 term?" At the time Sam flipped through Charter and said, "Here read this" and sure enough there it was. So, my point is if the issue is continuity, which

seems to have been the overriding opinion of the Broward Workshop with regard to electing a Mayor County-wide, the provision for that continuity can be taken care of in the existing Charter. What we need to look at is the practice that is promulgated by the sitting Commission and ask them or lobby, or have the Broward Workshop to lobby them to change that practice to allow for a person to serve as Mayor for more than one year. I would like to thank Richard for articulating his position on this matter and it mirrors mine precisely and I thank you.

**Ms. Eisinger:** I think we've had some really good discussions on both sides of the issue, and I certainly appreciate all the efforts of the Broward Workshop. I do echo many of Mr. Weiss and Mr. Benson's statements. Conceptually, I think it is in order; I've been an advocate of a Mayor At-Large, but have remained firm in my position of it remaining a 9 member Commission. Services do cost money, and I agree with that, and I think if we want services we need to pay. But the current Legislative action caps what local governments can charge. If we put this on the ballot, I question to everybody; what services are going to be reduced? And are we going to put this on the ballot with a price tag, with a notation that perhaps we will be cutting Fire Rescue, Police, Library Services, and Parks Recreation? Because I do have a concern about that and I think it's a very important valid concern.

I agree with statements about accountability, but Richard did make a statement and I think it's very important that we recognize our structure of government is a County Administrator Commission form of government. The day to day operations are run by the County Administrators, and whether the structure that we're voting on is called a Mayor At-Large, they still have one vote when it comes to Commission decisions. So, perhaps there is too much emphasis on that position as well. For those facts that I shared, unless there's some decision to go back to that 9 member County Commission and change districting, whether its 7 member with 2 At-Large or 8 members with 1 At Large, I think that's the direction we're going, so I am going to vote in opposition to this resolution.

There was a guy who had a really good comment earlier. The comment about bring your own toilet paper, I mean that's how much we're cutting budgets. The length of today's meeting caused us all to make quite a few trips to the restroom; and I will finish on that one.

**Ms. Tanner:** I'd just like to say that I agree with all those voters in Broward County who clearly stated that they wanted to be represented by 9 Single-member Districts and to have the Mayor

be chosen within that Commission. I think that it works; the Commission needs a majority to put things through. They also extended each other the courtesy of putting other items on the agenda that have nothing to do with their own districts. I think the Commission has done a great job in working within the districts and with the County At-large. I don't think that this is something that needs to go forward with putting more money out there to get two more elected officials. Like I said, I think that I agree with the voters who have already voted. Thank you.

**Ms. Kaletta:** I have several things I'd like to say. One is that it's interesting that the Mayor does have the capability in the Charter for being up for more than 1 year, but they've already set the standard they move on. They elect the Mayor and the Vice Mayor and that Vice Mayor is going to want to move the next year. They are not going to want to stay Vice Mayor for 2 years; they're going to want to move on. I also think there's something that all of you are neglecting when it comes to the Mayor being a Commissioner first. When they become Mayor that puts double duty, and I think that's a burden on the person who is the Mayor that is unnecessary. That person has to serve their constituency and they also have to serve as Mayor of the County. That's double duty, and if you think about it I'm not sure that's quite fair to them that they can do really a good job at either one of them. Think about it, they're serving two masters at that point and not very many of us can serve two masters very well.

As far as the comment about the majority of people that have come and talked to us and have been supportive of this being from Broward Workshop, I'd like to argue with that point. The League of Women Voters is a very large organization in this County. They support a County-wide Elected Mayor. The Miami Herald and the Sun Sentinel have both had notices in the paper that they feel as though this is something that should be done. I am one of the common folk on this Commission. I don't deal with a lot of people in my day to day life that ends up in the stratosphere. Every person that I have talked to about this have all said they would like to have the ability to vote on a Mayor. By the way, I would like to agree with the one lady that was here who said that Mayor is really not the appropriate term. We should be calling them something else.

As far as continuity, I want to come back to that. Mayor Graber made a very specific point, and I went back and read the minutes to make sure I was correct on this. He said that when he was Mayor he made a trip to Japan and he said there was a contract that was ready to be written for \$2 million in business for Port Everglades. In the process of that, by the time that contract was

due to be signed and fulfilled, the County backed out because there was no continuity there. That's \$2 million that the County lost as a result of that. I agree I do not want to expand the Commission that is my one problem with the whole thing. I think we'd be better off keeping it at 9 whether we have 1 or 2 County-wide elected; I don't care.

We've heard the comment that legally we can't do it, well we have a census coming up in 2010, and at that time we have all also made a push for the fact that putting on the ballot there would be an outside Consultant who will be doing the redistricting. That will be a very appropriate time that this whole thing can come together. We can cut it back to 8 and have 1 Elected Mayor County-wide and that would solve the problem that so many seem to be having, as far as the budgetary issues are concerned. I think that this is something that needs to be done because of the people that I deal with and the public seems to all say that they want to vote.

I find it very disappointing and very disturbing that people's jobs would be threatened over this. I don't see the connection. To have that brought up here without an explanation is bothersome to me.

**Mr. Mena:** I'm kind of wondering how I'm going to address you all. I'm really disappointed that several of the people just don't seem to get what this is all about. They're talking about the cost of this proposal. They're talking about this; they're talking about Broward Workshop like they've been a nemesis instead of a positive force. The issue isn't whether it's going to cost us more money. The issue is not about Broward Workshop. The issue is whether the people have the right to vote on this, and I think you're forgetting that. You're telling the people of this County that the interests of their own people that have nominated you to this particular dais are more important than what these people outside this room are asking for. They want the right to vote on this, and we're not giving it to them possibly tonight. I can see where it's going, shame on you for that because I feel that you are not doing the right thing.

Mr. Glickman came up here and said, "You do the right thing." I'm going to do the right thing when the time comes to vote, but if it's more important to mislead the public, as Mr. Weiss has said. I don't agree with that comment and I don't mean this in a derogatory sense or an attack on you personally, but I think you're misleading the public by saying what you said previously; and I won't repeat it again. 1.9% of the \$3.7 billion budget of a County is nothing, to what? Those \$2 million from Japan would have come in when Commissioner Graber was talking to us

not too long ago. We need to educate the public. If the public is educated, they're intelligent enough to be able to make that decision. It isn't our decision; all they are asking us to do here tonight is to put forth this proposal so that the people make the decision, not us.

I feel like some people, I've said in the past here, that there is money to be had if indeed it's going to cost us that. I don't think it's going to cost us that. 1.9% sounds like a small amount of money, but I bet you there is money to be found in the County budget. Has anyone bothered to check to see if the County Commissioners at this present time have cut back any of their costs, what is it, \$350,000 per Commissioner so they can have two or three staff help; that's a little much, in today's times. If the City of Cooper City and Coral Springs and everybody else is cutting back, why isn't the County Commission doing so?

Another thing, yes Richard, the people left but what time is it. It's almost a quarter to eight; we started here at 1 o'clock. We just talked about everything there was and here dealing with the most important issue at 8:00, and we had a sandwich for dinner. What's important here people? What's important here is the issue that the people should make the decision, whether they spend 1.9% or whatever, it is an extra two people.

I agree with Ms. Kaletta, you have a good point. If there is a way that you can tonight, do the right thing and see if we can study the possibility of taking 9 Commissioners and somehow bringing it up so that one or two of them, maybe just one can run for Mayor.

Going back to the business of leadership nobody mentioned that. Continuity is one thing, but you need a leader and we don't have that right now. In 11 months, people can't really do anything because the last month they are packing and ready to go back to their regular chairs? I think this is the most important thing you are ever going to have to decide on, on this date the future of our County. Put aside your political personal feelings. This is not about politics people; this is about the voters of the County. I am just so frustrated. I just can't believe that we're so *myopic*, I love that word. That we're not going to vote on this because of the cost. Let the voters decide. It's not our position to do so. Our position is to present it to them. Do the right thing.

**Mr. Maus:** I'm in favor, but for three reasons. Potentially it's a better form of government. You're going to have 2 At-Large members now. We heard going back to the earliest meeting where we had the County Commissioners come in and several of them said that there was parochialism, and they took issue with it. This at least minimizes that, if not eliminates it. It makes it a better situation and potentially, it's a better form of government which as Bruce asked Mr. Amaturio that's the most critical issue that this County has to deal with. I mean if you go down the list of things that we've decided here in the last two years, at least half of them have provisions that the County Commission could have already taken care of. The Transit Committee and the Housing Committee but they didn't. We have a chance now to put something before the voters that potentially a better form of government. Putting aside Broward Workshops involvement or lobbying, whatever you want to call it, at best it's been 50/50 from the public's input that's come in here. At best I'd say for the people that are against this Resolution, I think it's probably been more in favor of the Resolution, but at best, it's been 50/50. Without any partiality 50% of the people that have come before us are in favor of this we've heard testimony from County Commissioners that it would be a better form of government.

I agree with Mr. Mena, I think we owe it to the public to give them an opportunity to vote on this. I'm sure 8 years ago when they went to the 9 single-member districts there was no argument about cost, there was no argument about, "We don't need to change anything that it's not a better form of government," but it got voted in and low and behold the public voted for it. They thought it was a better way to have County government perform and I think they should at least be given this opportunity.

I agree with Mr. Weiss that the cost in this issue is secondary. If you go to what Mayor Graber said what the Broward Workshop has testified too, that there needs to be continuity. That the point person is going to have the ability to bring in more business to this County is going to drive the County, going to generate tax revenue. That's going to far offset any short-term initial cost to add these two Commissioners and to have a County-wide Elected Mayor. Mayor Graber made a perfect example and we've heard several times one person is in favor of transportation, one person is in favor of education, one person is in favor of something else.

The County Commission hasn't seized on this provision that allows them to extend the Mayor's term to 2 years or whatever the provision is; and there is a whole host of things they haven't seized the opportunity to do. This allows us to put it before the voters and let them decide what

they think is the best form of government and if they vote it down so be it. That's fine, but at least they've had the opportunity to vote on it. It's the single most critical issue that we've talked about in the last two years and I think everything else is secondary. We should give them an opportunity to vote on it.

**Mr. Buckner:** Helen Keller once had said that, "*One can never consent to creep when one has an impulse to soar.*" We have an opportunity tonight to make two choices. One, are you going to creep, limp along, without consistent leadership? Or are we going to make a choice to soar into Broward County's future where we have consistent leadership; leadership that has vision? I've been sitting on this CRC for 2 years and this entire process, it's hard to debate. This particular issue has been very disappointing. I've seen the ugly side of politics, County Commissioners interfering and other types of shenanigans going on; on this very important issue.

Many of you may have seen my letter to the Broward County Mayor and carbon copied to the County Commission asking for some type of dialogue with the County Commission. I haven't received an official response from the County Commission.

I used earlier this evening the term intellectually honest. We've had gifted members on both Bodies; this Body and on the County Commission and we haven't really been intellectually honest to be able to sit down at one table and actually come up with a logical solution to our problems; which we all have acknowledged tonight, lack of leadership. As many stated before, the provisions that we passed have been because we felt that County Government did not address those issues in the past. Regardless of whether or not this type or form of government is appropriate, you know we have two Mayors sitting on this CRC that were directly elected in inner Cities. We have City Commissioners who sit on City Commissions with Elected Mayors. We have mostly everyone on this dais, either lives or works in a municipality that has an Elected Mayor. Why is it okay to have an elected form of Mayor in your cities where you live and work in, but not have one in County Government? I see that as being very inconsistent.

In regard to the cost, I can find you \$700,000. In looking at all of the Auditors reports: dated 2/18/2008 the County Auditor found in a review of phase 2 of the Electronic Faculty Management Project, and I quote, "*The County expended \$512,832 for vendor software and services to automate a standard internal forum. The resulting system has not been successfully*

*implemented as of February 2008.*” The Auditors put it in black because the County wasted \$500 thousand.

On March 12, 2007 a review of the Telecommunications Expense Charge Back Process. The County Auditor noted that it was \$687,000 over budget. I just bring up two little issues where the Auditors found waste. That money could have been used for what we’re talking about right now. I’m sure we can go through the County budget and find hundreds of thousands, if not millions of dollars that we could use toward that better government. I don’t think the form of government is an issue since we all live and work in Cities that have Elected Mayors, and to the cost, because we can find money out of this very large budget that the County has.

We can find \$700,000 if that is the real figure that we’re talking about. I’ve been thinking about this for the last twenty-four hours and as many of you know that I came forth with a proposal for a Strong Mayor. I do believe that this County needs to have an Elected Mayor, but I feel that, and I’m going to make a motion. I feel that this current proposal, I do not think that it is perfect. I think that this Mayor as currently envisioned is not strong enough and it would be overrun by the other Commissioners sitting on the dais. I think that with additional powers that this Mayor could actually achieve all of the things that we are arguing about, consistent leadership, vision, and being able to address the issues.

Right now as is currently envisioned, this Mayor is not accountable. This Mayor is just another County Commissioner with the title of Mayor and because of that, the Mayor does not have the authority to get the things done that this County needs to address. What I am going to propose...

**The Chair:** Are you going to make an amendment, because we have a motion on the floor for the proposal.

**Mr. Buckner MOVED to AMEND the MOTION to Approve Resolution 2005-015 Composition of County Commission to delete current Section 2.05, Subsection (C) which provides that any County Commissioner can place items on the agenda. Also add to Section 2.04 Section (H) that “The Mayor shall have the authority to set the agenda” therefore this amendment will remove the authority from any County Commissioner to set the agenda. That will only be the Mayor’s authority to do so. Also add Section 2.04**

**(I) that “The County Administrator shall consult with the Mayor on all department heads...**

**The Chair:** Can you go just a little bit slower, because we are all going to have to vote on this and you’re going quicker than we can flip.

**Mr. Buckner:** I’m sorry; when I’m referring to deletion of Section 2.05 I was talking about the current Charter.

**The Chair:** What page are you on now.

**Mr. Goren:** Page 9, Subsection 2.05 (C) in the existing Charter.

**Mr. Buckner:** The current Charter has that a Commissioner may place an item on the County Commission Agenda for any meeting according to the rules adopted by the County Commission. My amendment would be to delete Section 2.05, Section (C) and to add to the current proposal Section 2.04 (H) that, “The Mayor shall set the County Commission agenda.”

Also add Section 2.04 (I) “The County Administrator shall consult with the Mayor on all department head appointments prior to such an appointment being forwarded to the County Commission.”

Section 2.04 (J) that, “The Mayor shall appoint members of all County Boards, Commissions, except for the Charter Review Commission, Management and Efficiency Study Committee, and the Planning Council.

**Mr. Buckner MOVED to AMEND the current MOTION to APPROVE Resolution 2008-015 Composition of County Commission to delete Section 2.05, Section (C) and to add to the current proposal Section 2.04 (H) that “The Mayor shall set the County Commission agenda.” Add Section 2.04 (I) “The County Administrator shall consult with the Mayor on all department head appointments prior to such an appointments being forwarded to the County Commission.” Section 2.04 (J) that “The Mayor shall appoint members of all County Boards, Commissions, except for the Charter Review Commission, Management and Efficiency Study Committee, and the Planning Council. Ms. Kaletta SECONDED.**

**Mr. Ketcham:** I think the question was called before anybody was on the queue.

**The Chair:** It's not necessarily whether anyone is in the queue, it's whether there's 2/3 of the membership that wish to end discussion. I don't make the rules; I am just trying to follow the same rules.

**Ms. Eisinger:** The question would be on the amendment that was just proposed and there was a second.

**The Chair:** That's what the question is, and I'm clarifying as we've done every other time.

**Ms. Eisinger:** Okay, I was just making sure.

**The Chair:** Hazelle wished to speak on it. If she doesn't withdraw the wish to speak, then I will take a vote to see whether there's 2/3. You have to follow the same procedures every time I can't change them. Ms. Rogers would you like to keep your desire to speak or do you want to withdraw it?

**Mr. Rogers:** I desire to speak.

**The Chair:** Now we will have a vote on whether there's 2/3 vote to call the question on the amendment please call the roll.

**Mr. Esack:** Could you please repeat the amendment?

**The Chair:** No, this is just a 2/3 vote whether we can call the question and end discussion not on anything other than that.

**Mr. Esack:** Excuse me, I wasn't finished, is it written down or could we have it repeated?

**The Chair:** *We are not voting on the amendment. What we are voting on is whether there are 2/3 of us that want to end the discussion on the amendment.*

**Mr. Esack:** So if I vote yes, it will end the discussion?

**The Chair:** That is correct; a vote yes is to end the discussion.

**Ms. Rogers:** How can you vote if you don't recall, Mr. Buckner went so fast and most of us don't even remember what it is that Mr. Buckner said and that is what is asked to be clarified.

**Mr. Goren:** To the extent that the question has been called and a vote is taken I would be happy to repeat the actual substances of that motion when it's appropriate to have it considered by the panel, so it would be repeated for the record so everyone will know what their voting on.

**The Chair:** So it's appropriate now to continue with this vote whether to continue to discuss?

**Mr. Goren:** That is correct.

The Chair called for a roll call vote at 8:16 p.m.

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

**Motion FAILED on a roll call vote of 9 YES to 10 NO.**

**Ms. Rogers:** Can you tell me how you would deal with the Sunshine issue?

**Mr. Buckner:** Are you referring to the County Administrator consulting with the Mayor?

**Ms. Rogers:** Yes.

**Mr. Buckner:** Counsel can correct me. The Mayor would not be consulting with any other person on the County Commission.

**Mr. Goren:** The answer is that the County Administrator is not a Commissioner; therefore, it's not an issue. That conversation can occur under the statute.

**Ms. Rogers:** Are you giving our County Mayor a vote, because I didn't hear you speak to any other At-Large position, so we're having how many County Commissioners, 10?

**Mr. Buckner:** No, it would still be the same number (9).

**Ms. Rogers:** You're just giving this position additional power.

**Mr. Buckner:** Additional powers, yes.

**Ms. Rogers:** So there is no need for you to say that the County Mayor would be communicating with the Administrator, because right now the individual County Commissioners can speak.

**The Chair:** To appoint Department heads; I believe the second part of his statement is.

**Mr. Buckner:** Correct, let me read it slower. The County Administrator shall consult with the Mayor on all Department Head appointments prior to such appointments being forwarded to the County Commission.

**Ms. Rogers:** Okay, I missed that part.

**The Chair:** This is a strong Mayor proposal. No matter how you shake it, that's what this is. Whether you agree or you don't agree, in my opinion; it's close enough to be a strong Mayor proposal.

**Mr. Buckner:** Technically this is not a strong Mayor proposal. A strong Mayor proposal would actually have a separate forum, an Executive Branch. It actually has veto powers and has various other powers associated with a standard Elected Executive; this is not such a proposal.

**The Chair:** Okay, to me this is a Mayor with too much power. That was just my opinion.

**Ms. King:** I need clarification on the prior vote. You did to call the question. We had 10 yes and 9 no. Did you need 13 yes in order to continue the debate?

**Mr. Goren:** You needed 13 affirmative votes to close the debate; you didn't have it.

**Ms. King:** So it was a FAILED MOTION?

**Mr. Goren:** That is correct, the debate continues.

**Ms. Norris-Weeks:** Very briefly, I think some of the concern if we allow single-member districts to work when you think about it, not long ago it was just put in place, and it hasn't been that long. Given the fact that we passed this Regionalism policy today and really, the County Commission is going in the direction of being a more Regional based form of government in terms of its operations and focusing on Regional issues, there is less, about 6,000 people now in the unincorporated areas, so there is not a whole lot of room for County Commissioners to be parochial. That's really, where we're headed now. If everybody takes a deep breath and allow this process to work through, I think we will see that in time we'll have some pretty decent results. Another thing that keeps coming up as a theme is that we should let the voters vote on it. Well, there have been several proposals and some that I would come closer to supporting. If we're going to talk about letting the voters vote on it, maybe we should put all of them on there because this is not the only alternative that there could be or is there are many alternatives including the one that you just brought up, Mr. Buckner; being something closer to a Strong Mayor form of government. I don't subscribe to the notion that if we don't agree on this proposal the people who are opposed to it have not let the voters decide the issue.

**Ms. Davidson:** Are we now just speaking to Michael's amendment or to the whole thing?

**The Chair:** Michael's Amendment failed.

Several members responded.

**The Chair:** Sorry Michael, we're speaking to the Amendment.

**Mr. Goren:** The Amendment is still available for debate.

**The Chair:** It sort of got mashed in with everything else.

**Mr. Maus:** Can we limit discussion to the amendment so that we can at least put that issue to rest and then if we want to continue the discussion on the overall motion.

**The Chair:** How about we vote on the amendment? Is that good with everyone? That was in the form of a MOTION wasn't it Michael?

Mr. Buckner: Yes, I want to form a MOTION.

**Ms. Davidson:** I didn't want to speak to the amendment; I wanted to speak to the overall thing.

**The Chair:** We'll let you speak to the overall after we vote on the amendment.

**Mr. Buckner:** Before we vote, I think it was unfair to characterize what I just proposed as being a Strong Mayor proposal. If anyone doesn't understand the difference between a Strong Mayor proposal, which I did proposed a few months ago, then maybe we need to have a basic government 101 about what is the difference between the current Mayor that we have verses with a really Strong Executive. This is merely an attempt at trying to make the current proposal right now, I think, to be a more effective leader. If the supporters of the Broward Workshops proposal are concerned about addressing leadership and accountability currently as envisioned, this type of Mayor will not be accountable and won't have the effectiveness in order to get all these things that we are talking about done. This is one of the attempts at making that Mayor a lot stronger and more effective. Thank you.

**Mr. Goren:** You're voting actually on modifications to 2.05 (C), 2.04 (H), 2.04 (I), and 2.04 (J) consistent with Mr. Buckner's presentation which was to amend the language to essentially enhance some of the Mayor's powers by his suggestions. Those are all what he's suggesting to change and be added to the main motion which would be the item itself, which is the change provided for in the proposal. We are only voting on the amendment.

**Re-Statement of the MOTION to AMEND**

**Mr. Buckner MOTIONED to AMEND the current MOTION TO APPROVE Resolution 2008-015 Composition of County Commission to delete Section 2.05, Section (C) and to add to the current proposal Section 2.04 (H) that “The Mayor shall set the County Commission agenda.” Add Section 2.04 (I) “The County Administrator shall consult with the Mayor on all department head appointments prior to such an appointments being forwarded to the County Commission.” Section 2.04 (J) that “The Mayor shall appoint members of all County Boards, Commissions, except for the Charter Review Commission, Management and Efficiency Study Committee, and the Planning Council. Ms. Kaletta SECONDED.**

The Chair called for a roll call vote at 8:26 p. m.

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

**Amendment FAILED on a roll call vote of 5 YES to 14 NO.**

**Ms. Davidson:** I really appreciate what Mr. Weiss had to say, and I agree with what he said. In addition to that, when I spoke with my friends about what they want and they are in complete opposition to everything that I heard tonight and the emails that we received; they don’t want an Elected Mayor form of government. They feel that the Professional Administrator is enough and

deals well with what needs to be done in the County. In addition when we talk about confusion and being misled, I think that people who are saying, "Let the people decide," but how do we know what the people are going to decide on? They don't know that their voting for this type of Mayor. A Mayor that isn't going to be any stronger or any better than what we have now, and so if it's not any better, not any stronger, or doesn't help anything, then why add two more positions in this time of budget cut backs? When I hear about the Workshops and all the people in my city, Pompano Beach, Light House Point and all those places that are having such a bad time of finding where to make cuts... maybe \$700,000 isn't a lot; I'd like to have \$700,000 in my 401K. Actually that would be really nice, and I am sure that we can find it in the waste of the County.

I think that it's somewhat irresponsible for us to put it out there to the voters that they're voting for a better Mayor form when actually it's not going to be any different than what we have now. The other thing that really concerns me and I thought about this for several days now, is that I think that when Amendment 1 passed, the people were sold a bill of goods. **People came** into this State and spent millions of dollars to convince our voters in Florida to vote against their own best interest, and so now because they're going to get \$300 back, their services are now going to be cut in Counties and Cities throughout Florida. I think that there are going to be people who are going to come into Florida and spend millions of dollars to get this passed, to get our voters to go along with it and they won't know what they're getting. Then next year, they're not going to know what hit them and it's not fair. I think we really need to think about it and I encourage you all to vote no on this.

**Mr. Trower:** I would like to encourage everyone to vote yes on it. Obviously, we all have strong feelings on this particular issue. We've heard about it now for better than almost 2-years. A lot of things have been said over the course of that time and I've sat through some of the Governance Subcommittee meetings as well as the CRC meetings. We've heard a lot of the same things we're talking about debated back and forth. The issue of 11 versus 8; there are a lot of issues to each and every one of these things. We're here tonight to talk about the one that's on the agenda. I think it is a little late to be making changes in it. I don't understand some of the changes that were being proposed, and I'm not sure they were made in good faith and hopefully to make this work. I think that the big issue that I've been making this year, cost is one of the issues we've talked about many times before. We can debate whether it's going to cost something or whether we cover that cost by doing some type of process improvement. Term of service, yes there was evidence in the current Charter that the Mayor can serve but it's

more than just serving for two years or three years; there's other issues. The County-wide perspective of the two new Commissioners is an important perspective and we did pass a Regionalization state. Regionalization, in my mind, requires a County-wide perspective.

It's not fair to one person who is a Commissioner from a particular district to serve that district and at the same time try to manage the County-wide perspective. It is not a perfect system and we've had discussions about whether it should be strong or weak and this is what came out of it. We've had these conversations about the relative control that this individual should have and my recollection is that we talked about taking that first step; moving towards putting someone in place. We have the bandage of the County for a 4-year period who could organize an agenda that could see to that agenda over a number of years. We knew that this was not going to be everything that some people love to see, in terms of control. The number of members on the Commission, I think is an important consideration.

I've sat in many discussions where there we're 5 or 6 different scenarios that were played out in terms of how this would work, and most of them required dilution of single-member districts, which my understanding was that it wasn't a good idea and it was going to be fought with all kinds of reactions from those single-member districts if we tried to do that. I think what we have in front of us is our best effort. We've spent 2-years trying to put it together and that has met a lot of support from the Broward Workshop. I think the Broward Workshop has done a good job in putting forth a lot of very salient information. We've heard also from other people that have come to us, and as someone observed, even the County had indicated that there was parochialism and a need to do something.

Again, it's not a perfect solution; I would urge you guys to consider it. I don't believe it's up to us to do anything more, in a situation like this, where there is such a close vote, other than to take this and send it on to the community to let them vote on it. I understand the concerns of, is it going to be appropriately educated within the community? I can imagine that the various groups who've spoken for and against it would do their best to make people aware of what the implications of this could be. I don't know, Maggie, how we will ever know how people will vote on this until we put it out there. I don't think it's our responsibility to make that determination. We have a close vote on this particular dais as to whether or not this should go and I would just urge us to let the voters decide on this. I think there is merit in doing that.

I would hate to see this torpedoed by just a couple of votes when it's not going to be for another six years that a CRC can even entertain this. It was entertained, as you know 6-years ago and yes, there were some votes based on Legislative proposal I think that went through, that were defeated. This may well be defeated as well and I would really urge everyone to let's not make that decision for the voters. Let's let them have the opportunity to do that. Thank you.

**Ms. Rogers:** I've been very quiet and since I've missed all of my appointments, I think I will ask you guys to stay here with me until twelve o'clock tonight. I have a model in my City that no one looked at, which is that there are seven elected officials and six have a vote and the Mayor only breaks the tie. If you want to talk about not increasing the number of Commissioners or talk about the dollars associated with this, we can deal with that issue also because the Mayor could be that tiebreaker. A County-wide elected person does not equate to bold leadership unless you give that person the tools necessary to do the job that you want that person to do.

I hope you all agree. I strongly believe that when you have a group to educate the elected officials on the issues. With everything that we have done, we would not have both sides of this issue; and I think the Workshop did an awesome job trying to educate us on the position. We would not know about the challenges at the Airport, Seaport, and some of the challenges they brought forward to this group. Whether or not that Elected Mayor will resolve all of the issues, I don't believe unless we give that person the tools to be an effective, bold, leader. I know for a fact that voters voted against tax increases, and I know the Legislators are cutting back a lot of funding coming into this state. The state budget is over \$3 billion short; they're trying to find funding to cover their expenses and they are sending it down to the local government for us to deal with those short- falls.

We have a crisis in the County as well as in the City. I understand that yes, I listened to both sides; just give it to the voters and they will decide. We gave it to the voters, as Amendment 1, we gave it to the voters, and that is what we got. We did not educate the voters; they don't know the impact it will have on our budgets. They did not understand that we would be talking about cutting staff out; we had two staff in my small City. We are talking about doing a lot of things in the City, so I know other Cities are having that same concern. I think there is another way for us to do this and it was also advanced. We could look in this same Charter that we have here and where it says that the County Commission can decide whether or not to do 1-year or 2-years we can say it will be a 2-year term. There are ways, if we truly want to achieve continuity, we can look to this Charter and give that appointed Mayor 2-years.

We can also, if we strongly believe that we need leadership and an Elected Mayor, we can vote to put that Elected Mayor on the ballot but that position does not become effective until 4 years from now, ;that is still before the Charter Commission convenes. We will have gone through the redistricting, looked at the County; will have had an opportunity to see the impact of all of this on the County. We would have enough time to work it through; the Workshop will have enough time to educate the voters.

**Mr. Rogow:** There are some situations where everybody is a little bit right, and this is one of those cases. For me it boils down to this. This is the question I think we have to ask ourselves. Is it possible that the proposal may improve the governance of Broward County? That's all we're asking. If you think the answer is yes, then we put it on the ballot and let the people decide whether or not they want to indulge it. If you think the answer is no that this proposal is not going to advance and improve the governance of Broward County then voting no for the proposal is the right thing to do. I think that from what I've heard, this gives us something to hope for and that's really what it is. I have some hope that this will improve the governance and that's why I think it is worth putting on the ballot, and that's all we're talking about, putting it on the ballot. Ms. Davidson you're absolutely right, it's going to take the voters to have to find out what the proposal is all about because we're limited to how many words we can use to explain it. That's what the democratic process is about, let both sides have a go at it, let both sides give it their best shot and let the voters decide.

**Ms. Kaletta:** I defer to everything he just said. I have other things I would like to say but I think what he said was very eloquent and very much to the point.

**Mr. Mena MOVED to call the question and end discussion on Resolution 2008-015  
Composition of County Commission; Mr. Esack SECONDED**

**The Chair called for a roll call vote at 8:45 p.m.**

Commissioner Hayward Benson	<b>Yes</b>	Ms. Patricia Good	<b>Yes</b>
Michael Buckner, Esq.	<b>Yes</b>	Ms. H.K. "Petey" Kaletta	<b>Yes</b>
Mayor Debby Eisinger	<b>No</b>	Mr. Mark Ketcham	<b>Yes</b>
Mr. David Esack	<b>No</b>	Mr. Mark Lieberman	<b>Yes</b>

Joseph Maus, Esq.	<b>Yes</b>	Bruce Rogow, Esq.	<b>Yes</b>
Commissioner Ted Mena	<b>Yes</b>	Dr. Irv Rosenbaum	<b>No</b>
Mayor Lori Moseley, Chair	<b>Yes</b>	Ms. Jodi Jeffreys-Tanner	<b>Yes</b>
Burnadette Norris-Weeks, Esq.	<b>Yes</b>	Mr. Wil Trower	<b>Yes</b>
Ms. Maggie Davidson	<b>No</b>	Richard Weiss, Esq.	<b>No</b>
Commissioner Hazelle Rogers	<b>No</b>		

**Motion PASSED on a roll call vote of 13 YES to 6 NO.**

**Mr. Trower MOTIONED to approve Proposed Resolution 2008-015 Composition of County Commission as written, Mr. Esack SECONDED.**

The Chair called for a roll call vote at 8:47 p. m.

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

Richard Weiss, Esq.

No

**Motion FAILED on a roll call vote of 10 YES to 9 NO.**

**15. The Chair moved on to the dais Discussion on Proposed Resolution 2008-020 – Annexation**

*Mr. Goren provided the 2<sup>nd</sup> reading of Proposed Resolution 2008-020 Annexation*

*The Chair pointed out that the recommendation is self-explanatory. She advised that she had no speakers signed up to speak on the item.*

**Resolution 2008-020 Public Comments**

**None**

**Mr. Benson MOTIONED to approve Proposed Resolution 2008-020 Annexation; Mr. Rosenbaum SECONDED.**

The Chair called for a roll call vote at 8:50 p.m.

Commissioner Hayward Benson	<b>Yes</b>	Joseph Maus, Esq.	<b>No</b>
Michael Buckner, Esq.	<b>Yes</b>	Commissioner Ted Mena	<b>No</b>
Mayor Debby Eisinger	<b>Yes</b>	Mayor Lori Moseley, Chair	<b>No</b>
Mr. David Esack	<b>Yes</b>	Burnadette Norris-Weeks, Esq.	<b>No</b>
Ms. Patricia Good	<b>No</b>	Ms. Maggie Davidson	<b>Yes</b>
Ms. H.K. "Petey" Kaletta	<b>No</b>	Commissioner Hazelle Rogers	<b>Yes</b>
Mr. Mark Ketcham	<b>Yes</b>	Bruce Rogow, Esq.	<b>No</b>
Mr. Mark Lieberman	<b>Yes</b>	Dr. Irv Rosenbaum	<b>Yes</b>

Ms. Jodi Jeffreys-Tanner	<b>Yes</b>		Richard Weiss, Esq.	<b>Yes</b>
Mr. Wil Trower	<b>No</b>			

**Motion PASSED on a roll call vote of 11 YES to 8 NO.**

**Mr. Weiss:** It only needed 12 to pass.

**The Chair:** Thank you Mr. Weiss for the correction. Resolution 2008-020 will go forward to the County Commission as a recommendation.

The Chair thanked everyone for 2-years of fun.

Ms. Norris-Weeks thanked Ms. West and staff for the hard work. She also thanked Mr. Goren and all of his legal staff for all of the good work. She thanked all of the Commissioners for the opportunity to work with them. She stated that it has been a good experience for her.

Mr. Weiss asked Mr. Goren to clarify the Sunshine Law for the CRC.

**Mr. Goren:** The Board still has legal existence until it actually legally ends, which means that you continue to be a Board with Sunshine obligations until November. The delivery date of the proposal is in fact June 1, 2008 or the first Tuesday in June. We will deliver the proposed documents in final form within the next week or two and get them signed and finalized. From the standpoint of conversational and discussion, there is a potential and a possibility that the Board may have to regroup at some point in time between now and your end date; your shelf live is not over yet, so I would urge you to be cautious of that. Be cautious of the fact that I don't know who's grading you papers so to speak, third parties are out there all the time and I urge you caution of that and be cautious of what could be the case.

**Mr. Weiss:** What I am concerned about is that this issue with the Strong Mayor needs to stop, and I think that I'd like to know if there are plans to have another meeting. Are there any other meetings planned?

The Chair advised that there are no other meetings scheduled.

**Mr. Weiss:** I talked about this before. However this turned out today I was done with it. There's a lot of lobbying going on and there's a lot of pressure. I brought my Roberts Rules and CRC-pak  
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there's a particular motion that you can make under Roberts Rules so this thing cannot come back and we're done. It ended in the end not being all that close, but I would like to have some guidance from you, and I am sorry to catch you off guard. I have actually looked it up and there is a motion you can make under Robert's Rules so that it ends debate and prevents this thing from coming back up again and we are done with this and on any of these issues that were close.

**The Chair:** Could the CRC be in recess until November so therefore we couldn't call a meeting?

**Mr. Weiss:** I don't know if everybody feels the same about this, but I don't want to go through this again.

**The Chair:** We made this clear that this was our last meeting unless there was something else.

**Mr. Weiss:** What is the provision for calling a meeting Sam?

**Mr. Goren:** Under the current provisions the Chair can call a meeting.

**Mr. Weiss:** Well, if the Chair will commit not to call another meeting then I am fine with this.

**The Chair:** I said we were done.

Mr. Weiss thanked the staff and gave well wishes to everyone. He thanked Mr. Goren for an excellent job. He stated that if anyone felt he had offended them it was not personal. He advised that he has enjoyed the process.

Mr. Rogow stated that this has been great and he feels like he has made new friends. He advised that it has been enlightening, educational, and a terrific experience.

Ms. Tanner stated that she loves everyone and it's been a great experience serving with them. She advised that she is proud of the great things they are bringing to the voters to be able to vote on.

Mr. Trower stated that he thinks staff has done a wonderful job meeting their needs. He thanked Mr. Goren and his team for the hard work. He advised that he agreed with Ms. Tanner.

Mr. Mena agreed with everyone's sentiments. He stated that he is leaving politics in November. He thanked everyone and stated that he has enjoyed working with everyone.

Dr. Lieberman thanked everyone. He stated that he learned a lot and appreciates the opportunity to have been a part of everything that they have accomplished. He thanked Mr. Goren for his expertise.

Mr. Goren thanked everyone for the privilege and honor of being their Counsel. He stated that the hard work, time, and effort were well invested and he is grateful.

Ms. West stated that this has been a great job. She advised that she is comfortable and proud of the work that staff has done. She thanked everyone for the support.

Ms. Rogers thanked Ms. West and her staff. She stated that this experience has taught her that every day is another day that you learn something that you thought you knew that you didn't know. She thanked everyone for the hard work and support.

Ms. Good stated that she is going to cherish the friendships that have developed within this Body. She thanked everyone. She thanked The Chair for her leadership, patience, and guidance. She thanked Mr. Goren for his expertise.

Mr. Ketcham stated that this has been a good experience for him. He thanked everyone.

Mr. Maus stated that it has been a great experience. He thanked Mr. Goren and his legal team for the great job they performed. He thanked staff and wished everyone good luck.

Ms. Kaletta stated that after 2-years on MESC and 2-years here, the most accurate thing to say is that you are never too old to learn. She advised that this has been a marvelous experience. She praised Broward County government. Ms. Kaletta thanked CRC staff, Mr. Goren and his staff and Phyllis and her staff for the great job.

Mr. Rogow invited everyone to a party at his home in November after the election.

Mr. Esack thanked everyone. He stated that it has been a great learning experience. He advised that he feels much esteemed to be a part of this group and he looks forward to the party.

Ms. Eisinger thanked staff and thanked the County Commissioners. She commended them for the selection of the Charter Review Commission. She stated that she learned a lot and it was a wonderful experience.

Dr. Rosenbaum thanked legal counsel, staff, and the Chair. He stated that it has been a great experience.

Ms. Davidson thanked everybody. She stated that she appreciated the forbearance when she didn't have a clue. She thanked staff and Phyllis for the hard work. She advised that it was a great learning experience.

Mr. Benson wished to offer his compliments to staff for everything they have done to make their job possible. He thanked Phyllis for her expertise and advised that she and her staff did a wonderful job recording the debates and creating the transcripts of the exact order of events and conversations. He thanked Mr. Goren for his knowledge and support. He thanked the Chair.

Mr. Buckner thanked everyone on the Board. He thanked The Chair for her patience during his emotional outbursts. He explained that the reason for the outbursts is that he is passionate about every discussion and vote. He advised that he thinks the CRC has done an admirable job over the past 2-years. He thanked staff. He thanked Phyllis for her encouragement throughout this process. He also thanked the Transportation Subcommittee. He thanked Mr. Glickman for attending all of the meetings and providing his input.

Ms. Gross thanked the CRC members. She thanked Ms. West for being a great boss and being there for her. She thanked The Chair for being supportive. She thanked Mr. Goren and his legal staff for all the help. She stated that she has another 3.5 months and if anyone needs anything, they could contact her.

Ms. King stated that the CRC experience has been dynamite. She informed the CRC that she had no clue as to how much work was truly involved and advised that she was amazed at the amount of people who don't know much about government. She thanked Pat West and staff and the Commission for all of their support of her firm (PKING Consulting) and informed them that it was truly an honor working with everyone. She advised that she would be delighted to provide the services for the next CRC.

The Chair closed the meeting out by thanking Pat, Maria, Yolanda, Chedley, and Phyllis. She expressed her gratitude with Phyllis for being available and proactive. She thanked Mr. Goren and his legal staff and informed him that he made this a lot easier for her. She stated that this was the hardest job she ever had. She thanked everyone on the CRC. The Chair stated that she hopes the CRC members would be present when the presentation is done to the County Commission. She informed the CRC of the comment made by Michael Pudney – Channel 10 News, “What a collegial Body, you all seem to get along so well.” She advised that it has been her honor being The Chair and she will see them when they do the presentation for the County. Thank you all.

The Chair asked if there was a motion to adjourn.

**Ms. Tanner MOTIONED to ADJOURN, Ms. Rogers SECONDED; the Chair called for all in favor, I’s were stated and the MOTION PASSED Unanimously.**

### **Adjournment**

There being no further discussion Ms. Eisinger MOTIONED to adjourned the Charter Review Commission Meeting at 9:25 p.m.; Ms. Davidson SECONDED.

The minutes of this meeting are recorded on CD # 04.09.08 (BCGV CTR).