

COMMISSION MINUTES

February 12, 2008

Meeting 10:11 a.m.

COMMISSION MINUTES

MEETING OF FEBRUARY 12, 2008

(Meeting convened at 10:11 a.m., and recessed at 1:41 p.m.; reconvened at 4:20 p.m.; recessed at 5:07 p.m., and reconvened at 5:09 p.m., and adjourned at 6:09 p.m.)

PLEDGE OF ALLEGIANCE was led by Ambassador Armando Valladares, a survivor and political prisoner of Cuba for 22 years.

MOMENT OF SILENCE

In memory of Arthur Novacek, a leading figure in the maritime industry at Port Everglades, and Former President and CEO of Eller & Company.

In memory of Charles Boothe, an icon in the Caribbean Community, founder of Charlie's Pastries, Lauderhill, Florida.

In memory of Tom Lantos, the only Holocaust survivor to serve in the US House of Representatives.

In memory of our brave service men and women serving in the Middle East.

CALL TO ORDER Mayor Wexler called the meeting to order and declared a quorum present.

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
Josephus Eggelletion, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter		3 Present
John E. Rodstrom, Jr.	7	Present
Diana Wasserman-Rubin	8	Present
Lois Wexler		5 Present

CONSENT AGENDA

A motion was made by Commissioner Gunzburger, seconded by Commissioner Lieberman and unanimously carried to approve the Consent Agenda consisting of Items 1 through 35. At the request of the Mayor, Regular Agenda Items 38, 42, 44, 46, 47, 51, and Supplemental Item 57, were transferred to the Consent Agenda.

The following items were withdrawn/deferred: 1F, 39, 50, & 55A.

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The following item was pulled by a member of the Board and considered separately: 56.

The following items were pulled by a member of the public and considered separately: 3, 4, & 41.

BOARD APPOINTMENTS

1. A. MOTION TO APPOINT Brad Orvieto to the Housing Finance Authority. Effective February 25, 2008. (Commissioner Keechl)

ACTION: (T-10:28 AM) Approved.

B. MOTION TO APPOINT Michael Conner to the Broward Beautiful Advisory Board. (Commissioner Keechl)

ACTION: (T-10:28 AM) Approved.

C. MOTION TO APPROVE appointment of Adrienne Kaltman to the Broward County Brownfields Redevelopment Task Force. (Commissioner Gunzburger)

ACTION: (T-10:28 AM) Approved.

D. MOTION TO APPROVE appointment of Tonja Haddad Coleman to the Broward County Human Rights Board. (Commissioner Gunzburger)

ACTION: (T-10:28 AM) Approved.

E. MOTION TO APPOINT Daniel J. Barcy to the Small Business Development Advisory Board (Small Business Technical Assistance Organization category). (Vice Mayor Ritter)

ACTION: (T-10:28 AM) Approved.

F. MOTION TO APPOINT Jack Talabisco to the Broward County Land Preservation and Acquisition Advisory Board. (Commissioner Lieberman)

ACTION: (T-10:28 AM) Withdrawn for further staff review.

G. MOTION TO APPOINT Ms. Deborah Kerr to serve on the Broward Cultural Council. (Commissioner Rodstrom)

ACTION: (T-10:28 AM) Approved.

AVIATION DEPARTMENT

2. MOTION TO APPROVE Supplemental Agreement No. 1 (Supplemental) to the Memorandum of Agreement (MOA) dated November 14, 2006, between Broward County, Florida and the Department of Transportation Federal Aviation Administration (FAA), amending Section 12 of the MOA to include language allowing for back-up generators/power supply to all Automated Surface Observing System (ASOS) facilities located at the Fort Lauderdale-Hollywood International Airport (FLL); and authorize the Mayor and Clerk to execute same prior to execution by the FAA.

ACTION: (T-10:28 AM) Approved.

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3. MOTION TO APPROVE Amendment No. 4 to the Agreement of Lease (Lease) between Broward County, Florida (County) and Air Support Resources, LLC (Air Support), extending the term from July 31, 2010 to July 31, 2012, for the purpose of satisfying financial institution loan requirements for capital improvements; commencing upon approval; and authorizing the Mayor and Clerk to execute same.

(This item was pulled by a member of the public.)

ACTION: (T-10:30 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0.

4. MOTION TO APPROVE Third Amendment to the Duty Free Concession Agreement between Broward County and Broward Duty Free, LLC, RFP No. 20050628-0-AV-01 to exercise the County's option to extend the termination date from June 30, 2011 to December 31, 2013; to be effective upon approval, and authorize the Mayor and Clerk to execute the same.

(This item was pulled by a member of the public).

ACTION: (T-10:52 AM) Approved. This item was pulled by a member of the public.

VOTE: 9-0.

PUBLIC WORKS AND TRANSPORTATION DEPARTMENT

WASTE AND RECYCLING SERVICES

SOLID WASTE DIVISION

5. A. MOTION TO APPROVE Letter Agreement between Broward County and Wheelabrator South Broward, Inc., for the expansion of the South Broward Ash Landfill, at a total estimated cost to the County of \$12,178,000; effective upon execution, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Approved.

B. MOTION TO ADOPT budget Resolution 2008-034 transferring within the Resource Recovery System Fund (Fund 4880) the amount of \$6,089,000 from Unrestricted Reserves.

ACTION: (T-10:28 AM) Approved.

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

6. A. MOTION TO FILE Health Facilities Authority, Broward County, Florida, Audited Financial Statements, for the year ended September 30, 2007.

ACTION: (T-10:28 AM) Approved.

B. MOTION TO FILE Housing Finance Authority of Broward County, Florida, Audited Financial Statements, for the year ended September 30, 2007.

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ACTION: (T-10:28 AM) Approved.

7. A. MOTION TO FILE Property Appraiser, Broward County, Florida, Special-Purpose Financial Statements, Fiscal year ended September 30, 2007.

ACTION: (T-10:28 AM) Approved.

- B. MOTION TO FILE Supervisor of Elections' Office, Broward County, Florida, Audited Special-Purpose Financial Statements, for the year ended September 30, 2007.

ACTION: (T-10:28 AM) Approved.

8. MOTION TO FILE Quarterly Financial Report for the Children's Services Council of Broward County for the quarter ending December 31, 2007.

ACTION: (T-10:28 AM) Approved.

COUNTY RECORDS DIVISION

9. A. MOTION TO APPROVE minutes of the 10:00 A.M. Broward County Board of County Commissioners meeting of December 11, 2007; and the minutes of the 2:00 P.M. Public Hearing of December 11, 2007.

ACTION: (T-10:28 AM) Approved.

- B. MOTION TO APPROVE FOR FILING supplemental papers pertaining to the plats and other items that were approved in prior years.

ACTION: (T-10:28 AM) Approved.

- C. MOTION TO APPROVE destruction of Board of County Commission minutes and supporting documents, audio cassette tapes and CD's which have all been imaged and have met retention requirements per General Records Schedule GS1-SL, established by the Division of Library and Information Services of the State of Florida for local government agencies.

ACTION: (T-10:28 AM) Approved.

PURCHASING DIVISION

For Community Services Department

10. MOTION TO AWARD open-end contract to low bidder, Martin Fence Co., for Fencing and Chain Link, Bid No. NX06340B2, for all Groups (1-9), in the estimated annual amount of \$848,068.40, including a pass-thru amount of \$30,000 for the Parks and Recreation Division; and authorize the Director of Purchasing to renew the contract for two, one-year periods for an estimated total potential contract amount of \$2,544,205.20. The initial contract period shall begin upon the receipt and acceptance of the insurance/performance payment guaranty and shall terminate one year from that date.

ACTION: (T-10:28 AM) Approved.

For Office of Transportation

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11. MOTION TO AWARD fixed contract to low, responsive, responsible bidder, MBR Construction, Inc., for construction of the Northeast Transit Center Support Building, Bid No. QX07323CAF, in the total base bid award amount of \$823,000 for the Office of Transportation, subject to the receipt and acceptance of the insurance/performance and payment guarantee; and authorize the Mayor and Clerk to execute same.
(Commission District 2)

ACTION: (T-10:28 AM) Approved.

REVENUE COLLECTION DIVISION

12. MOTION TO ADOPT two Resolutions 2008-035 and 2008-036 authorizing cancellation of Warrants from Central Account No. 2079940003785, Court Trustee Account No. 2090002760550, Payroll Account No. 2079940003798, Tax and License Account No. 2090002760916, and Self Insurance Account No. 2090002760518.

ACTION: (T-10:28 AM) Approved.

RISK MANAGEMENT DIVISION

13. MOTION TO APPROVE full and final settlement of Claim 0929052592 in the amount of \$16,840.

ACTION: (T-10:28 AM) Approved.

HUMAN SERVICES DEPARTMENT

ELDERLY AND VETERANS SERVICES DIVISION

14. A. MOTION TO APPROVE Third Amendment to Agreement No. JH248 between the State of Florida, Department of Children and Families (DCF) and Broward County, for the purpose of modifying the original contractual language, revising and clarifying the information required for invoices, payment orders, outcomes, reports and follow-up surveys guidelines, as well as deleting attachments and exhibits, inserting in lieu upgraded and revised versions; and also for the purpose of increasing the third year funding by \$25,000; from \$2,951,224 to \$2,976,224; effective upon date of execution; and authorize the Mayor to execute same.

ACTION: (T-10:28 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2008-037 within the State of Florida, Department of Children and Families Grant Fund for Elderly and Veterans Services Division for the third year of Agreement No. JH248, funding in the amount of \$25,000 for the continuation of Behavioral Health Program services.

ACTION: (T-10:28 AM) Approved.

15. MOTION TO RETROACTIVELY APPROVE Agreement Renewal to Master Agreement No. JM007-15-2007 between the Areawide Council on Aging of Broward County, Inc. and Broward County, extending the term of the agreement one year, from January 1, 2008 to December 31, 2008; and authorize the Mayor to execute same. This is a non-financial agreement. All contracts with funding from

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State of Florida General Revenue executed between the Areawide Council on Aging of Broward County, Inc. and Broward County are subject to the conditions set forth in this Master Agreement.

ACTION: (T-10:28 AM) Approved.

16. MOTION TO RETROACTIVELY APPROVE Agreement Renewal to Master Agreement No. JM107-15-2007 between the Areawide Council on Aging of Broward County, Inc. and Broward County, extending the term of the agreement one year, from January 1, 2008 to December 31, 2008; and authorize the Mayor to execute same. This is a non-financial agreement. All contracts with funding from the Federal Older Americans Act executed between the Areawide Council on Aging of Broward County, Inc. and Broward County are subject to the conditions set forth in this Master Agreement.

ACTION: (T-10:28 AM) Approved.

MEDICAL EXAMINER AND TRAUMA SERVICES DIVISION

17. MOTION TO ACCEPT nominations of Nicholas K. Polizos and Severo Rodriguez for appointments to the Broward Regional Emergency Medical Services (EMS) Council.

ACTION: (T-10:28 AM) Approved.

COMMUNITY SERVICES DEPARTMENT

PARKS AND RECREATION DIVISION

18. A. MOTION TO APPROVE First Amendment to Agreement between the Children's Services Council of Broward County (CSCBC) and Broward County (County), for an additional \$253,100 for the County's SWIM Central Program, to provide for reimbursements to contracting agencies for water safety education and instruction for children countywide, from October 1, 2007 to September 30, 2008, and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2008-038 in the General Fund for the Parks and Recreation Division in the amount of \$253,100 for the benefit of the County's SWIM Central Program.

ACTION: (T-10:28 AM) Approved.

EMERGENCY MANAGEMENT AGENCY

19. MOTION TO ADOPT Resolution 2008-039 of the Board of County Commissioners providing for the adoption of the 2007 Broward County Comprehensive Emergency Operations Plan (CEOP); providing for severability, and providing for an effective date.

ACTION: (T-10:28 AM) Approved.

ENVIRONMENTAL PROTECTION DEPARTMENT

20. MOTION TO APPROVE Settlement Agreement in the estimated amount of \$33,440 between Broward County and Sol Quality Cleaners, Inc., to resolve dry cleaner violations of

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Chapter 27 of the Broward County Code of Ordinances in the City of Weston; and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

ACTION: (T-10:28 AM) Approved.

21. MOTION TO APPROVE Satisfaction and Release of Lien against the property of Juventude, Ltd. for a hazardous material violation of Chapter 27 of the Broward County Code of Ordinances at Fort Lauderdale/Hollywood International Airport; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Approved. Without objection, the Board agreed to allow the County Attorney's Office to amend the Code, or place a provision in the lease that provides an automatic right to provide a lien when costs incur to clean up the environment. (Refer to minutes for full discussion.)

PORT EVERGLADES DEPARTMENT

22. A. MOTION TO ADOPT Resolution 2008-040 authorizing the Mayor and Clerk to execute a Supplemental Joint Participation Agreement (SJPA) between Broward County and the State of Florida Department of Transportation (FDOT), increasing the project cost by \$3,726,000; from \$2,530,000 to \$6,256,000 for the purpose of applying Fiscal Year 2007/2008 and Fiscal Year 2008/2009 FDOT Strategic Intermodal System (SIS) Growth Management funds in the amount of \$1,863,000 to Port Everglades Department, for the design and construction of the McIntosh Road realignment project in Southport (requiring \$1,863,000 in matching funds from the County); effective upon execution by FDOT through June 15, 2009.

ACTION: (T-10:28 AM) Approved.

B. MOTION TO ADOPT unanticipated revenue Resolution 2008-041 within Port Everglades Capital Fund (4710) for Port Everglades Department in the amount of \$1,000,000 for the design and construction of the McIntosh Road realignment project in Southport; \$863,000 was previously adopted in the Fiscal Year 2008 Master Plan capital budget, bringing the total to \$1,863,000.

ACTION: (T-10:28 AM) Approved.

COUNTY ATTORNEY

23. MOTION TO APPROVE Agreement between Broward County and the Division of Administrative Hearings ("DOAH") for administrative law judge services pursuant to Section 120.65, Florida Statutes; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Approved.

24. MOTION TO AUTHORIZE County Attorney to file suit in County Court on behalf of Broward County and Salomee Himas, "Complainant," against Harry Anthony Rolle/HAR Properties, "Respondent," because the Respondent failed to comply with a Conciliation Agreement.

ACTION: (T-10:28 AM) Approved.

25. MOTION TO APPROVE proposed settlement in the amount of \$50,000; including costs and attorney's fees, in the case of *Chantell K. Clairmont, as Personal Representative of the Estate of Louis*

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Clairmont, Deceased, v. Sun Terminals, Inc., King Ocean Services, Limited (Cayman Islands) Inc., Beru Shipping Company, Limited, Reederei Antartico MS "Berulan" GmbH & Co. KG, Rickmers Reederie GmbH & Cie KG, and Port Everglades Authority, United States District Court Case No. 06-61040 CIV-Marra/Seltzer.

ACTION: (T-10:28 AM) *Approved.*

COUNTY ADMINISTRATION

26. MOTION TO APPOINT Dr. Hank Mack, Mr. Wayne Spath, Mr. Barry Butin, and Dr. Steve Ronik to the Public Safety Coordinating Council Advisory Board.

ACTION: (T-10:28 AM) *Approved. (Scrivener's error – See County Administrator's Report: Reads Motion to Appoint, should read Motion to approve nomination of...)*

COUNTY COMMISSION

27. MOTION TO FILE Resolution No. 2008-08 adopted by the City Commission of the City of Hallandale Beach supporting House Bill 27 proposed by Florida Representative Donald Davis, increasing the percentage of foreign investments for the Firefighters' Pension Trust Fund. (Mayor Wexler)

ACTION: (T-10:28 AM) *Approved.*

28. MOTION TO FILE Resolution No. R-2008-008 adopted by the City Commission of the City of Hollywood, Florida, approving the City of Hollywood Legislative Agenda for the upcoming 2008 Legislative Session. (Mayor Wexler)

ACTION: (T-10:28 AM) *Approved.*

29. MOTION TO FILE Resolution No. 08-14 adopted by the City Commission of the City of Lauderdale Lakes requesting Broward County and the Florida Department of Transportation to take such steps as shall be necessary and appropriate to install a U-turn signal on the traffic control device at the intersection of NW 31 Avenue and West Oakland Park Boulevard to facilitate east/west traffic movements. (Mayor Wexler)

ACTION: (T-10:28 AM) *Approved.*

30. MOTION TO FILE Resolution No. 08-13 adopted by the City Commission of the City of Lauderdale Lakes to Broward County, Florida, and the Florida Department of Transportation requesting that each take such action as shall be necessary and appropriate to install a pedestrian traffic control device on West Oakland Park Boulevard at NW 35 Avenue; providing for directions to the City Clerk; providing for the adoption of representations. (Mayor Wexler)

ACTION: (T-10:28 AM) *Approved.*

31. MOTION TO FILE Resolution No. 2008-1612 of the City Commission of the City of Lighthouse Point, Florida, opposing a proposed local bill calling for the creation of a taxing district called the Broward Urban Independent Fire District, which would implement a system establishing one fee structure to deliver fire and emergency medical services to participating municipalities; urging all municipalities located in Broward County to oppose the proposal, providing direction for distribution to other Broward and Florida

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governmental entities and elected officials; providing for conflicts; providing for severability; and providing for an effective date. (Mayor Wexler)

ACTION: (T-10:28 AM) Approved.

REQUEST TO SET FOR PUBLIC HEARING

32. MOTION TO ADOPT Resolution 2008-042 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, March 11, 2008, at 2:00 P.M. in Room 422 of the Governmental Center, to vacate a 22.50-foot wide Roadway Easement, lying south of, and adjacent to, the south boundary of Parcel "A", of the Mariani Asphalt Plat, located at 1299 SE 20 Street, Fort Lauderdale; at no cost to the County. Petitioner: Mariani LLC. (Craven Thompson & Associates, Inc., Agent) (2007-V-03) **(Commission District 4)**

ACTION: (T-10:28 AM) Approved.

33. MOTION TO ADOPT Resolution 2008-043 directing the County Administrator to publish Notice of Public Hearing to be held on April 29, 2008, at 2:00 P.M. in Room 422 of the Broward County Governmental Center, for the purpose of holding a drawing to award new taxicab and new luxury sedan certificates to qualified applicants.

ACTION: (T-10:28 AM) Approved.

34. MOTION TO ADOPT Resolution 2008-044 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 26, 2008, at 2:00 P.M. in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

ACTION: (T-10:28 AM) Approved.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING THE BROWARD COUNTY CODE OF ORDINANCES, CHAPTER 27, "POLLUTION CONTROL," ARTICLE XII, "HAZARDOUS MATERIAL," AMENDING SECTIONS 27-352 THROUGH 27-357; PROVIDING FOR CONSISTENCY WITH THE REQUIREMENTS OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-10:28 AM) Approved.

URBAN PLANNING AND REDEVELOPMENT DEPARTMENT

HOUSING AND COMMUNITY DEVELOPMENT DIVISION

35. MOTION TO ADOPT Resolution 2008-045 of the Board of County Commissioners of Broward County, Florida, amending Broward County's Fiscal Year 2000-2004 and 2005-2010 Strategic Consolidated Plans, and the accompanying Annual Action Plans for Fiscal Years 2001-2002 and 2006-2007; reprogramming \$416,722 in U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CBDG) Program funds, and \$1,230,721 in HUD HOME Investment Partnerships (HOME) Program funds; providing for severability; and providing for an effective date.

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ACTION: (T-10:28 AM) Approved.

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REGULAR AGENDA

PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM



36. A. MOTION TO APPROVE Exchange Agreement between Broward County and The School Board of Broward County, providing for an exchange of a County-owned, 5-acre, vacant, surplus parcel of land located within Quiet Waters Park, adjacent to the west side of Quiet Waters Elementary School, Deerfield Beach, valued at \$1,300,000; together with a cash payment of \$108,750 (total consideration of \$1,408,750), in return for a vacant 9.855-acre parcel owned by the School Board, known as the Hillsboro Pinelands site; further identified as Safe Parks and Land Preservation Bond Program Conservation Land Site CL-16A, and legally described as Parcel A of School Site 0800, Plat Book 145, Page 47, valued at \$1,517,500; authorize the Mayor and Clerk to execute Exchange Agreement and Quit Claim Deed, and authorize acceptance and recordation of Quit Claim Deeds. **(Commission District 2)**

ACTION: (T-4:22 PM) Approved.

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

B. MOTION TO ADOPT Resolution 2008-046 authorizing the Board of County Commissioners to request and direct the acquisition of the 9.855-acre Hillsboro Pinelands site owned by the School Board in exchange of a 5-acre vacant and surplus segment of Quiet Waters Park, plus a cash payment of \$108,750; both parcels to be deed-restricted for park and recreation purposes. **(Commission District 2)**

ACTION: (T-4:22 PM) Approved.

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

Staff requests that the following item be continued to the March 11, 2008 meeting:

37. MOTION TO APPROVE Contract for Sale and Purchase between Broward County, Purchaser, and The School Board of Broward County, Seller, for the County's acquisition of 2000 Safe Parks and Land Preservation Bond Program designated Open Space Site OS-18, comprised of 5.90 acres of land, together with the former Hortt School, located at 1700 SW 14th Court, Fort Lauderdale, Florida, for a purchase price of \$3,110,000; including a lease-back to the School Board of the northerly 3.39 acres of the site, including the former school buildings, for a period not to exceed 12 months; annual rent in the amount of \$155,500; authorize Real Property Section to acquire this property using Safe Parks and Land Preservation Bond funds; authorize the Mayor and Clerk to execute Contract for Sale and Purchase and the attached Business Lease, and authorize acceptance and recordation of Warranty Deed. **(Commission District 7)**

ACTION: (T-4:23 PM) The Board continued this item until March 11, 2008.

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VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

END PUBLIC HEARING

SAFE PARKS AND LAND PRESERVATION BOND PROGRAM

38. 

A. MOTION TO DIRECT the County Administrator to publish a Notice of Public Hearing to be held at 10:00 A.M. on Tuesday, March 25, 2008, in Room 422 of the Governmental Center, to consider a Contract for Sale and Purchase for the County's purchase of Safe Parks and Land Preservation Bond Program Open Space Site OS-137, which is 6.147 acres, or 267,763 square feet of improved agricultural land located at 5500 SW 100th Avenue, Cooper City; the westerly two acres of the site will be acquired with highway improvement funds and utilized as a wetlands/drainage/storm water retention area to serve the future water retention needs and planned widening of SW 100th Avenue. **(Commission District 5)**

ACTION: (T-10:28 AM) Approved. (Transferred to the Consent Agenda.)

B. MOTION TO ACKNOWLEDGE to Broward County Board of County Commissioners that Public Works and Transportation Department intends to present for consideration by the Board on or after March 25, 2008, a Contract for Sale and Purchase for the County's acquisition of Open Space Site OS-137, for a purchase price of \$2,928,629.63. **(Commission District 5)**

ACTION: (T-10:28 AM) Approved. (Transferred to the Consent Agenda.) Staff will bring back to the Board an updated appraisal within six weeks. (Refer to minutes for full discussion.)

AVIATION DEPARTMENT

39. MOTION TO APPROVE Second Amendment to the Agreement between Broward County and Pierce Goodwin Alexander and Linville, Inc., Zyscovich Inc., and ADP International Engineering, Inc. (PZA), a Joint Venture, for Consultant Services for the Redesign of Terminal 4 at the Fort Lauderdale-Hollywood International Airport, RLI 20020201-0AV-02; increasing the contract amount by \$2,270,000; from \$7,992,272 to \$10,262,272 for additional construction administration and optional services; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:28 AM) Withdrawn for further staff review.

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FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT



40. MOTION TO DISCUSS Inducement Resolution, as amended and approved by the Board of County Commissioners of Broward County, Florida, at their February 5, 2008 meeting, related to the Florida Department of Transportation's (FDOT) I-595 Project and the response from FDOT to the amended Resolution.

ACTION: (T-10:47 AM) Approved, as amended. **The Board supported the amended Inducement Resolution.** (Refer to minutes for full discussion.)

VOTE: 8-1. Commissioner Jacobs voted no.

ACTION: (T-10:50 AM) Approved as amended. **The Board directed staff to propose an amendment to the legislative platform and amend the statute to provide funding for mass transit from toll roads within the County in which those tolls are generated, and that this item be brought to the MPO for their support.** (Refer to minutes for full discussion.)

VOTE: 9-0.

PURCHASING DIVISION

For Aviation Department

41. MOTION TO AWARD fixed contract for Task 2 Roadways Landscape and Aesthetic Improvement Project at the Fort Lauderdale/Hollywood International Airport, Bid No. Q-3-07-073CAF, to the low bidder, Superior Landscaping and Lawn Service, Inc., base bid including add alternates 1 thru 3, including one year warranty and maintenance after complete installation, in the total award amount of \$5,571,869.13, for the Aviation Department subject to the receipt and acceptance of performance and payment guarantee, and authorize the Mayor and Clerk to execute same.

(This item was pulled by a member of the public.)

ACTION: (T-10:58 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 9-0.

42. MOTION TO APPOINT Director of Maintenance Division, Aviation Department, as Selection Committee Chair for Request for Letters of Interest (RLI), No. 20071012-0-AV-1, Stormwater Master Plan at the Fort Lauderdale/Hollywood International Airport, to replace the Deputy Director, Aviation Department.

ACTION: (T-10:28 AM) Approved. (Transferred to the Consent Agenda.)

43. MOTION TO APPOINT Selection Committee (SC) to select multiple firms which will assist the Aviation Department in providing Consulting Services for General Engineering and Architectural Services at the Fort Lauderdale/Hollywood International Airport and approve Request for Letters of Interest (RLI), No. 20071017-0-AV-1.

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ACTION: (T-4:23 PM) Approved. (Scrivener's error – See County Administrator's Report: Page 2 of 18 of the RLI, under Scope of Services reads "a consultant" and "a firm" and should read "consultants" and "firms.") The Board approved the following to serve on the Selection Committee (S/C): Mayor Wexler, Vice Mayor Ritter, Commissioners Eggelation; Gunzburger; Jacobs; Keechl; and Lieberman; Director, Planning and Development, Aviation Department (Chair); Director, Seaport Engineering and Construction, Port Everglades Department; Assistant Director, Airport Expansion Program, Aviation Department, plus administrative support staff from the offices of the County Attorney, County Auditor, Equal Opportunity, Risk Management Division, Purchasing Division and the Aviation Department. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

For Community Services Department

44. A. MOTION TO WAIVE as a minor or technical irregularity, Degen's Lawn and Garden, Inc., (Degen's) timely submittal of revised Bid Sheet Page 10, as required in Addendum No. 2.

ACTION: (T-10:28 AM) Approved. (Transferred to the Consent Agenda.)

B. MOTION TO AWARD fixed contract to single bidder, Degen's Lawn and Garden, Inc., a certified Small Business Enterprise, for utility vehicles, Alternate 1 (Line Items 1 – 6), Bid No. C707254FF, in the total amount of \$266,918.50, for the Parks and Recreation Division.

ACTION: (T-10:28 AM) Approved. (Transferred to the Consent Agenda.)

For Emergency Management Agency

45. A. MOTION TO APPOINT Selection Committee (SC) to recommend the most qualified firm to provide a Post-Disaster Logistics Staging Area on an as-needed basis and approve Request for Letters of Interest (RLI), No. 20070710-0-EP-1.

ACTION: (T-4:25 PM) Approved. The Board approved the following to serve on the Selection Committee (S/C): Commissioner Lieberman; CFO/Director, Finance & Administrative Services Department (Chair); Assistant Director, Parks and Recreation Division; Director, Broward Emergency Management Agency, plus administrative support staff from the offices of the County Attorney, County Auditor, small Business Development Division, Risk Management Division, Purchasing Division, and the using agencies.

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

B. MOTION TO WAIVE Broward County Procurement Code, Section 21.87.e (mandatory extension of advertising deadline if fewer than three submittals are received by the initial opening deadline) to nullify the requirement for an additional four weeks of advertising for RLI No. 20070710-0-EP-1 for a Post-Disaster Logistics Staging Area.

ACTION: (T-4:25 PM) Approved.

For Finance and Administrative Services Department

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46. MOTION TO APPOINT CFO/Director, Finance and Administrative Services Department (FASD), (Chair), as Selection Committee member for RLI 20071114-0-ETS-01 to replace Interim Infrastructure Services Division (ISD) Director, Enterprise Technology Services Division.

ACTION: (T-10:28 AM) Approved. (Transferred to the Consent Agenda.) (Scrivener's error – See County Administrator's Report: Exhibit 2, Page 1, No. 4 should read “....individuals arrested solely for or convicted of violations...”)

47. MOTION TO APPOINT CFO/Director, Finance and Administrative Services Department, as Selection Committee Chair for Request for Letters of Interest (RLI), No. 20070802-0-FA-1, Arbitrage Services, to replace the Deputy CFO/Deputy Director, Finance and Administrative Services Department.

ACTION: (T-10:28 AM) Approved. (Transferred to the Consent Agenda.)

COUNTY ADMINISTRATION

48. MOTION TO DISCUSS standard form interlocal agreement (ILA) with municipalities for the provision of jail housing for violators of Municipal Ordinances, and if approved determine an effective date; authorize the Mayor to execute agreements with participating municipalities, and request that the Sheriff cease accepting individuals charged solely with a municipal ordinance violation into County detention facilities unless the municipality has entered into an interlocal agreement with the County. (Deferred from January 8, 2008 – Item No. 48.)

ACTION: (T-4:43 PM) The Board deferred this item for 45 days. The Board directed staff to follow up with the Police Association and make inquiry as to the Police Association's position, and inquiry as to a formal position of city managers. (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.



49. A. MOTION TO ADOPT Sterling Management System as the Board of County Commissioners' official organizational improvement model.

ACTION: (T-4:43 PM) Approved.

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.



B. MOTION TO APPROVE Commission Vision, Vision Statements, and Goal Statements for 2008-2009.

ACTION: (T-4:43 PM) Approved.

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

50. MOTION TO AUTHORIZE the County Administrator to execute the (i) “Site Plan” application, (ii) “Plat Note Amendment” application and (iii) Authorization Letter regarding the proposed Site Plan changes for New River Village, Phase III.

COMMISSION MINUTES

ACTION: (T-10:28 AM) Withdrawn for further staff review.

51. MOTION TO AMEND 2008 Broward County Board of Commissioners' meeting schedule to reflect changes to the February, March, April, May, June and November schedules.

ACTION: (T-10:28 AM) Approved. (Transferred to the Consent Agenda.) (Scrivener's error – See County Administrator's Report: Exhibit 1 reads February 19 – 10:00 a.m. Downtown Campus should read 2:00 p.m. Downtown Campus, also, reads 11:00 a.m. Courthouse Workshop should read 10:00 a.m. Courthouse Workshop.)

ACTION: (T-4:20 PM) The Board reconsidered this item.

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

ACTION: (T-4:21 PM) Following reconsideration of this item, the Board accepted the amendments made to the Broward County Board of County Commissioners Calendar from January 2007 through December 2008, to reflect the direction given during the Project Management/Construction Management (PM/CM) meeting. PM/CM (Refer to minutes for full discussion.)

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

COUNTY COMMISSION

52. DISCUSSION: County's participation/sponsorship in Broward Days 2008. (Mayor Wexler)

ACTION: (T-5:06 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6-2. Commissioner Gunzburger, and Vice Mayor Ritter voted no. Commissioner Rodstrom was out of the room during the vote.

COUNTY ADMINISTRATOR'S REPORT

53. A. NEW SOUTH ANIMAL CARE FACILITY

ACTION: (T-5:12 PM) Interim County Administrator Bertha Henry referenced her yellow-sheeted backup material submitted February 12, 2008, and discussed putting a hold on the RLI for the architect and engineering services for the animal shelter. She explained that the Budget Office and staff are still evaluating all CIP's, but that a selection committee will be coming back with a presentation in the future.

Commissioner Keechl commented on his support for this item but stated that in light of Amendment 1 passing, he regretfully agreed that the timing to hold off on this is appropriate and supported the Interim County Administrator's position. (Refer to minutes for full discussion.)

B. CENTRAL REGIONAL PARKS SPORTING EVENT

ACTION: (T-5:15 PM) Interim County Administrator Bertha Henry announced that Central Regional Park will be hosting its first sporting event, a professional soccer match between the Colorado Rapids and the Real Salt Lake Team. (Refer to minutes for full discussion.)

C. FT. LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT

COMMISSION MINUTES

ACTION: (T-5:16 PM) Interim County Administrator Bertha Henry reported that the Federal Aviation Administration (FAA) Southern Regional Airports Division has awarded its "2007 Air Carrier Airport Safety Award" to Ft. Lauderdale-Hollywood International Airport. (Refer to minutes for full discussion.)

D. REMINDER OF DROUGHT CONDITIONS

ACTION: (T-5:16 PM) Interim County Administrator Bertha Henry reminded everyone that Broward County is still experiencing a drought and that a number of activities are being planned to help educate the residents on ways to conserve water, such as "Water Matters Day" which will be held on Saturday, March 15, 2008, from 9 a.m. to 3 p.m. at Tree Tops Park, located at 3900 S. W. 100th Avenue in Davie. (Refer to minutes for full discussion.)

MAYOR'S REPORT

54. A. CHARTER REVIEW COMMISSION

ACTION: (T-5:17 PM) Mayor Wexler reported on the action taken by the Charter Review Commission's Land Use Sub-Committee and suggested the members contact their appointees on the Charter Review Commission to let them know their respective opinions, noting that the Charter Review Commission is meeting again on February 13, 2008. Mayor Wexler also stated that **Assistant County Administrator Pam Madison would continue to monitor and report on further action taken.** (Refer to minutes for full discussion.)

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

Item No. 55, shown below is TIME CERTAIN for 11:00 A.M.:

55. A. MOTION TO DISCUSS termination of Agreements between Broward County and The Starting Place, Inc. for residential substance abuse and day care services for adolescents. (Commissioner Gunzburger)

ACTION: (T-10:28 PM) Withdrawn at the request of Commissioner Gunzburger as the Starting Place's residential license has been revoked by the Department of Children and Families..

B. MOTION TO DISCUSS termination of Agreements between Broward County and The Starting Place, Inc. for outpatient substance abuse services for adolescents. (Commissioner Gunzburger)

ACTION: (T-1:40 AM) Approved. Broward County will continue funding for a 30 day period with an agreement by the Department of Children and Families as to providing day-to-day oversight monitoring of supervisors, as well as day-to-day oversight monitoring of the clinical aspect of the program for outpatient services for 30 days, with the exception of in-home outpatient services, as therapy sessions are strictly confidential. (Refer to minutes for full discussion.)

VOTE: 9-0.

56. MOTION TO DIRECT Staff to add support for SB 1362, The Florida Housing Preservation Program, to the 2008 State Legislative Program. (Commissioner Gunzburger)

COMMISSION MINUTES

(This item was pulled by Commissioner Eggelletion)

ACTION: (T-5:12 PM) The Board deferred this item until Tuesday, February 26, 2008.

VOTE: 7-0. Commissioners Rodstrom and Wasserman-Rubin were out of the room during the vote.

57. MOTION TO APPROVE inclusion of an additional legislative proposal in the 2008 State Legislative Program in support of increasing the penalties regarding the use of semi-automatic weapons. (Commissioner Gunzburger

ACTION: (T-10:28 AM) *Approved. (Transferred to the Consent Agenda.)*

NON-AGENDA

58. CHARTER REVIEW COMMISSION – COMMISSIONERS KEECHL, EGGELETTION, LIEBERMAN, AND JACOBS

ACTION: (T-5:21 PM) Commissioner Keechl commented on his concerns regarding the ethics issue and the possible creation of a Broward County Ethics Commission which is to be discussed at the Charter Review Commission meeting to be held on February 13, 2008.

Commissioner Eggelletion stated that it is a documented fact that Florida has the toughest ethics law in the nation.

Commissioner Lieberman concurred with Commissioner Eggelletion and added that the Charter Review Commission is looking at various items without consideration of the cost impact.

Commissioner Jacobs inquired as to what the cost would be for a special election, noting that it used to be half a million dollars.

Commissioner Keechl responded that he has already requested this information. (Refer to minutes for full discussion.)

59. TAXATION & BUDGET REFORM COMMISSION (TBRC) – COMMISSIONER JACOBS

ACTION: (T-5:31 PM) Commissioner Jacobs referenced her yellow-sheeted backup material dated February 12, 2008, and discussed Resolution CP004,5 concerning a possible State Constitutional Amendment imposing limitations on government spending and the issue of unfunded mandates. (Refer to minutes for full discussion.)

60. LOWERED COST OF INSURANCE – COMMISSIONER JACOBS

ACTION: (T-5:32 PM) Commissioner Jacobs referenced the memorandum received from the Director of Finance and Administration Michael Geoghegan, noting a savings in insurance costs and offered her congratulations to him as a result of his efforts to pursue other insurance alternatives. (Refer to minutes for full discussion.)

61. IMPACTS OF FERTILIZER USE – COMMISSIONER JACOBS

COMMISSION MINUTES

ACTION: (T-5:34 PM) Commissioner Jacobs referenced the memorandum from Assistant County Administrator Pamela Madison regarding the issue of fertilizers and the task force that was put together along with their recommendations, and discussed the efforts being made to reduce the impact of fertilizers to the surface water. (Refer to minutes for full discussion.)

62. OCEAN OUTFALL – COMMISSIONER JACOBS

ACTION: (T-5:35 PM) Commissioner Jacobs referenced her yellow-sheeted backup material dated February 12, 2008, regarding the Department of Environmental Protection's (DEP) Legislative proposal regarding ocean outfall and requested that the Interim County Administrator Bertha Henry ensure that Water Resources Director Dr. Jennifer Jurado be involved in all discussions, as well as in receipt of all related legislative correspondence/reports.

Assistant County Administrator Pam Madison assured that coordination will continue to link the scientific data with the utility and environmental issues going forward.

Commissioner Jacobs requested that the Deputy County Administrator keep the Board apprised with information going forward. (Refer to minutes for full discussion.)

COMMISSION MINUTES

63. TRANSIT STATION INVITATION – COMMISSIONER LIEBERMAN

ACTION: (T-5:39 PM) Commissioner Lieberman referenced an invitation that she received from the owner of both the Boca Town Center Mall and the Coral Square Mall to attend an official dedication of a new transit station at the Boca Town Center on November 21, 2007.

Commissioner Lieberman then requested without objection, that staff draft correspondence asking that the owner treat Coral Square Mall fairly in providing a transit center there, as they have done at the Boca Town Center. (Refer to minutes for full discussion.)

64. DUE DILIGENCE BY STAFF – COMMISSIONER LIEBERMAN

ACTION: (T-5:41 PM) Commissioner Lieberman discussed the importance of staff doing due diligence and cited several examples of it not being done and the resultant consequences. **She requested that staff start checking with the County Attorney's Office as part of the process so as to avoid any awkward circumstances. (Refer to minutes for full discussion.)**

65. POINT OF INFORMATION – COMMISSIONER LIEBERMAN

ACTION: (T-5:44 PM) **Commissioner Lieberman requested that staff provide the Interim County Administrator, the County Attorney, or the County Auditor with a note regarding a point of information if they are aware of conflicting facts so that the Board, as policy makers, have correct and true information at all times.**

Commissioner Keechl then commented on information he received from staff regarding the tourist development tax (TDT) pledge and how that changed per correspondence from County Attorney Jeffrey Newton. Mr. Newton explained that the comfort level is not where it needs to be for those funds to be utilized as a backup pledge and reported that after ongoing discussions with several sources, an opinion from the Attorney General is needed as to the legality of pledging TDT's. (Refer to minutes for full discussion.)

Mayor Wexler echoed Commissioner Lieberman's comment regarding the importance of staff doing due diligence and Commissioner Lieberman reiterated the need for staff to inform the Board of accurate and factual information. (Refer to minutes for full discussion.)

66. BLACK ELECTED OFFICIALS EVENT – COMMISSIONER EGGELETON

ACTION: (T-5:56 PM) Commissioner Eggleton thanked Mayor Wexler for attending the Black Elected Officials event at the Weston Diplomat on February 9, 2008, wherein he was honored. Refer to minutes for full discussion.)

67. TALLAHASSEE TRIP – COMMISSIONER EGGELETON

ACTION: (T-6:03 PM) Commissioner Eggleton reported on his trip to Tallahassee where he chaired the State Committee on Public Safety for the Florida Association of Counties. He also discussed the Legislature's request for review of the Juvenile Justice Bill and stated that he would continue to monitor it. (Refer to minutes for full discussion.)

68. MAYOR'S GALA – COMMISSIONER EGGELETON

COMMISSION MINUTES

ACTION: (T-6:04 PM) Commissioner Eggelation informed the Board that the proceeds from the Mayor's Gala will be distributed to the Memorial South Hospital, Broward Health, and the Sickle Cell Foundation.

69. NON-AGENDA – VICE MAYOR RITTER

ACTION: (T-6:06 PM) Vice Mayor Ritter commented on the length of time being spent on Non-Agenda, and suggested that if Non-Agenda items are lengthy to place them on the Agenda for a Motion to Discuss.

MEETING/WORKSHOP NOTICES

SELECTION COMMITTEE
PROGRAM MANAGEMENT/CONSTRUCTION MANAGEMENT SERVICES AT
FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT
RLI No. 20071014-0-AV-01

Tuesday, February 12th, in Room 430 at 12:00 PM

COMMISSION MINUTES

THE BROWARD COUNTY
BOARD OF COUNTY COMMISSIONERS
MEETING OF
FEBRUARY 12, 2008

10:00 A.M.

A meeting of the Broward County Board of County Commissioners, Broward County, Florida, was held in Room 422 of the Government Center, Fort Lauderdale, Florida, at 10:00 a.m., Tuesday, February 12, 2008.

COMMISSIONER	DISTRICT	ATTENDANCE
Josephus Eggelletion, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter	3	Present
John E. Rodstrom, Jr.	7	Present
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

CALL TO ORDER: Mayor Lois Wexler called the meeting to order.

MAYOR WEXLER: I'd like to call our meeting of February 12th, 2008, to order. If we could all rise, please, for first a moment of silence. I'm trying to find my -- I misplaced my script here. Found it. We all received an e-mail last evening, I believe, that there was a passing of Art Novacek, former --

COMMISSIONER GUNZBURGER: No.

MAYOR WEXLER: We did, and it was a very brief obit in yesterday's paper; former president and CEO of Eller and Company. He passed away, and he was a leading figure in the maritime industry at Port Everglades, a graduate of the US Merchant Marine Academy at Kings Point. Novacek was the former president and CEO of Eller, as I said, and last year's recipient of the International Golden Compass Award in support of Seafarer's House. He was a respected and revered individual within our community and I would like to ask for a moment of silence in his honor.

Commissioner?

COMMISSIONER LIEBERMAN: I want to add to our moment of silence. For Commissioner Eggelletion and myself, one of the icons in the Caribbean Community, Charlie Booth, passed. He is the founder of Charlie's Pastries, and I got to know the Booths because they came to Lauderhill, and originally it was the mom and dad and their two kids who operated the very first Charlie's Pastries at the Lauderhill Mall, which they built into an amazing business having five stores and a wholesale operation which grew from that one shopping location. And I can tell you that he was a true entrepreneur. He was only 60 years old. He had battled cancer for quite some time. But it was a true loss to the Caribbean community, because of all he has helped sponsor and do in the community.

COMMISSION MINUTES

MAYOR WEXLER: Thank you.

Commissioner Gunzburger.

COMMISSIONER GUNZBURGER: Thank you. Although he isn't one of ours, he was one of California's; we lost the only Holocaust survivor to serve in the US House of Representatives, a person who really stood for human rights and the rights of everyone, and it was a great loss yesterday when Representative Tom Lantos died --

MAYOR WEXLER: 80.

COMMISSIONER GUNZBURGER: -- at 80 of esophagus cancer.

MAYOR WEXLER: We'd also like to recognize our brave servicemen and women that are serving us in the Middle East.

And with that, if we could have a moment of silence, please.

(Moment of silence.)

MAYOR WEXLER: Thank you, ladies and gentlemen.

I'd like to now give a moment of personal privilege to my colleague, Commissioner Wasserman-Rubin.

COMMISSIONER WASSERMAN-RUBIN: Thank you, Mayor. We have a very special guest in our audience. His name is Ambassador Armando Valladares. He was a political prisoner of conscience in Cuba. Valladares was jailed in 1960 at age 23, and spent 22 years in prison in Cuba.

MAYOR WEXLER: Wow.

COMMISSIONER WASSERMAN-RUBIN: Unlike many of his fellow political prisoners, he survived the forced labor camps and survived years of solitary confinement. I'm so moved by this, you have no idea.

He has addressed the United Nations General Assembly and legislative groups in Europe and the Americas. He's currently the president of Valladares Project, an international not-for-profit organization which advocates children's rights. Valladares is chairman of the International Council of the New York based Human Rights Foundation. He is a painter; he is a poet; he's a patriot.

It's an honor for me to introduce you.

Mr. Valladares, would you lead us in the Pledge of Allegiance?

MR. VALLADARES: Good morning.

MAYOR WEXLER: Good morning.

(PLEDGE OF ALLEGIANCE WAS LED BY AMBASSADOR ARMANDO VALLADARES, A SURVIVOR AND POLITICAL PRISONER OF CUBA FOR 22 YEARS.)

COMMISSION MINUTES

COMMISSIONER WASSERMAN-RUBIN: Thank you, very, very much.

MR. VALLADARES: Thank you so much. It's a great honor for me to be here this morning. Thank you.

MAYOR WEXLER: Thank you, Mr. Valladares. See, I can say that name. Because it's like -- yes.

COMMISSIONER LIEBERMAN: (Inaudible.)

MAYOR WEXLER: I'd like to now recognize Commissioner Eggelletion for a moment of personal privilege as well.

COMMISSIONER EGGELETION: Good morning, Mayor, members of the Board of County Commissioners. I am honored that the School Board of Broward County, their schools and Career Department has, again, asked me to participate in their groundhog shadowing program. This is a program that they bring students in to shadow elected officials and give the student a firsthand idea what our day in the lives are like.

Today I have with me Jeffrey Ervin. Jeffrey, why don't you stand up? Jeffrey is a resident of North Lauderdale. Jeffrey attends Northeast High School. He hold a 3.9 GPA, and he is a senior in the Latin Academy of Advanced Studies which is their magnet program. Jeffrey also has participated in Florida American Legions Boys State, and he has been inspired to attend Florida International University, where he where he plans to major in political science, which was my major when I was in undergraduate school in college.

So, Jeffrey, welcome to the Board of County Commissioners. And I hope your day is a fruitful one and you get a pretty good idea of what it's like for us to walk around all day with in-line roller skates on.

MR. ERVIN: Thank you.

COMMISSIONER EGGELETION: Thank you.

MAYOR WEXLER: Welcome. Thank you.

CONSENT AGENDA

MAYOR WEXLER: This morning's Consent Agenda, and I hope it is this morning's, consists of Agenda Item 1 through 35.

Regular Agenda are Items 36 through 54.

Supplemental Agenda is -- happen to be Items 55 through 57.

Individuals that are interested in speaking on any of the Regular Agenda Items, the time certain items, or the Supplemental items, please come forward and sign up to be heard, if you have not already done so. And we have quite a number of speakers already on a number of items that are on today's agenda.

I will now read the Monday night memo into the record. The withdrawals and deferrals, Item 1F, withdrawn for further staff review.

COMMISSION MINUTES

Item 39 withdrawn for further staff review.

Item 50 withdrawn.

Item 55A withdrawn at the request of Commissioner Gunzburger as The Starting Place's residential license has been revoked by the Department of Children and Families.

Scrivener's errors. Item 26 reads motion to appoint, and -- wait a minute. Motion to appoint, and should read motion to approve the nomination of.

Item Number 43, Page 2 of 18 of the RLI, under scope of services reads, a consultant and a firm, and should read consultants, plural, and firms, plural.

Item Number 46 should read individuals arrested solely for or convicted of violations. That is Exhibit 2, Page 1, Number 4.

Item Number 50 has been withdrawn. So we don't have to have that on here any longer.

Item Number 51, Exhibit 1 reads February 19th, 10:00 a.m., downtown campus. Should read 2:00 p.m. for the downtown campus workshop. It also reads 11:00 a.m. for the courthouse workshop, and should read 11:00 a.m., courthouse workshop.

Additions --

COMMISSIONER GUNZBURGER: (Inaudible).

MAYOR WEXLER: The downtown campus is being moved from 10:00 a.m. to 2:00 p.m., and the courthouse is being moved from 11:00 a.m. to 10:00 a.m.

COMMISSIONER GUNZBURGER: (Inaudible).

MAYOR WEXLER: Okay. When I put it in my language versus what they actually have written for me, it just seems to flow a little better.

Additional information. Items Number 43 and 45, these items should be approved subject to modifying the RLI document consistent with the Board's actions of February 5th regarding responsiveness.

Please note, Item Number 40 is a 10:30 a.m. time certain.

Item Number 55B has an 11:00 o'clock a.m. time certain.

The Mayor requests without objection Item Number 38, 41, 42, 44, 46, 47, 51 as amended, 56, and 57 be moved to Consent Agenda.

Is everybody all right with that?

COMMISSIONER EGGELETON: Say those again, if you don't mind, please.

COMMISSION MINUTES

MAYOR WEXLER: All right. Item Number 38, 41, 42, 44, 46, 47, 51, 56, and 57. Okay?

We have quite a few items where we're changing who the chair is of the selection committee; actually, four of the items. Okay?

Yellow sheets. Non-Agenda, memo from Commissioner Jacobs to the Board, Non-Agenda memo from -- I have that twice. Do I have two memos from you? Okay.

Item Number 1F, Board appointments -- that's been withdrawn.

Item Number 1G, Board appointment; Item Number 55B, letter to Mayor Wexler; Item Number 55B, memo from County Administrator to the Board; Item Number 57, *Sun-Sentinel* articles.

MAYOR WEXLER: I'm going to go around the queue as far as pulls. Commissioner Keechl?

COMMISSIONER KEECHL: No pulls.

MAYOR WEXLER: Commissioner Gunzbürger.

COMMISSIONER GUNZBURGER: Surprising, no pulls.

MAYOR WEXLER: Oh, very good.

AGENDA ITEM 38

MAYOR WEXLER: Commissioner Rodstrom?

COMMISSIONER RODSTROM: Just you had asked Item Number 38. And this is a notice to publish. Is it possible, because that appraisal was done about a year ago, is it possible to get an updated appraisal? Because, you know, now the thing, it's to our advantage now to have updated appraisals. Before, maybe it wasn't, but now certainly it will have an impact potentially on the purchase price. So any property that we --

MAYOR WEXLER: Between now and March 25th?

COMMISSIONER RODSTROM: Yeah.

MAYOR WEXLER: Okay.

COMMISSIONER RODSTROM: That would be great.

MAYOR WEXLER: Ms. Henry, would that be possible to get an updated appraisal in the next six weeks?

MS. HENRY: I need to confer with staff on that. If you can --

MAYOR WEXLER: Can we come back --

MS. HENRY: -- bring that item back, that would be great.

COMMISSION MINUTES

MAYOR WEXLER: Well, if we get the answer, it will be on Consent. If we don't get the answer then we'll put it --

MS. HENRY: Mr. Mallick, can you respond?

MR. MALLICK: Good morning, Mayor --

MAYOR WEXLER: Good morning.

MR. MALLICK -- Commissioners. Ronald Mallet, Director of Real Property. It's possible that we can get it by -- within six weeks. It may take a couple of weeks longer. So I would say six to eight weeks, to be certain.

MAYOR WEXLER: Okay. What we can do, let's shoot for the six weeks, and if we don't have it, we can do a continuance on it or something.

MS. HENRY: Yes, that would be fine.

MAYOR WEXLER: Okay?

MS. HENRY: That would be fine.

MAYOR WEXLER: Thank you, Mr. Mallick.

AGENDA ITEM 50

COMMISSIONER RODSTROM: And then -- do I still have --

MAYOR WEXLER: Yes, you certainly do.

COMMISSIONER RODSTROM: I have a question on Item 50. Are we able to -- because it -- because this item is administerial, are we allowed to withdraw it or defer it? How are we -- I mean, is that -- is this the 31 days, or is this something other than that?

MAYOR WEXLER: I know that there were a number of Commissioners that had questions and required some analysis from staff regarding the impact, particularly, of a hotel.

COMMISSIONER GUNZBURGER: And parking.

COMMISSIONER RODSTROM: But I just want to know -- I want to know the ground rules, because is this another -- is it possible then to have something removed from the Agenda even if it's administerial?

MAYOR WEXLER: Mr. Newton.

COMMISSIONER LIEBERMAN: I don't believe it's administerial.

MR. NEWTON: I don't think we're within any time frame associated with the Land Use Development (inaudible) --

COMMISSIONER RODSTROM: That's not part of that code.

COMMISSION MINUTES

MR. NEWTON: Yeah. I don't think we're within that.

COMMISSIONER RODSTROM: Okay. Thank you.

MAYOR WEXLER: Thank you. Commissioner Jacobs?

COMMISSIONER JACOBS: No pulls.

MAYOR WEXLER: Commissioner Wasserman-Rubin?

COMMISSIONER WASSERMAN-RUBIN: No, thank you, Mayor.

AGENDA ITEM 21

MAYOR WEXLER: Commissioner Lieberman?

COMMISSIONER LIEBERMAN: I don't need to pull this item, but if there are not a number of objectors, on Item 21, we're releasing a lien. And we're releasing the lien because we apparently have no ability either under our lease or in the county code that when a vendor creates an environmental problem on our property and we expend costs to clean it up, that we have no ability to lien for the recovery, either under the lease or under our code for the cost that the county spent in funds from that enterprise fund.

So are there any objectors to either amending our code or putting a provision in the lease that gives us the automatic right to provide a lien when we have to incur costs to clean up an environmental mess?

MAYOR WEXLER: No.

COMMISSIONER LIEBERMAN: Okay. Then I don't need to pull anything.

MAYOR WEXLER: Okay. Thank you. Commissioner Eggelletion?

COMMISSIONER LIEBERMAN: And do I need to make a motion to direct the County Attorney to do that or?

MAYOR WEXLER: No, there are no objectors.

COMMISSIONER LIEBERMAN: Okay. Thanks.

MAYOR WEXLER: Thank you.

COMMISSIONER EGGELETION: I don't want it moved off the Consent Agenda, but I do want to have some discussion on just a portion, or one segment, of Item 56, but I don't want it off the Consent Agenda. I think it needs to stay on the Consent Agenda, but there is some language in there that I just need some clarification on. 56.

MAYOR WEXLER: Then let's take it off of Consent Agenda, please. I mean, it --

COMMISSIONER EGGELETION: Okay.

COMMISSION MINUTES

COMMISSIONER GUNZBURGER: Which item is it?

COMMISSIONER EGGELETTION: Fifty-six.

MAYOR WEXLER: Fifty-six.

COMMISSIONER LIEBERMAN: If you think we should discuss it, it should come off.

COMMISSIONER EGGELETTION: Okay. 56.

MAYOR WEXLER: Yeah, I mean, you know, we take a shot when we --

COMMISSIONER EGGELETTION: I support it. There's one thing in there that I need just some clarification on.

MAYOR WEXLER: Okay. Item Number 56. Vice Mayor?

VICE MAYOR RITTER: Nothing.

MAYOR WEXLER: And I don't either.

Mr. Lukic, any pulls?

MR. LUKIC: No, ma'am.

MAYOR WEXLER: Mr. Newton, any pulls?

MR. NEWTON: No, ma'am.

MAYOR WEXLER: Thank you.

COMMISSIONER LIEBERMAN: Not bad.

MAYOR WEXLER: We had a semi-pull today. That's very, very good, actually.

Any audience pulls?

MS. CHALIFOUR: (Inaudible.)

MAYOR WEXLER: Ms. Chalifour? I wasn't even going to forget, see.

MS. CHALIFOUR: Good day, nonetheless. Sure, I would like to pull Item Number 3, Item 4. I was going to pull 21, however, Commissioner Lieberman could -- I can't believe we don't have a way. I mean, that is just so outrageous.

COMMISSIONER LIEBERMAN: I know. I asked every question you're going to ask.

COMMISSION MINUTES

MS. CHALIFOUR: I'm not going to pull it. However, I can't believe that to be true. Something tells me there's something wrong there. Drastically wrong. Put a lien on the property, period. I don't get it. There's got to be a way.

MAYOR WEXLER: Well, she's on the case.

MS. CHALIFOUR: Again, I appreciate that. And you want to pull -- you want to put 41 and 42 on Consent. If you give me one second, you don't have to leave it, and I won't ask you to --

MAYOR WEXLER: If you'll be very, very brief --

MS. CHALIFOUR: Yeah.

MAYOR WEXLER: -- to let us keep it on Consent, then go for it.

MS. CHALIFOUR: Yeah.

MAYOR WEXLER: I'm not even going to time you; I'm going to trust you that you're going to be brief.

MS. CHALIFOUR: No, I understand that. 41 or 42. Just give me one second.

MAYOR WEXLER: I'm going to trust her.

MS. CHALIFOUR: I just thought it was going to stay on.

MAYOR WEXLER: Giggle, giggle.

MS. CHALIFOUR: Oh, I do want to pull 41.

MAYOR WEXLER: You do want to pull 41?

MS. CHALIFOUR: Well, meaning I would like it to stay on the Regular Agenda.

MAYOR WEXLER: All right.

MS. CHALIFOUR: 42, you can leave. It's about dang time. Hello.

MAYOR WEXLER: Okay.

MS. CHALIFOUR: Storm water master plan? I'm not going to say anything more. Put it on Consent.

MAYOR WEXLER: All right. So we have 3, 4, and 41 you would like pulled?

MS. CHALIFOUR: Correct. And thank you so much on 21. I mean --

MAYOR WEXLER: Thank you.

MS. CHALIFOUR: -- that is the most absurd thing I've ever heard.

MAYOR WEXLER: Thank you. I need a motion, please on Consent Agenda.

COMMISSION MINUTES

COMMISSIONER GUNZBURGER: Move it.

COMMISSIONER LIEBERMAN: So moved.

MAYOR WEXLER: Moved by Commissioner Gunzburger --

COMMISSIONER LIEBERMAN: Second.

MAYOR WEXLER: -- seconded by Commissioner Lieberman.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

REGULAR AGENDA

AGENDA ITEM 3

MAYOR WEXLER: Ms. Chalifour, Items 3 -- Item 3.

MS. CHALIFOUR: Thank you. For the record, Brenda Lee Chalifour speaking for myself -- me, myself, and I. I recognize that this is a North Perry Airport issue.

MAYOR WEXLER: Please go ahead.

MS. CHALIFOUR: Oh, I'm just going to use the time the way I feel appropriate. I have three minutes, and if I'd like to stand in silence, I'll do that.

MAYOR WEXLER: All right.

MS. CHALIFOUR: Thank you.

MAYOR WEXLER: You're very welcome.

MS. CHALIFOUR: I guess to the people of Broward County, the owners of the airport, who probably are listening more intently at this moment, although I really do appreciate giving you the extra three minutes to get your acts together up there, and not listen to me. Which, quite frankly --

MAYOR WEXLER: I'm listening. I -- I listen.

MS. CHALIFOUR: Which, quite frankly --

MAYOR WEXLER: Ms. Chalifour, I'm listening to you.

MS. CHALIFOUR: -- if you want public comment, I would at least --

COMMISSION MINUTES

MAYOR WEXLER: Commissioners are listening to you.

MS. CHALIFOUR: -- expect the same respect I give you when you are speaking that I would get.

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. CHALIFOUR: No, it isn't, folks, and my mama did teach me you get what you give.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: Folks, we are not bantering back and forth today. You are certainly entitled to make your statement.

MS. CHALIFOUR: I understand that.

MAYOR WEXLER: Say what you want, and, please, you have a minute and a half left.

MS. CHALIFOUR: Oh, I'm not -- right. I appreciate that.

In any event, I'll just note to you on the front page of this Agenda Item Number 3, which we're extending one more lease. We're extending, we're extending, we're extending, so that people can get the financing to do the things they said they were already going to do, which is insane, and you just keep extending, and these people allegedly are now required to fix an underground storage tank. Should have been done by now. Did we just learn about it? We have to extend it. It's not for the underground storage tank. It's so they can push out their payments.

Stop leveraging the people's assets for these private businesses. It's called corporate welfare.

In any event, this also notes that all amendments to agreements must be approved by the Broward County Board of County Commissioners. So I find it quite interesting in the backup where, on March 22, the Director of Aviation approved changes to the agreement; on November 22, 2003, approved changes to the agreement. Unilaterally. They didn't come to you.

And I'll tell you, if you think that you have resolved anything over there, even with Mr. Lukic's fabulous report, which, by the way doesn't even scratch the surface, you haven't. And it isn't one person. It isn't a director. It is a cancer within this agency.

It also exists in the port. That's my next little thing I'll be working on. It needs to change.

It's amazing to me that you keep leveraging our resources for private business.

MAYOR WEXLER: Thank you, Ms. Chalifour. If you'll please also fill out a speak to request form.

MS. CHALIFOUR: I did.

MAYOR WEXLER: Okay. We have a time certain at 10:30 this morning, Item Number --

COMMISSIONER LIEBERMAN: We have to move it.

MAYOR WEXLER: I'm sorry. Sorry.

COMMISSION MINUTES

COMMISSIONER GUNZBURGER: I'll move it.

MAYOR WEXLER: Moved by Commissioner Gunzburger; seconded by Commissioner Keechl.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 40

MAYOR WEXLER: We are now on Item Number 40, which is a time certain. We have one speaker signed up.

I also apologized privately to Secretary Wolfe. I want to publicly apologize to you today. I know that you spent a number of hours with us last week and when we finally did get to the item last week in the afternoon, you had a prior meeting you had to be at, which I wasn't aware of, but I found out after the fact. But it was a really tough meeting last week, as you witnessed.

I would ask you to please -- you signed up for three minutes. Do you -- would you like to address the Board?

SECRETARY WOLFE: No apologies necessary. I observed last week's meeting and it was, in fact, very hectic, and I understand that.

However, due to my absence, I could not respond to the amendment which was put forward and became Section 5 in the resolution that was passed, and we cannot comply with this resolution. The amendment, Section 5, states that toll receipts from the express lanes on I-595 shall be used for mass transit. We have Florida statute -- this is laid out in a letter that I sent in detail to the Mayor.

MAYOR WEXLER: It's attached.

SECRETARY WOLFE: Florida statute requires that, first, those toll receipts be used to retire any bonds used to construct the project itself, and then, secondly, the toll receipts will be used to operate, maintain, and improve the facility on which the toll receipts are collected.

After these are complied with, which we would anticipate to be in 15 or 20 years from now, any excess toll receipts would need to be spent in the region or county where collected, which would be Broward County, and on the state highway system. And there would be great latitude in how to expend those, and a decision at that time could be made to spend those on mass transit on the state highway system.

So I would request, then, that the resolution be reconsidered with the deletion of Section 5.

I understand, however, listening to the discussion, some of the motivations behind Section 5. And these were, first, the toll revenue should be spent in Broward County. Florida statute requires that they be spent in Broward County. So that is resolved.

COMMISSION MINUTES

Secondly, there was a concern for support of mass transit, and we certainly concur with that. The Commission will recall that you, several weeks ago, approved the department funds for the addition of mass transit to the I-95 corridor. That's coming in two phases. So that was the first element, and this was worked out with Chris -- Chris's people at Broward County Transportation.

On 595, we propose a similar arrangement with mass transit, and, in fact, in our five-year work program, we have budgeted 15.6 million dollars next year, fiscal year '09-10, for the purchase of 11 articulated buses to run on potentially three routes. We're working that out with Broward County Transportation. We would then budget -- we have budgeted 2.1 million operating funds per year to operate that, so that this would be a fully funded new transit on I-595.

This is a lot more tangible in our work program than some commitment on future toll receipts. So I do feel that in, association within the 595 project, we have been sensitive to the need for transit, and we're working with Broward County transportation on that.

Thank you.

MAYOR WEXLER: Thank you, Mr. Secretary. And if you'll not go too far from the front, I don't know if my colleagues have any questions for you or not, but thank you.

Commissioner Eggelletion.

Commissioner Jacobs?

You can sit down or take a seat. You don't have to -- I don't know if you have any questions of Secretary Wolfe or not.

COMMISSIONER EGGELETION: No. And last week, I happened to be in Tallahassee on another matter, and I did talk to the general counsel for FDOT, and he's absolutely correct in terms of the language on the bond and how it's to be directed.

So I think that we do need to take that language out on that because you cannot do it. Bond counsel up there will share it with us, that you -- you can't do that. So I clearly support the department on that, and we sort of -- and I think we're okay on that portion of that. And that's my comment, and I think that's all you're saying to us today, right, in all of your comments, correct?

SECRETARY WOLFE: Yes.

MAYOR WEXLER: Yes.

COMMISSIONER EGGELETION: Thank you.

MAYOR WEXLER: Thank you. Commissioner Jacobs.

COMMISSIONER JACOBS: Secretary Wolfe, would you mind?

Let me preface my comments to just first admit that of all the secretaries in transportation in the state, we happen to have the one who is friendly towards transit, and I recognize that fact.

COMMISSION MINUTES

Unfortunately, the rest of DOT doesn't think that transit is as important as you and I do and I think the rest of this Board, which is the reason you understand why the amendment was put forward -- put forth.

After the -- all the other issues that you spoke of are satisfied in 15 or 20 years, and there is presumably some excess toll, in my conversation with you about a week ago, you advised me that any monies that came from that would be used and -- used as part of the SIS dollars to widen I-95. Is that not accurate?

SECRETARY WOLFE: That's not accurate. It is for I-595. It supports the project on which it's collected, which is I-595.

COMMISSIONER JACOBS: Okay. So any excess tolls, no matter how far out in the future they are, after all the other issues, after the retiring of the bonds and so forth, all of those dollars can only be spent at that point on 595?

SECRETARY WOLFE: No. After the bonds are retired and the project is operated and maintained, there's a continual cost, for instance, to resurface the roadway, to collect the tolls, after that, and there's an excess, and one day there will be an excess, those funds could be spent in Broward County on the state highway system for highway, for transit. It's flexible. My expectation would be that we would be working from the MPO priority list within Broward County to spend those funds, not only on I-595.

COMMISSIONER JACOBS: Okay. My conversation with you was that those dollars would most likely be programmed for the widening of I-95. So is that not -- that's what I guess I'm asking.

SECRETARY WOLFE: If I said that, my misspoke myself. It is not 95. It is 595. The fund will be used entirely within I-595 until there's an excess, which could be used anywhere on the state highway system.

COMMISSIONER JACOBS: That's what I'm speaking of, the excess funds in the future, after the bonds are retired, after all those other issues, assuming there are excess funds, all that set to the side, I thought that you had said in our conversation that those funds would then most likely be used to contribute to the widening of I-95.

SECRETARY WOLFE: It is -- I can't speak to what happened in the conversation. I don't --

COMMISSIONER JACOBS: Sure.

UNIDENTIFIED SPEAKER: If I said that, if I led you to believe that, it was in error. It is I-595.

COMMISSIONER JACOBS: Here's what I really need to know, Secretary, is this. The issue of raising tolls, creating a toll mechanism in Broward County to then go at some future date and use it to widen another road for the automobile, I take great exception to. If, in fact, we are collecting X tolls and there comes a point in future where we actually have excess and we have some choice about what to do with them, what this Board was saying the other day was that they should be used for transit.

You have stated here today that it could be used for transit as long as the transit was within the highway corridor, correct?

SECRETARY WOLFE: It could be used for transit anywhere in Broward County, on the state highway system.

COMMISSIONER JACOBS: On the state highway system. Okay.

COMMISSION MINUTES

SECRETARY WOLFE: That's correct.

COMMISSIONER JACOBS: So I guess what I'm looking for, if it can -- the amendment that day was to deal with those future dollars, to set a precedent, to set a expectation that those dollars would be assigned to transit at some point when they become available, whether -- whatever the rules are that set them.

So if that, in fact, is something that is acceptable and under the statutes today, would you have an objection to an amendment that was worded in that way instead of the way it was previously worded?

SECRETARY WOLFE: If the amendment expected that the department make a binding commitment that that be the case, I don't know how we would cause that to happen. I believe that would require legislation. It's not in our control. I can't bind what future secretaries 15 years from now are doing, or what the legislature might direct us to do at that point in time. And for me or DOT to make a commitment to you at this point in time, a lot happens between now and then, and we couldn't do that.

If there was a resolution that expressed the Commission's support for mass transit, and the desire and hope that that occurred at that point in time, then I could deal with that. But making you a binding commitment, I have no mechanism to do that.

COMMISSIONER JACOBS: Thank you, Mr. Wolfe. No other questions.

Colleagues, when we look at what the -- what the state is asking for, a binding commitment from the county, they sure don't have any problems asking for us -- from -- for us a binding commitment. And I would think that the resolution ought to come not from us, but an intent and a desire that that happen from the state. Whether it's binding on a future secretary or a future legislature is another discussion. But certainly the spirit and intent of collecting these dollars is that at some point they go to further transit initiatives in this county.

Clearly, we know that the only way out of this problem is -- transportation in this county is not going to be through widening highways for making -- for cars.

(COMMISSIONER RODSTROM ENTERED THE ROOM.)

COMMISSIONER JACOBS: Additionally, I have sat through many, many meetings, and listened to my colleagues, in particular, Commissioner Eggelletion, who made very good points about transit not being acceptable on 595, because there was nobody out there that needed it. It was other places that that transit needed to go. And yet, this is the very area where we're talking about running transit.

Additionally, the project that is being proposed by the state is a pilot project. It's not continued long into the future beyond three years before they take a second look to see how well, this is going to benefit us.

So to the degree that the state is unwilling to even make some sort of assertions that these dollars, whenever they do become excess toll revenues, that they be directed towards transit, I can't support. I can't support the item, the changing of the item.

MAYOR WEXLER: I'm going to -- I'm going to recognize Commissioner Eggelletion for a brief -- he wants to say something that answers something, and then Commissioner Lieberman, who probably won't be as brief as Commissioner Eggelletion, right, Commissioner Eggelletion?

COMMISSION MINUTES

COMMISSIONER EGGELETON: No, I think Commissioner Lieberman has a motion and I --

MAYOR WEXLER: Well, then that's even better.

COMMISSIONER EGGELETON: -- and I want to second the motion when she makes it.

But, no, with respect to my comments on 595 and transit, I want to be clear. What I objected to was rail transit. I support bus rapid transit and all that other forms of transit, but I'm vehemently opposed to rail transit on that corridor, unless FDOT itself pays for it. And if they want to pay for it, fine, but not the taxpayers of Broward County.

MAYOR WEXLER: Thank you.

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: I want to revise the inducement resolution that's in front of us. I travel this area all the time. Any of you who go through 595 at the Spaghetti Bowl, which is where it connects with the Turnpike, know that it is a hazard to your health, and that this will straighten that situation.

But I'd ask the Secretary to make one commitment to us today. I share Commissioner Jacobs' passion for transit; I think this whole Board does. We know the need for transit. The Secretary is caught between a rock and a hard place. He's got statutory authority he needs to follow. So if we put in our legislative platform an amendment to that statute to enable funds to be used for mass transit, will you help us lobby it?

SECRETARY WOLFE: The forum for influencing how the department spends our funds that we have discretion on is the MPO. And what I'd like to see -- and several of you are members on the MPO.

What I'd like to see is some direction from the MPO that we should direct more of our discretionary funds to mass transit, and the department will be pleased to do that.

COMMISSIONER LIEBERMAN: Well, we have a yes. Okay. So my motion would be to move the revised inducement resolution and urge you to fix the Spaghetti Bowl disaster as quickly as possible, and to ask staff to amend our legislative platform to amend the statute accordingly. And --

MAYOR WEXLER: We have an MPO meeting, I believe, this Thursday.

COMMISSIONER LIEBERMAN: -- and bring that --

COMMISSIONER EGGELETON: That's correct.

COMMISSIONER LIEBERMAN: I'm not on the MPO, but those of you who are, I'd appreciate it if you'd bring it to the MPO. You want to second?

MAYOR WEXLER: Is there a second for that?

MAYOR WEXLER: I can't.

COMMISSIONER LIEBERMAN: Yes, you can.

MAYOR WEXLER: I don't hear a second for that.

COMMISSION MINUTES

MAYOR WEXLER: Okay.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: Folks, the end of day, the taxpayers of the state get to save \$100,000 -- \$100,000,000, excuse me, over the life of the bond.

Commissioner.

COMMISSIONER JACOBS: Here's why I can't support it. First of all, the MPO has a long history of insisting that the state spend 70 percent of its transportation dollars on transit and 30 percent on road widening. That commitment and that desire by the MPO has long been there. It's not what we see FDOT do. And, again, to just speak for Secretary Wolfe, it isn't from his lack of trying. He is certainly in the minority when it comes to the mentality of Tallahassee and where urban needs reside.

The idea -- the reason why I can't vote for this today is the idea that we would save the state a hundred million dollars where they turn around and the residents of this county start paying a toll on a road they currently can drive on for free. When we look at the way that we need to solve transportation problems in this county, I don't think creating a new toll is the way to go about it, particularly this one, because it bypasses the whole central run of 595.

So I wanted to explain why I can't support it, why I do believe the MPO has a long history of already asking for transit dollars. And so I'm hoping that this passes. I won't be able to support it today, and so hoping that it passes only in the respect that, for Commissioner Lieberman's amendment, that I would normally support that very heartedly, but because it's attached to the rest of this item, I can't.

COMMISSIONER LIEBERMAN: I'll bifurcate the motion.

COMMISSIONER JACOBS: Thank you.

MAYOR WEXLER: Okay. So your bifurcated motion is?

COMMISSIONER LIEBERMAN: First, that we pass the revised inducement resolution that's in front of us today.

MAYOR WEXLER: And the second is the direction to the MPO for the legislative --

COMMISSIONER LIEBERMAN: Second will be the direction to the MPO and the legislative platform.

MAYOR WEXLER: Okay. On the revised -- and, by the way, doing this project does not eliminate or limit the ability to travel I-595 east and west for free at all. At all.

COMMISSIONER JACOBS: But only (inaudible) if you pay for it.

MAYOR WEXLER: I just think that, based on the last statement, it was very important to make that statement, because there are really people that actually watch this meeting out there in the community, and I don't want you to think for one minute that the current lanes would be affected. They would remain the same, free. Hopefully less traffic on it, because people would decide to pay the toll lane, which would be -- lanes which would be down the center, the median.

COMMISSION MINUTES

COMMISSIONER JACOBS: Mayor, and I apologize if I left the impression that I thought that they would be removing free lanes. My point is that our dollars should relieve traffic and congestion for everybody, not those who are wealthy enough to be able to afford it.

MAYOR WEXLER: Commissioner.

COMMISSIONER LIEBERMAN: Just as a point of information, it grieves me no end to support this resolution. I believe it the right thing to do. Saving the state a hundred million dollars after the state has cut our revenue sources is obviously very painful for all of us, but I think nonetheless the ultimate beneficiary are the residents. There will be some number of residents who will choose to ride on those toll lanes, thus reducing the number of individuals on the free lanes on I-595. So you will get some reduction because people will choose to do that.

Is it a perfect world? No. You know, I remember the day 595 opened, and we said, wow, isn't this great? Look how easy it is. You can get from east to west and how fast. That lasted a year.

This is the option that's in front of us today. It's the best and it's the most economical way to move it forward. It does save a hundred million dollars, and, hopefully, with that saving of money on behalf of the state, we can convince the state to do the right thing for mass transit in Broward County.

MAYOR WEXLER: Thank you. On amendment number -- motion number 1, support of amendment -- amended inducement resolution, all those in favor indicate by aye.
Opposed?

COMMISSIONER JACOBS: No.

MAYOR WEXLER: Please record one no vote.

VOTE PASSES 8 TO 1 WITH COMMISSIONER JACOBS VOTING NO.

COMMISSIONER LIEBERMAN: My second motion is to direct staff to propose an amendment to our legislative platform to amend the statute the Secretary referenced to provide for funding for mass transit from the toll roads within the county in which it is -- those tolls are generated. And to also ask that members, that this item be brought to the MPO for their support.

MAYOR WEXLER: Thank you.

Do you want to second that, Commissioner?

COMMISSIONER JACOBS: I'll second it, but may I ask a question, please?

MAYOR WEXLER: Certainly.

COMMISSIONER JACOBS: I believe that the statutes allow that for the county or the region. So we can -- my understanding is that portion is already allowed.

COMMISSIONER LIEBERMAN: No, no. At an earlier stage. I mean, you heard where he walked through where the money has to go. I'd like mass transit to be able to be a beneficiary of the money for the tolls once the bonds are paid off.

UNIDENTIFIED SPEAKER: In this county.

COMMISSION MINUTES

COMMISSIONER JACOBS: Well, in this county.

COMMISSIONER LIEBERMAN: I said that in my original motion, in the county where it's generated.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: Yes. Any further discussion?

Hearing none, all those in favor indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 4

MAYOR WEXLER: Thank you, Secretary.

We will go back to the -- the Agenda. We're on Item Number 4 now. I have one speaker signed up -- actually, two speakers signed up. David Tolles (phonetic)? If this was a penmanship class, David --

MR. TOCUS: I'd be in trouble.

MAYOR WEXLER: You would be.

MR. TOCUS: David Tocus, here on behalf of air support resources, just to answer any questions, if any should arise.

MAYOR WEXLER: Okay. Thank you. But you get an A for brevity. Thank you. And Ms. Chalifour.

MS. CHALIFOUR: Once again, for the record, Brenda Lee Chalifour speaking for myself.

I'm not sure what that gentleman was referring to, air support services. This is actually regarding the concessions at the airport. So I think he might be a little confused. He might be here for Number 3.

In any event, is there no end to this type of agenda item? An extension, additional things, adding more money, we didn't know, we still don't know, we might know. All of these questions, concerns, agenda items go to where is our updated airport master plan? And how many more times are we going to maybe box ourselves in on this lease or that lease or in putting someone in one terminal and then putting them in another? And I know it makes for great contracts at designing the design of the redesign of the design, but every time this happens, every single one of these agenda items are costing us money.

And when I say "us," I'm certainly only speaking for me, it is taxpayer dollars. I do not care if you say they're federal grants, I do not care if you say they are state grants. They don't -- these amounts just don't miraculously appear. They are from somebody's pocket. And I think we all know, in the end if you get right down to it, if you follow the trail, money going from one person's pocket is coming out of another person's pocket. It's called taxes.

COMMISSION MINUTES

And in some cases when you are spending taxes without representation, you are violating rights. And so I'm not quite ready yet to start the tea party, but I'm getting there. And I'm encouraged, and I am moved by the many people who contact me because they're tired of contacting the county. They're angry, they're mad. How do we resolve? If it isn't in this forum, give me another one. I don't relish the thought of coming here and sitting through a day of this. I wasn't elected to do so. I don't get paid to do so. We need a forum. Go ahead and have all the workshops you want and the SNC's, and amongst yourselves decide whatever the heck it is you want, and have no public comment. In the final analysis, I guess the forum is court.

Thank you.

MAYOR WEXLER: Thank you.

Commissioner Lieberman, followed by Commissioner Eggelletion.

COMMISSIONER LIEBERMAN: Yeah, I welcome the opportunity to move this item. This poor vendor bid to give us money. We're not paying this vendor anything. This is a vendor who is giving us money.

Based on information from the airport in the RLI that there would be international traffic in Terminal 4, we subsequently moved the international traffic, they bid their maximum annual guarantee, to Terminal 2 and allowed her to do a kiosk in Terminal 2. I give this vendor so much credit for sticktoitiveness in trying to make it work, and still needing the transition period and mag, that it is a pleasure to move this item forward.

You want to follow the trail? This is someone who is working with us, investing their own money, and paying us money though we have changed their location and the volume of traffic we projected for this vendor on more than one occasion.

COMMISSIONER GUNZBURGER: And I will happily second it.

MAYOR WEXLER: Commissioner Eggelletion.

COMMISSIONER EGGELETION: Yeah, and not only that --

MAYOR WEXLER: On the item.

COMMISSIONER EGGELETION: -- let me just add, not only did we move 50 percent of her business to Terminal 2, but we also moved some to Terminal 3. And if anything, we should be reducing this person's mag because they have had to expend far more money than was originally anticipated to make this work. And they have done so without screaming, without yelling, and they're still meeting (inaudible) mag.

COMMISSIONER LIEBERMAN: They just make it work.

COMMISSIONER EGGELETION: Just -- you know, so I agree. This is -- you're right, Mrs. Chalifour, it does cost money. You know whose money it is? It's the vendor's money. It's their money. And you know who's getting shortchanged? The taxpayers of Broward County, because they should get more money had we not moved this vendor not one time, not two times, not three times, but several times. And they have done a magnificent job, and I think we all support this vendor and support the aviation department in extending their contract. And if it was left up to me, members, I would grant them, just as we did Paradies last week, I would grant them a reduction in their mag as opposed to holding their feet to the fire --

COMMISSION MINUTES

(COMMISSIONER WASSERMAN-RUBIN LEFT THE ROOM.)

COMMISSIONER LIEBERMAN: They're still on the transition period.

COMMISSIONER EGGELETTION: -- but they're still on the transition period, correct, and we have to see what the numbers are. So I --

MAYOR WEXLER: On the item.

COMMISSIONER EGGELETTION: -- I agree.

MAYOR WEXLER: Okay. I'm going to try to move this along. This was going to be a nice, easy agenda today.

COMMISSIONER LIEBERMAN: The rest of it.

MAYOR WEXLER: Yeah. On the item --

COMMISSIONER GUNZBURGER: (Inaudible.)

MAYOR WEXLER: -- all those in favor indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 41

MAYOR WEXLER: Item Number 41, Ms. Chalifour.

COMMISSIONER LIEBERMAN: It was on Consent.

MAYOR WEXLER: No, it was on --

COMMISSIONER LIEBERMAN: It was pulled from Consent.

MAYOR WEXLER: -- it -- it was, and she pulled it off.

MS. CHALIFOUR: Good day, once again.

MAYOR WEXLER: Good day to you.

MS. CHALIFOUR: For the record, Brenda Lee Chalifour speaking for myself. And thank you all very much for making my case in the last item. Appreciate it. It's nice when we can work together and come to some consensus, now, isn't it? And all we have to do is have a conversation, but, again, to quote Commissioner Keechl, we don't get to talk that much. And, no offense, I just don't have the luxury of spending my day here at County Hall to go from office to office to office, and nor do I think I need to.

COMMISSION MINUTES

MAYOR WEXLER: You need to stick to the agenda item, please.

MS. CHALIFOUR: In any event, Item 41 -- oh, sure --

MAYOR WEXLER: Stick to the item.

MS. CHALIFOUR: -- but it's all related, as you well know.

UNIDENTIFIED SPEAKER: (Inaudible).

MS. CHALIFOUR: And if I -- yes, it is.

MAYOR WEXLER: Please --

MS. CHALIFOUR: Oh, yes, it is.

MAYOR WEXLER: Please, you're cutting into your time. Just --

MS. CHALIFOUR: That's okay. I'll --

MAYOR WEXLER: -- stick to the item.

MS. CHALIFOUR: -- use it in silence, if you prefer. Don't matter much to me, I know -- you know --

MAYOR WEXLER: Okay. Whatever you wish.

MS. CHALIFOUR: -- it goes on some deaf ears here. I know out there in television land it doesn't, because my phone rings. Things happen. Stuff changes. City of Hollywood, case in fact, took a long time, but I ain't going anywhere. As a matter of fact, on this particular agenda, given the lovely items you have here today, I postponed a trip to Costa Rica. I get three a year, if I'm lucky. I didn't go. This is not the first time I've done that, County Commission items.

So I would hope that you think these things are as important as I do. Thank you.

In any event, Item 41. Delay, delay. This was delayed. We didn't know. We're not sure. We don't know, bah, bah, bah. Is this the last time this roadway is going to in fact, be done? Do you have a master plan that sets it in stone? Excuse me?

MAYOR WEXLER: Ms. Chalifour, you have two choices. Either you can stand there silently --

MS. CHALIFOUR: This is (inaudible), Item 41.

MAYOR WEXLER: Item 41 is --

MS. CHALIFOUR: Roadway improvement.

MAYOR WEXLER: -- a low bid. Do you want to speak to the landscaping?

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSION MINUTES

MS. CHALIFOUR: I understand that.

MAYOR WEXLER: This is to airport –

MS. CHALIFOUR: And what I want to say to you is the bid is out. It's come in. You're going to award it.

What I'm trying to say to you is it's just more money. And we don't know, in fact, that this roadway will never change. So when we come back somewhere down the road and change it once again and pull out all the landscaping that we're spending -- it's only close to \$6,000,000 for landscaping. It's not a lot of money. It's the only tree canopy Broward County has. Might as well reinforce it.

In any event, if we had another forum, I could chat with you about these. This is the only one you give us. Thank you.

MAYOR WEXLER: Thank you.

COMMISSIONER JACOBS: Move Item 41.

UNIDENTIFIED SPEAKER: Second

MAYOR WEXLER: Item Number 41 has been moved and seconded.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 55B

MAYOR WEXLER: Thank you. It is now time -- it is now 11:00 o'clock, and time certain for Item Number 55B.

I have -- I have one name of an individual who failed to say what item they wanted to speak to. So I have Cecile Intriago, if you are in the audience, if you'd please see the public records individual so that we can find out which item you wish to sign up to speak on. Dick, here. This is -- I think she's on her way up now. Thank you.

Item Number 55A was withdrawn this morning.

Item 55B is still on the agenda.

I will now ask Commissioner Gunzburger, this is your item, if you would like to introduce it.

COMMISSIONER GUNZBURGER: Thank you.

MAYOR WEXLER: And then we will ask staff to present and then we will hear from the numerous public speakers that are signed up. Thank you.

Commissioner.

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COMMISSIONER GUNZBURGER: And I'd like to --

COMMISSIONER JACOBS: Mayor, I'm sorry, please.

MAYOR WEXLER: Certainly.

COMMISSIONER JACOBS: This paper that's being handed out by our staff member, it has no author. Who's --

MAYOR WEXLER: I have no idea what they handed out.

Ms. Henry.

COMMISSIONER RODSTROM: I asked the same question.

MS. HENRY: I apologize. Representatives from Starting Place asked that that be distributed as this item is being discussed.

UNIDENTIFIED SPEAKER: (Inaudible).

MS. HENRY: No, it is not.

COMMISSIONER JACOBS: As it was discussed, not prior to discussion so we'd have time to read it?

MS. HENRY: Yes.

COMMISSIONER JACOBS: Okay.

MAYOR WEXLER: Thank you.

COMMISSIONER GUNZBURGER: None of us had time to read it.

MAYOR WEXLER: No.

COMMISSIONER GUNZBURGER: I'm -- I'm as much at a disadvantage as the rest of the Commission is. This is the first time I've seen it.

(COMMISSIONER RODSTROM LEFT THE ROOM.)

MS. HENRY: Unfortunately, I was just given the document to distribute, so --

COMMISSIONER GUNZBURGER: Well, if somebody from The Starting Place wants to go over that, that's fine, but I'm not going to present their case.

MS. HENRY: I'm sure -- I'm sure they will.

MAYOR WEXLER: Commissioner Gunzburger.

COMMISSION MINUTES

COMMISSIONER GUNZBURGER: Thank you. I think we all know what happened at The Starting Place at the end of last week. It grieved me that the only institution for treating teens and even younger children who had a substance abuse problem or a dually diagnosed -- for those that don't know the term, substance abuse plus mental health problems -- have no more facilities to go to other than to be -- for a residential treatment center in Broward County other than the Fort Lauderdale hospital, which had a limited number of beds.

And I believe three of ours that we paid for, the three beds we paid for, and that's all we paid for in the -- two, two beds that we paid for were then transferred to that facility. So that's number one.

(COMMISSIONER EGGELETTION LEFT THE ROOM.)

COMMISSIONER GUNZBURGER: Number two, we are not going to be discussing what The Starting Place did or did not do with its employees. We're talking about the children. And that's all that we're talking about.

And I had a call from several people to please see if we could discuss saving the outpatient funds, which will be only operated out of the Plantation office for a couple of weeks, up to two weeks, to see if we could -- they could get their act together, and the children that were receiving outpatient, not day treatment, not residential treatment, solely outpatient treatment, could still have at least one resource left in Broward County.

We know how parents are suffering because of what happened, but it was beyond the control of the county. It was beyond the control of Children's Service Council. We are looking for a short-term remedy, and if the situation cannot be solved within the next two weeks for it -- just the outpatient, not the day treatment, the outpatient program that would operate out of Plantation, then there will be no more money.

Now, I'd like to reassure the taxpayers of Broward County, both Broward County and Children's Service Council do not pay any money to Starting Place, or any agency, in advance of services rendered. So any money that has been paid to The Starting Place has been paid for services that were already given to the clients that were there. So none of your taxpayers' money is being paid for beds that are no longer in place, for treatment that is no longer being given. That's the other thing that I think must be said.

And I want to hear from my colleagues, and I want to hear from Ms. Wilson, especially, who is our -- head of our Human Services, if we can call on her.

MAYOR WEXLER: She's next. Thank you.

Ms. Henry.

MS. HENRY: Ms. Wilson.

MS. WILSON: Marlene Wilson, Human Services Department Director.

Thank you, Commissioner, for setting the stage for this.

We were advised as of last week of the ongoing criminal investigation of The Starting Place. And I want to emphasize that this is an ongoing, current investigation and that, therefore, we really don't want to speak about the investigation.

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When we were notified, we contacted Department of Children and Families -- actually, they originally contacted us, and then we heard from the City of Hollywood Police Department, and contacted them and met with the Department of Children and Families the following day.

When we met with the department, we met with the regional administrator and his staff and talked about actions to be taken in terms of -- and I want to emphasize, we were -- the two there at the table, we are not the only funders of The Starting Place. There are other funders besides county and state, and that somehow is not always clear in the media, but the Children's Services, as Commissioner Gunzburger mentioned, is a large funder, the United Way, Henderson Mental Health Center, the Office of the Governor, City of Hollywood, and there's others who are also funding services at The Starting Place.

We also -- I just want to clarify, because I've heard this repeated about licensure. The state does license. We do not. The county is not -- does not have that function.

In terms of the -- of the assessment by the state, the state brought in personnel from Tallahassee, their Assistant Secretary for Mental Health and Substance Abuse, who is also the drug czar for the Governor, as well as other individuals from the Department of Juvenile Justice, and allowed us to participate in their assessment of The Starting Place.

But when we first discussed this, we asked why licenses weren't being revoked at that time, the regional administrator asked us to stay with him in terms of looking at this, and said that they were looking at a voluntary receivership. And because of that, we were happy to be part of that, that if they were providing oversight and/or resources to The Starting Place, that we would participate and continue our agreements with The Starting Place for that purpose.

As we went through the investigation over the next two days, there were significant deficits discovered in terms of management. There was a disconnect between management and supervision in terms of program services.

(COMMISSIONER RODSTROM RETURNED TO THE ROOM.)

MS. WILSON: There was major concerns about supervision and overview of service provision. And that caused us a great deal of concern in terms of what management's role was for the agency.

We were not able to attend the results briefing of the state because the meeting was rescheduled, and we weren't aware of that until at the fact. However, we did go to the 4:00 o'clock meeting with the Board and did advise the Board after hearing -- it was about a ten-minute meeting with the Board, and advised that because of the ongoing criminal investigation that did reach into outpatient services, and because of charges still pending in terms of another investigation, as well as their significant and serious organizational problems that were cited by the DCF team, lack of management oversight, poor internal controls, inadequate security of clients, and lack of supervision, and a lack of planned response, we chose to terminate our agreements with Starting Place at that time.

I've heard it said lately that all the outpatient services are provided through their Plantation office. That is not the case for us. The outpatient services, about 75 percent of our clients go to the Hollywood office, not the Plantation office.

And I need to describe the three services we provide, very briefly, to you. The three services provided through our two agreements are residential, which the license has been revoked, and, as Commissioner Gunzburger said, the clients that we had have been placed.

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The second service that we fund is outpatient services, and that service is a nonresidential substance abuse that includes individual, family, and group counseling, and also outpatient as a step-down program that's a step down from residential, designed to transition adolescents from residential services back to living at home.

The last service we provide is wrap-around services. This is also an outpatient nonresidential service. Wrap around is a process for delivering services similar to case management, in which all services are coordinated so that the adolescent who has not succeeded in other treatment programs might achieve a successful recovery.

Each of these have a various amount. The wrap around services actually subcontracted with Memorial Healthcare systems, so that part of the service is actually not provided through The Starting Place, but as a team with Memorial.

We took the action we did based on the ongoing criminal investigation, and based on the management, the current management.

We look forward to a plan. We have talked to the regional administrator. We talked to him Friday. We look forward to a plan, but at this time we feel that until a plan is in place, until the agency is stabilized, that we need to continue to look elsewhere for outpatient services, for wrap around services, for children receiving care through county funding.

MAYOR WEXLER: Thank you. All right. I know there are a number of people that have just joined us. We are on Item 55B, and if there is anybody who wishes to speak, please come forward and fill out a request to speak form.

Commissioners --

COMMISSIONER LIEBERMAN: Before we do that, can I just ask Ms. Wilson one follow up question?

MAYOR WEXLER: If you have questions -- you know --

COMMISSIONER LIEBERMAN: It's one question.

MAYOR WEXLER: I don't want to open this up here yet.

COMMISSIONER LIEBERMAN: Well, but she gave a report.

MAYOR WEXLER: And you will have plenty of opportunity to ask her questions after we hear the public speakers.

(COMMISSIONER KEECHL LEFT THE ROOM.)

MAYOR WEXLER: Do you have a question of Ms. Wilson as well?

COMMISSIONER JACOBS: My only question might be -- the answer from Ms. Wilson might address the very things that the public is going to say.

MAYOR WEXLER: All right.

COMMISSIONER LIEBERMAN: Exactly.

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MAYOR WEXLER: Okay. All right. Then, with your permission, Ms. Henry, if we can bring Ms. Wilson back. This is not what we planned, but if you keep it to just questions of Ms. Wilson, because I know the public is anxious to address us.

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: Ms. Wilson, I was told earlier that there was no other treatment program for the outpatient services than The Starting Place. I believe I heard you say in your report, and I noticed in the yellow sheet, you're telling us that you have placed or have made potential placements for every one of the recipients of services, including for outpatient; is that correct?

(COMMISSIONER KEECHL RETURNED TO THE ROOM.)

MS. WILSON: We are continuing to work to place, to ensure that every outpatient client and their family has service. We are continuing that process.

COMMISSIONER LIEBERMAN: Do you believe you will be able to do that?

MS. WILSON: Yes.

COMMISSIONER LIEBERMAN: Okay.

MAYOR WEXLER: Commissioner Jacobs.

COMMISSIONER JACOBS: Ms. Wilson, you stated that the criminal investigation does, in fact reach into the outpatient services.

MS. WILSON: Yes.

COMMISSIONER JACOBS: Correct. I just wanted to --

COMMISSIONER LIEBERMAN: Yeah.

COMMISSIONER JACOBS: -- make sure I heard that correctly, because it isn't -- it isn't just the residential.

COMMISSIONER LIEBERMAN: Right.

MAYOR WEXLER: Correct.

COMMISSIONER JACOBS: It's the very thing that -- okay.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: Just a moment. Just a moment.

Commissioner Wasserman-Rubin.

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COMMISSIONER WASSERMAN-RUBIN: If that's the case, I have no other options but the way I'm going to go.

MAYOR WEXLER: Okay. Commissioner Rodstrom.

COMMISSIONER RODSTROM: So, do you have any concerns that there will be a lapse in service to some persons who are now receiving service from The Starting Place?

MS. WILSON: Because of the way services are scheduled, other than this week, which may be a lapse for some people, Commissioner, we don't believe so. We believe we can -- can ensure that people get continuous services.

COMMISSIONER RODSTROM: So no child will be left unattended?

MS. WILSON: That's not our plan. Families have choice. We'll make sure they have options and no child will not have an option for further --

COMMISSIONER RODSTROM: And they'll -- and they'll receive the same level of service, if not better.

MS. WILSON: They will receive the same level of service that they were receiving, yes, sir.

(COMMISSIONER EGGELETTION RETURNED TO THE ROOM.)

MAYOR WEXLER: Commissioner, I happen to have a Children's Services Board meeting, I think Friday morning, this coming Friday morning. I suspect it will also be something on our agenda to discuss there. At that point, we may have a little bit more information to bring back to you next Tuesday, as well as -- because I don't know what the outcome today is going to be, but we --

COMMISSIONER EGGELETTION: Can I ask a question?

MAYOR WEXLER: Well, only if it's a clarification for Ms. Wilson of something that she said in her opening remarks.

COMMISSIONER EGGELETTION: It is.

MAYOR WEXLER: Ms. Wilson.
Commissioner Eggelletion.

COMMISSIONER EGGELETTION: Ms. Wilson, can you explain the difference between outpatient and community-based services? Can you explain the difference between those two?

MS. WILSON: Outpatient is a community-based services. Commissioner, I'm not quite sure what your question is in terms of that.

COMMISSIONER EGGELETTION: You indicated that they were not cutting -- that we fund outpatient; is that right?

MS. WILSON: We fund nonresidential outpatient --

COMMISSIONER EGGELETTION: Nonresidential outpatient.

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MS. WILSON: -- and wrap around services; that's correct.

COMMISSIONER EGGELETON: So is there a service that they provide called community-based service?

MS. WILSON: Not that I'm aware of, Commissioner.

COMMISSIONER EGGELETON: Not that you're aware of.

MS. WILSON: No.

COMMISSIONER EGGELETON: There's no such thing as that.

MS. WILSON: Not that I'm aware of.

COMMISSIONER EGGELETON: Okay.

MS. WILSON: Outpatient is a community-based service. If that's how people are speaking to you, Commissioner, that is a community base.

MAYOR WEXLER: Thank you. I am cutting off the signing up for speakers. And the reason I'm doing that is because I certainly want to allot the three minutes, even though I have the flexibility to allot two. And if this gets much bigger, than it will be down to two. So we're cutting off public speaking -- I'm sorry, public form sign ups right now, and we will begin with our first speaker, Mr. Smith.

Lawrence Smith. You have three minutes, sir.

MR. SMITH: Thank you, Mayor and Commissioners. We appreciate the opportunity, and specifically I want to thank Commissioner Gunzburger for getting this on on an emergency basis.

This has been only a few days, and that's been the problem, and that's why a lot of the information that you might want to have and will have in the subsequent days could not all be presented at once to you, because it's only been a matter of days.

First of all, let me say that I have been involved with The Starting Place for many years as a member of the board, et cetera. I represent them in Tallahassee and Washington. They do not have a county lobbyist. I'm here pro bono today as their attorney.

The Starting Place is 38 years old. It has a significant national and local reputation. Unfortunately, that has been sullied a great deal by what occurred.

The Starting Place could not be more sorry and more contrite for what occurred with a couple of staff members in the residential treatment program and the abuses they perpetrated on some of the clients. That program has been closed down. Those people have been fired. They are being investigated and probably are going to be arrested.

The day treatment program that had 44 adolescents in it. The day treatment program which had 12 adolescents in it -- 14 adolescents, was also shut down. DCF decertified both of them. They are the certifying agency. DCF, however -- and, again, I want to reiterate that we could not be more sorry for these young women, and we don't know what else to say. This is not what The Starting Place has ever been about, and it will not happen again as far as any of the people involved are concerned.

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But right now there is an outpatient treatment program still ongoing. DCF did not shut that down. The Regional Administrator, Mr. Moss, former County Commissioner, is here to tell you that they are continue to fund and want to keep this program open.

Let me -- unfortunately I have to correct a mistake. As far as we know, there is no ongoing investigation of the program, the outpatient treatment program. We have never been advised of any such thing. I believe Mr. Moss will tell you the same thing.

I spoke yesterday with Chief Judge Victor Tobin and Judge Frusciante and Tudor on the phone. They have authorized me to tell you that they are in favor of keeping this program on -- open. They need this program and they would like you all to continue the funding.

We will do whatever is necessary. Oversight and overview by the county, monthly reports, anything else you need, we are willing to do, but this program is too valuable. There are over 500 children in this program. And let me correct another mistake. 75 percent of this care in the outpatient treatment program is community-based care. That means, Commissioner Eggelletion, that they go to people's homes, where a parent, by law, by rule, by contract, must be present for the treatment program with the adolescent.

So we ask you to continue the funding, even if it's short-term, until more information can be gathered by you to provide that. And we have some people who will speak, and I would very much like Mr. Moss, the Regional Administrator of DCF to come up. And, by the way, I spoke with Mr. Butterworth, the head of DCF in Tallahassee, who has indicated to me that he is fully in favor of keeping this program going.

Thank you very much.

MAYOR WEXLER: Thank you.

The next speaker is Mr. Jack Moss.

(Applause.)

MAYOR WEXLER: We -- folks, folks, we -- we don't do that in here. We see the badges. We know what today's color is, and we know that the majority of the people sitting in the audience are here, I suspect, to support the speakers that are here today. And we recognize that. We can see you, but we do not allow any form of hooting or clapping or any kind of that kind of behavior in here, so please refrain.

Mr. Moss.

MR. MOSS: Good morning. I'm Jack Moss, the Regional Director for the Florida Department of Children and Families, with primary responsibility for Broward and Palm Beach Counties. Thank you for your courtesies this morning.

I want to underscore what Commissioner Gunzburger said at the beginning, that it's about the children. And that's what I'm here to speak about.

The outpatient program, in our belief, is somewhat separated from the other two programs where the licenses were terminated. The outpatient program is operated out of the Plantation facility, although they provide treatment in various parts of the county, including in -- in the homes of the children.

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We had about six or seven people from the Florida Department of Children and Families, from the Tallahassee program office, come down and do a review over a two to three-day period, as well as some provider -- a provider from Central Florida who provides similar types of services to give us a quick assessment. It was based upon that assessment that we terminated the licenses that you have read about and know about, and that we also kept the outpatient program operating, because it is different. It has different management than the other two programs that were suspended.

It was mentioned earlier about who was involved in the investigation. I don't know of any children, to my knowledge, that are involved in the outpatient program. I've asked for a strategic plan to be developed by this Friday as a condition of the state continuing to fund the outpatient program. I realize that they cannot have a complete strategic plan available by that time, but it gives us at least an outline as to what the finances are, what they're going to do about the therapeutic program, and if they can continue to operate.

I had invited the county to participate with us throughout the process, listening to the investigations as they were able to tell us what was going on, and continued to, in a conversation Friday with Marlene and Ms. Henry and their staff, invite the county to participate in a review of the strategic plan that we have asked for, so that we have something on Friday to begin to review, and, when we need to put more meat on the bones to begin to work with the program in order to continue to provide services throughout the county.

We are not flushed with services in this community for treatment of substance abuse, and we do not have an overabundance of substance abuse programs. We feel this is an important program. However, I want to assure you that, from our perspective, that the safety of the children is primary, and that is why we have asked for a strategic plan, including a review, and I am sending staff in locally to review the program components within the next week or so, so that we have a better review of the outpatient program.

I'll be happy to make myself available and answer questions as the discussion unfold.

MAYOR WEXLER: Thank you, Mr. Moss.

COMMISSIONER JACOBS: (Inaudible).

MAYOR WEXLER: Certainly, of the speaker.

Commissioner Jacobs.

COMMISSIONER JACOBS: Thank you, Mayor. Mr. Moss, in the report from our staff, they state that there was a prior similar incident in November of 2006, and that no notification was given to agency funders. Can you comment on prior knowledge of similar incidents?

MR. MOSS: Yes. And there were -- there was a similar incident. However, these similar incidents are with the programs -- as far as I know, are with the programs that the licenses have been -- have been terminated, not with regard to the outpatient program.

COMMISSIONER JACOBS: Can you comment, then, why, since November of '06, there was none of -- none of that information was shared with the agency, certainly with the county? If knowledge of similar incidents happened so long ago?

MR. MOSS: We -- I don't know when the department learned of the prior incident. We have asked the police department for incident reports. Part of the problem we have is that the incidents were not being

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reported. We did not have a good reporting of incidents that should have come to the department, nor did we have calls to the abuse hotline that should have been made by mid-level staff who were aware of what was going on there. That was our concern. Recognizing, however, that the quality of the program for the outpatient -- the outpatient program is, indeed, separate from the internal facility operation that was going on in Hollywood.

COMMISSIONER JACOBS: Can you comment on the criminal investigation that staff represented does reach into the outpatient service?

MR. MOSS: I am not aware of any of the children in the outpatient program being involved in the investigation that's currently being done.

COMMISSIONER JACOBS: Okay. Then, I guess, at some point, Mayor, we have staff saying one thing, and we have the agency saying the other, so I would like to have a better understanding to that --

MAYOR WEXLER: We're going to get there.

COMMISSIONER JACOBS: -- issue.

MAYOR WEXLER: We're going to get there.

COMMISSIONER GUNZBURGER: That was my question, because that was nothing that I had heard when I spoke to them.

MAYOR WEXLER: We're going to get there with that question, because I think that's key in our decision-making today.

MR. MOSS: And if there was -- if there were, and I'm not sure there were -- it was, it would have been through the two gentlemen that I've read about in the paper that have been terminated.

MAYOR WEXLER: Okay.

COMMISSIONER GUNZBURGER: What did you just say?

MAYOR WEXLER: If there were, then it had to do with the two people in the paper --

COMMISSIONER GUNZBURGER: That were terminated?

MAYOR WEXLER: -- that we read about that were terminated. And -- and you know what? I can't wait to have my turn in a little while, but we're going to hear from the public. And if there are no other specific questions other than what we are debating right now, I'd like to move on. Okay. Thank you.

The next speaker is Lynn Strauss.

MS. STRAUSS: Good morning, Mayor --

MAYOR WEXLER: Good morning.

MS. STRAUSS: -- and Commissioners. I want to take --

COMMISSIONER GUNZBURGER: Bring the microphone down.

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MAYOR WEXLER: And, Lynn -- Lynn, I know you're the board president, correct?

MS. STRAUSS: Yes.

MAYOR WEXLER: Why don't you ask or -- the people that are sitting here today, would you like to stand up so that we see that you are all here today, because it is really -- it's not just board members. They are supporters of The Starting Place is what my understanding is, right?

MS. STRAUSS: That is correct.

MAYOR WEXLER: Okay. I just want to make sure. Do you -- are --

MS. STRAUSS: Some are board members, some are staff, and some are supporters from the community. You're correct on that.

COMMISSIONER EGGELETTION: Raise your hand, board members.

MS. STRAUSS: The board members, if you could raise your hand.

COMMISSIONER LIEBERMAN: Could you identify them, because some of them--

MS. STRAUSS: There's only one who wasn't able to be here today.

MAYOR WEXLER: I'm not sure that we are familiar with -- and I was looking to see who your board is, because --

MS. STRAUSS: I'll introduce you.

COMMISSIONER EGGELETTION: Have them come out here.

MS. STRAUSS: Come on up and introduce yourself.

MR. PLATT: I'm Marshall Platt, an attorney in town.

MS. STRAUSS: He's been with The Starting Place for 20 something years.

MR. PLATT: About 30 years.

MS. STRAUSS: Sorry.

MS. PRICE: Darryl Price. I'm treasurer of the board.

MR. MEL: Alex Mel, vice president of The Starting Place. I've been involved with them off and on for about 50 years.

MS. LESSARD: Hi, I'm Marge Lessard. I've been involved with the board for 20 years off and on.

DR. KCLASS: Dr. Joel Klass, involved on the board about 30 years.

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MR. MCGARY: Neil McGary, I've been on the board for about two months.

MAYOR WEXLER: Okay. Thank you for introducing members of the board to us. I don't know if we're going to be discussing membership today, but I know it was addressed in part of something I've read. Actually, your -- the sheet that was handed out --

MS. STRAUSS: Right, that's part of it.

MAYOR WEXLER: -- mentioned about plan to recruit new board members.

MS. STRAUSS: We are. We have to go aggressively --

MAYOR WEXLER: Your time has not begun yet, so tell me when --

MS. STRAUSS: Oh, okay.

MAYOR WEXLER: Are you ready?

MS. STRAUSS: Let's go.

MAYOR WEXLER: Okay.

MS. STRAUSS: Okay? Well, you already know about me. My name is Lynn Strauss. I'm president of the board of The Starting Place. I came on board as a director in the early '90s, and I've been president since 2002. I'm a mother. I'm a grandmother.

And, as a board member, when the alleged allegations took us by storm, we were all shocked, dismayed. I have kids. I have nephews. I don't have any nieces, but I have nephews, and I took this to heart. I took it almost as a personal basis. Shocked, humbled. Didn't know what to do. Didn't sleep for several days over it, like most of the board members. I was up at The Starting Place trying to find what I can do. I have done the best that we can at this point, looking into it.

As you know, we're not allowed to talk the alleged allegations, but to my knowledge, and I believe I can speak on the board, nothing has tarnished our other programs. It's always been either the residential, which we were talking about today, or the co-occurring facility.

As far as the community-based services we have, as far as I -- Dr. Whitehouse is here, and she's our clinical director; she could address anything -- we have never had a problem with the community-based services, which is different. What was closed down was the residential co-occurring.

What we're asking for the community-based is not that. We see a lot of the people in our homes. A parent must be there and a therapist goes to the home with the families. We do see some in our Plantation, and we may eventually, if you will let us, see some in Hollywood, only as the outpatient things.

Now, like I said, as far as board members go, we are going and aggressively -- we need different expertise on our board. We realize this now. Accountants, different -- different sections, and that we are doing now as we speak.

We do take care of -- I believe the amount is 490 children in the program, and I'd hate to see 490 children go away. We've been around for 38 years. And I'm sorry if I'm being over and over again, but we have never had a problem with those other programs. And, as you know, the drugs have been getting worse. Younger people are taking them. Girls are a little bit higher at risk than boys. And as a

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mother, I beg you to please, please restore our funding to help our children. And, like I said, Dr. Whitehouse is here, our clinical director, to field anything.

Thank you for your time.

MAYOR WEXLER: Thank you, Lynn. The next speaker is Judge Marcia Beach. Judge Beach.

JUDGE BEACH: Mayor, Commissioners --

MAYOR WEXLER: Good morning.

JUDGE BEACH: -- Commissioner Gunzburger, who brought this item forward so that it could be fully discussed and reviewed by all of you and hopefully shed a little light on things that have been occurring, I want to thank you very, very much for your prior support and hopefully what will be your continuing support to the children of this county. And that's why I'm here, is to ask you not to reduce your level of commitment to the children who need these services.

I'm not here to speak in favor of any agency, because if the allegations are true about this very old agency in our community, and I know a great deal about them for a very, very long time, as some of you do, the allegations are horrific, and you have to be very careful how you spend taxpayers' money. And I know that. I've been in your shoes before, and I still am, in a sense. I'm a public servant, too, and I take my public service very, very seriously.

But you should be praised for the good things you do, and funding addiction treatment and mental health services for children is a good thing you do. It could not be done in our community without our County Commission, and I tell people in my adult felony division that almost every day, about what is being done in the adult felony drug court and for people who are addicts and who have habitual use problems of drugs and habitual abusers.

I don't want to be redundant. I will tell you that Sheldon Schaefer came to Congressman Ed Stack in 1978 or early 1979 and asked for federal funds to help The Starting Place. Back then, they were the only entity providing any supports for children in our community who were addicted to drugs. For 30 years, over 30 years, I know he directed that agency, and he kept a very close hands-on approach to both protecting the children and making sure the agency was doing a decent job. You know who he is, I'm sure.

But I can't say enough about the job you have now to be sure that you not fund any entity that may, in fact, have problems with its management or its therapeutic approach to treatment. That does not require you, however, to reduce your commitment to the children, and that's what we want to see most from you, is that continuing commitment.

I will say to you that we didn't know of the alarming allegations until last week, or I believe our judges would have moved very quickly. Someone asked me recently why the judges were concerned. We're concerned because we order people into those facilities, and we need those services for the children to be adequately and properly restored, and receive the kind of help they need to enter recovery, so that we don't see them in the adult felony system at some later point.

MAYOR WEXLER: Judge, I must ask you to close.

JUDGE BEACH: Thank you very much for your continuing commitment to the children. That is why we're here.

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I did want to say one additional -- make one additional comment. Larry Smith mentioned that he spoke with the Chief Judge and with the Chief Administrative Judge of the juvenile divisions, and, of course, Judge Tobin is the Chief Judge of all the Circuit Court judges. Yesterday I spoke with them after that, and I can confirm that he spoke with former Congressman Larry Smith and with the Mayor, Lois Wexler, late yesterday afternoon --

MAYOR WEXLER: That's correct.

JUDGE BEACH: -- about the issues that had arisen and about their concerns that we lose any funding for the individuals who receive services through your funding sources.

I do also want to say one additional thing. I thank the county staff and the state DCF staff for moving quickly. We oftentimes criticize them for moving too slowly. It would be inappropriate for us to criticize them for moving quickly.

MAYOR WEXLER: Are you going to be remaining for our debate?

JUDGE BEACH: I will be with you until you finish.

MAYOR WEXLER: Do you want to ask her the question now, Commissioner?

COMMISSIONER EGGELETON: No, if she's going to remain, you know --

JUDGE BEACH: I will be here, Commissioner.

COMMISSIONER EGGELETON: Okay. Fine, I'll ask at the appropriate time, then, Mayor.

Thank you.

MAYOR WEXLER: The next speaker is Jill Varrichio.

MS. VARRICHIO: Hello.

MAYOR WEXLER: Good morning.

MS. VARRICHIO: I'm the mother of one of the children who was in The Starting Place. My daughter is going to be 18 on Friday. She went into The Starting Place October 9th. She was diagnosed as being bipolar, and she had substance abuse problems related to trying to self-medicate. She was in the hospital at Joe DiMaggio's for eight days. They recommended a residential inpatient treatment for her, and the only option I had was to take a second mortgage on my house to put her in private treatment, which was recommended to me by a parent support group. And I had called Henderson, Spectrum, and The Starting Place. And when I met the staff of The Starting Place, I didn't have to mortgage my house, and I did pay on a fee basis, a sliding scale, for my daughter to be there. It took her 56 days to complete the first 20. It was a very tough road. She came home Friday. She was supposed to graduate this Wednesday, and she's much better, but it -- I feel like now we have nothing. You know, my daughter has nothing. She doesn't have the people who cared about her in her life. She doesn't have the support. I don't have the support of the other parents, because we met together every week, and the staff genuinely really helped to save my child's life.

And Broward County, I don't know why there are not more things available for our kids. Our kids have to suffer, and we don't know what to do and we don't know where we should go. You call the police and they tell you to take them home. They put them in juvenile justice system and they have no options.

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There's no mental health facilities in juvie. They're not helping them out there, and they can't -- there's like nowhere for them to go.

And The Starting Place truly cares about the kids. You know, they truly care about the kids, but it's not easy, and it's not supposed to be easy, and they only work just on what resources, I suppose, that they have, because they don't have like bundles and bundles of money.

I'm a registered nurse, but I don't know much about mental health with kids, except that my -- my child was saved and restored and it's a beginning for her, for her future. And I appreciate everyone that helped her, and I hope that they can remain, because other kids need the services of The Starting Place.

MAYOR WEXLER: Thank you.

MS. VARRICHIO: Thank you.

MAYOR WEXLER: The next two individuals have signed up, I believe, for questions only, and that's Ann Whitehouse. Ann, did you want to address us or just be available for questions?

DR. WHITEHOUSE: I'm available for questions if anybody has any.

MAYOR WEXLER: Okay.

DR. WHITEHOUSE: I'm Dr. Ann Whitehouse, and I'm the Clinical Director for The Starting Place.

MAYOR WEXLER: Right. Okay.

And the next one was Jack Minge. Jack Minge, did you want to speak, or did you also want to be available for questions only?

MR. MINGE: I'm Jack Minge, I'm from Jacksonville, and I'll be available for questions. Oh, they want me to say --

MAYOR WEXLER: It's up to you. You have the opportunity. I'm just reading what you wrote.

MR. MINGE: The Starting Place has invited me to help them develop the strategic plan that had Mr. Moss had mentioned, and I'm working towards helping them do that, an outline of that by this Friday. And beyond that, that depending on the outcome of the Commission meeting today, I will help them put together a more formal plan in the next few weeks.

MAYOR WEXLER: Could you take a moment and tell us a little bit about your background and your qualifications?

MR. MINGE: Yes, I'm currently the president of Benchmark Consulting Services and have been the president of that company, which I founded in 2000. Most of my work is involved in strategic planning and organizational development for not-for-profit corporations and for a few governmental agencies, a couple of hospitals. Prior to that, I was the CEO of Child Guidance Center in Jacksonville. Immediately prior to that, I was the CEO of Henderson Mental Health Center in Broward County. And prior to that, I was the Executive Director of Renaissance Center in Jacksonville which is also a behavioral health center.

MAYOR WEXLER: Thank you. Are there any questions?

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COMMISSIONER GUNZBURGER: I have a quick one.

MAYOR WEXLER: Commissioner Gunzburger.

COMMISSIONER GUNZBURGER: How long do you think it would take you to come up with a strategic plan for the outpatient services?

MR. MINGE: We can come up with an outline of the strategic plan by this Friday, but to put together a more formal plan that addresses all of the complexities of the system and the internal issues that we need to look at, it's going to take probably several weeks.

COMMISSIONER GUNZBURGER: Well, that's what I -- that's the part that I think is one of the critical areas, is the internal issues, to make sure that what has occurred never, ever occurs again.

MR. MINGE: Yes.

MAYOR WEXLER: Commissioner Lieberman.

COMMISSIONER LIEBERMAN: My question might be for Ms. Wilson. I think all of us, our hearts go out to the young woman, the mother who spoke, Jill Varrichio. Hope I'm saying that right. I'm assuming, Ms. Wilson, your staff has been in contact with the parents of all of the children who are receiving services, and if not, could someone please talk to this mother here? We certainly don't want to leave anybody in the lurch for services.

MS. VARRICHIO: They've talked to me. They've called me.

MAYOR WEXLER: They've called?

MS. VARRICHIO: They're not -- yeah.

MAYOR WEXLER: And I think we're going to hear from a number of other --

COMMISSIONER LIEBERMAN: It's more than just talking. I want to know that there is a service for the child, a facility, some way to continue services. I don't think any of us --

UNIDENTIFIED SPEAKER: (Inaudible).

COMMISSIONER LIEBERMAN: No. This is for Ms. Wilson. What I'd like to have is have someone from her staff, if they have not looked at treatment options for the young -- for the child, whose name I'm not going to mention, of this mother, because I think in our discussion we need to know whether or not there is available alternative treatment opportunities or not, because that is critical, along with some of these other issues.

MAYOR WEXLER: No, we're not opening it up. We're not. I have still more speakers. Thank you, Doctor.

The next speaker is Sharon Bobor. Sharon Bobs. Okay. And then followed by Mary Ann Dubin.

Good morning.

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MS. BOBS: Hi, my name is Sharon Bobs. My son was at The Starting Place.

MAYOR WEXLER: You're going to have to speak up.

MS. BOBS: My name is Sharon Bobs, and my son was at The Starting Place, and the last week he was sick, but by the time he went back, the place was closed. And the second question was, well, what about June? June is our counselor from the wrap around program, and that's all we have left, and she's the only link to The Starting Place that's been helping him and me. And I would like to keep that program open. My son is very depressed right now, and she's been helping us tremendously.

MAYOR WEXLER: Okay.

MS. BOBS: And that's all I have to say.

MAYOR WEXLER: Is there anything else you would like to share with us?

MS. BOBS: Well, I just want the program open because we need her. She went above and beyond to help both me and my son, and I would like to have that program available.

MAYOR WEXLER: Okay. Thank you. We will be discussing it after we hear all the public speakers.

MS. BOBS: Thank you so much.

MAYOR WEXLER: Thank you.

Mary Ann Dubin, followed by Cecile Intriago.

MS. DUBIN: Hi. My name is Mary Ann Dubin, and I'm a mom of a teenager who went through The Starting Place. I'm very proud of him for having graduated The Starting Place, but what happens when they get out is they have the urge to use, whether or not they got clean while they were in there. And, unfortunately, it puts them in the place of either dying, ending up in an institution, or ending up in jail. My son is 17 years old and he'll be 18 in November, and I don't want him to die.

Now, the case management services through the wrap around program provide him with support through staying in school, through keeping a job, through going to Narcotics Anonymous meetings, through going to counseling, and they give us as families, support through coping with it. And without those services, my son could die. With those services, my son could die. But whether -- and will die, like we all will. But it gives him an extra chance, and it gives me choices as a parent. Without it, I have no control at all. My son is at an age, he's 17 years old, and at 17, he wants his independence, and he's -- and he's -- because of that -- and doesn't know how to separate from me, is defiant.

The program gives him dignity. It gives him choices. It gives him an authority over him, so that he knows he has consequences for his behaviors, and he knows that if he -- that with that case management, they give him the support and they give him -- they give him somebody to trust, because at this age, they don't want to trust parents and they don't want to confide in us. It gives them someone to talk to. It gives them wrap around services so that they can be able to have some chances to grow up and be able to be an adult.

So I'm glad that you heard me out, and I really appreciate the fact that you gave me the time here today. So thank you.

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MAYOR WEXLER: Thank you. Cecile Intryago, followed by Adriana Longo.

MS. INTRYAGO: I'm Cecile Intryago, local advocacy council service area 13. I'm a volunteer.

MAYOR WEXLER: Pull the mic down.

MS. INTRYAGO: I'm a volunteer and I monitor facilities. I'm here to answer any questions that anybody might have. That's all I have to say, and thank you.

MAYOR WEXLER: Thank you.

MS. INTRYAGO: Oh, sorry, we're appointed by the governor.

MAYOR WEXLER: Okay. Adriana Longo, followed by Rachel Gregg.

MS. LONGO: I want to thank you for letting me speak. This is my daughter, Alexis. Alexis Longo. She was at The Starting --

MAYOR WEXLER: You need to pick -- I haven't started your time yet, but you need to pick the mic up so we can hear you clearly. Thank you.

MS. LONGO: Okay. My name is Adriana Longo. This is my daughter, Alexis Longo. I'm a single parent with a child that has been through a lot of things in her life since her father passed away. She was diagnosed bipolar, depression, tried to commit suicide twice. I had her Baker Acted. I had her with the Henderson, and she still is with Henderson, with Barr Team. They did everything they could, but my daughter was defiant. I had her court ordered to the Beach House, which is the extension of The Starting Place, downstairs.

That place saved both our lives. The staff in the Beach House is nothing but miraculous. For them to have to lose their jobs and not continue their good service with children is inconceivable to me. My daughter was in four months of six-month program. She's done very well. She's done a 360 turn around, and that's why I wanted her to come up here, because my daughter looked like a thug when she went in there. She had no desire for school. She's getting A's and B's now, in four months' service. I had the support of the other parents and the staff, and I have to -- I have to congratulate the staff of how they turned her around, how caring, how loving, how concerned, as if they were her own family. She had somebody to look up to where before she had no one. I mean, being a parent, children are very defiant of their parents. They don't want to always listen to what we say, but she had such good influence.

Now, for what happened upstairs is tragic, and, unfortunately, the children that have had that happen to them had problems also, which they didn't need this. But they fired these people. I don't understand why you would throw an organization like this away instead of trying to fix it. And I'm talking about residential. My daughter is not done yet. She needed that extra two months to get herself back into society. Now, I am trying to get her into Pace School for Girls, but, again, she's going to be home at night. She's not going to have that residential good influence on her, and I'm very concerned about it.

(COMMISSIONER GUNZBURGER LEFT THE ROOM.)

MS. LONGO: And I do have Henderson working with us and I'm trying everything I can. I haven't been to work since Friday because of this. I haven't slept. All I'm worried about is my child. I want my child to be a good citizen and I want her to be a value to the community, which she is able to do if she goes in the right direction, and that's -- there's not much I can say. I'm heart broken. My daughter is heart broken. Friday night she cried, I want to go home. I'm telling you, you are home. She says, no, I want

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to be back in the Beach House. For them to do this in 48 hours like this, they ripped her soul out. They ripped our souls out. We just -- we're like nowhere. We're flaunting. And we still are.

MAYOR WEXLER: Thank you, Ms. Longo.

MS. LONGO: Okay.

MAYOR WEXLER: Appreciate you for coming up and sharing with us.

MS. LONGO: Thank you for letting me speak.

MAYOR WEXLER: Thank you.

Rachel Gregg, followed by Raquel Fontana.

MS. GREGG: I would like to say, I know this is a public service, and I know you videotape --

MAYOR WEXLER: Please speak into the microphone. Thank you.

MS. GREGG: I know this is a public service. I really don't wish to be videotaped. If they would not do so, I would really appreciate it. I come here on behalf of not only my own child, but on behalf of other parents and the staff at Starting Place. My son ran from The Starting Place.

MAYOR WEXLER: Well, it's a public meeting. I'm asking that you not say your child's name --

MS. GREGG: Okay.

MAYOR WEXLER: -- just refer to your child as your child.

MS. GREGG: My child ran from The Starting Place. They welcomed him back in with open arms. He was hysterical when he had to go there. They took him back in. When I went to pick him up, he was hysterical, because he didn't want to leave. He built a bond with these people, with these counselors, these children, it was children like him, to let him know that he wasn't the only person, to let them know there's other parents here like us.

I went and tried to get my son help at one of the places in Broward County, because I didn't have Medicaid. They're asking \$12,200 a month. This is the only place to help these kids, these parents. And then when you just pull them out, and when the kids mess up, they get thrown in juvenile system, they get put into the system, and then where are they supposed to go. And what are we teaching them? Oh, you can get help, but, no, you really can't get help, because now we're going to pull everybody from the place, and you can just do whatever. And there's nobody else here to help our children when these people have went above and beyond their call of duty to do what they have done.

And I really think it's -- I'm not taking lightly the allegations that was made. I understand investigation. I understand everybody coming forward to try and help out. But what about the staff here that is not guilty of anything, and the 30 years that they've been there, and the children that they have helped and would help in the future?

Please take under consideration the parents and the other staff members here.

MAYOR WEXLER: Thank you.

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MS. GREGG: Thank you.

MAYOR WEXLER: Yes, Commissioner Wasserman-Rubin.

COMMISSIONER WASSERMAN-RUBIN: Ma'am.

MAYOR WEXLER: Ms. Gregg -- Ms. Gregg, one of the Commissioners would like to ask you a question, if you're willing to respond.

MS. GREGG: Yes, ma'am.

MAYOR WEXLER: Commissioner Wasserman-Rubin.

COMMISSIONER WASSERMAN-RUBIN: It's me. I'd like to ask you, when your son ran, was it in the evening?

MS. GREGG: Yes.

COMMISSIONER WASSERMAN-RUBIN: Did they call you from The Starting Place?

MS. GREGG: Yes, they did.

COMMISSIONER WASSERMAN-RUBIN: Immediately?

MS. GREGG: Immediately.

COMMISSIONER WASSERMAN-RUBIN: Thank you.

MAYOR WEXLER: Thank you. The next speaker is Raquel Fontana, followed by the last speaker, Bill Harbour.

MS. FONTANA: Good morning.

MAYOR WEXLER: Good morning.

MS. FONTANA: My name is Raquel Fontana. I'm very nervous right now, because I feel for these parents. My son graduated from the program, from Beach House, a month ago. He's done wonderful. My son was on his way out. He was on his way down. He had a very tragic experience with some friends in August, and these people, they took care of him. They put their arms around him. They put their arms around our whole family, and saved us. They literally saved us. And I do feel horrible what's happened upstairs, but, again, unfortunately, in every situation there's always a lot of bad things that happen, but for those bad, the rest shouldn't suffer.

The Beach House, I feel like a family with these people. They were all friends to me, the kids, my brother, my son was like brothers and sisters to them. He goes back and visits them. That was a safe house for him. It was a place for him to be able to go and feel comfortable on a Friday night and hang out with everybody, instead of being on the streets or being back with bad friends, because it's very difficult for them to find new friends at the age of 18. He just turned 18 while he was in the program. It's very difficult for them to find that. But this place, he had a place. When I brought him back the day after Christmas when he was off for Christmas break, one of the staff members there, you know, I said, oh,

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how are you doing today? He goes, now I feel wonderful, I have all my boys back. And that's exactly how everybody there was.

My son, at first, when he was coming home during different visits during the day, he kind of like kept watching the clock. He wanted to make sure he was back in time. He didn't want to -- he didn't want to risk being thrown out of the program for anything. Five minutes late, two minutes late, anything. He wanted to make sure he was there all the time, and he felt the comfort that he felt there. He was very safe in those walls. And the Beach House was a great program. And I just can't see it just discontinuing like this so quickly, just all of a sudden just the rug getting pulled out from underneath them. The staff members, every single person there was available to them to talk to them, to us as parents, and to the kid at any time. They didn't have any issues there.

So I just beg that you really try to reconsider, try to reopen this program again for them.

MAYOR WEXLER: I'm going to -- we have one final speaker, Bill Harbour, but I think it's important also for -- and, Commissioner Gunzburger, if you wish to do it or want staff to, some of these people may have missed your opening remarks or that Motion A was withdrawn, and for what reason it was withdrawn, and that's not before us today. But I want to hear from the last speaker, and then if you want to do it or if you want staff to do it, I'll give you the option.

UNIDENTIFIED SPEAKER: Madam Mayor, we have another speaker, and I thought he had signed a card, Joe Cantor, who is the legal advisor to the Hollywood Police Department. He is on the phone outside getting confirmation of what some people have raised as an issue, and that is whether or not there's any ongoing investigation.

MAYOR WEXLER: I don't have any Mr. Cantor signed up to speak. Ms. Henry?

UNIDENTIFIED SPEAKER: I believe Ms. Henry has it.

MS. HENRY: Yes, I asked Mr. Cantor to join us today and be available if there are questions for him, but he --

MAYOR WEXLER: Okay.

UNIDENTIFIED SPEAKER: He's on the phone outside getting the information that some Commissioners may have asked.

MAYOR WEXLER: Okay. Thank you.

UNIDENTIFIED SPEAKER: So when he comes back in, if you will allow him.

MAYOR WEXLER: Thank you.

UNIDENTIFIED SPEAKER: Thank you.

MAYOR WEXLER: Thank you for informing us of that.

Is Mr. Harbour here? Mr. Harbour, you have the opportunity, three minutes to address the Commission.

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MR. HARBOUR: This is my son. He's a graduate. Am I under the understanding that we're not to talk about the Motion A where you've closed down the Beach House?

MAYOR WEXLER: No, we --

COMMISSIONER LIEBERMAN: We didn't close it down.

MR. HARBOUR: No, well, DCF has --

MAYOR WEXLER: Mr. Harbour, I don't want to take away from your time. Okay? So --

MR. HARBOUR: Well, I'm asking a question, because if I'm not to talk about that, then --

MAYOR WEXLER: No, you can speak about it, but I want you to know it's within our power to do or not do, and Motion A is under the auspices of DCF, and the license was withdrawn for that program by the state, not by Broward County. So the two residential, upstairs and downstairs, and the day treatment programs were pulled by --

COMMISSIONER GUNZBURGER: That's Beach House.

MAYOR WEXLER: Beach House and Starting Place are the two programs, if I remember the names of the residential. Correct?

COMMISSIONER GUNZBURGER: Well, the residential treatment center was pulled -- their license was pulled, and the Beach House license was pulled by the State Department of Children and Families. Broward County cannot fund any treatment facility without a license.

MR. HARBOUR: Okay. What I -- what I think -- I'm probably going to speak --

MAYOR WEXLER: Now, do you wish to --

MR. HARBOUR: Well, I'd like -- do you mind if I ask a quick question, real quick?

MAYOR WEXLER: Go ahead.

MR. HARBOUR: Because I think I speak for all the parents that are here in support.

Of the children that were in the Beach House co-occurring unit, we don't understand why. Why that license was pulled.

MAYOR WEXLER: Okay.

MR. HARBOUR: Ad I think an explanation to all these parents and to the community should be given.

MAYOR WEXLER: Is that it? Because I'm going to ask Mr. Moss to address your question.

MR. HARBOUR: That specific question, yes, because that -- I think, if I'm not mistaken, all these parents here supporting that --

MAYOR WEXLER: Mr. Harbour, do you want additional time to say anything else to the Board?

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MR. HARBOUR: No, not that. Not that.

MAYOR WEXLER: Okay.

MR. HARBOUR: I would like to explain my (inaudible).

MAYOR WEXLER: Okay. I'm going -- I'm going to ask Mr. Moss if he is willing to do that, if you'll have a seat.

MR. HARBOUR: Okay.

MAYOR WEXLER: Thank you.

MR. MOSS: Unfortunately, there were a number of reasons why the state terminated the license. It was leadership, it was management, it was the facilities themselves. It was failure to follow policies and procedures, the absence of certain policies and procedures that had to do with the -- with the co-occurring disorders and the day treatment and the residential program. We have found that the outpatient program has been operating satisfactorily, according to the state.

MAYOR WEXLER: The last number of speakers, though, were particularly speaking about the residential piece and Beach House in particular. So I wanted you to know, because a number of you, I saw you walk in after we had begun discussion, that that's completely out of our hands today. The license has been pulled, and Mr. Moss has addressed why that has occurred.

And, no, we are not doing a Q and A here. We're not going to do that, but we are going to open it up now for the Board of County Commissioners as far as questions.

COMMISSIONER GUNZBURGER: I think we need to really hear from Mr. Cantor before we can continue our discussion --

MAYOR WEXLER: Well, I --

COMMISSIONER GUNZBURGER: -- because that's the critical missing element.

MAYOR WEXLER: I think that Ms. Henry went outside. I saw Mr. Elwell went outside. Are you looking for Mr. Cantor?

MS. HENRY: Yes, I was. And, I'm sorry, I don't -- I don't see him. The reason I asked --

MAYOR WEXLER: He's right there.

MS. HENRY: Oh, I'm sorry.

MAYOR WEXLER: Mr. Cantor, if you wouldn't mind introducing yourself and your position for --

MR. CANTOR: Absolutely. Mayor, Vice Mayor, Ms. Henry, Commissioners. Joel Canter. I've represented the City of Hollywood for approximately 23 years, more specifically, the police department. I'm here to entertain any questions you have.

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I can tell you, internally, I was available late, I believe it was Tuesday or Wednesday evening, when Director Bob Butterworth contacted our chief -- I was in the chief's office -- with his very, very, very serious concerns about the residential program. He did indicate that he was going to be sending one of his top administrators into the facility to, for loss of a better term, take over the facility and look at some accountability issues.

But our police department has been investigating a couple of very, very serious concerns, one of those major concerns is obviously a major embezzlement issue. The other issue are allegations of sexual battery. I'm really not at liberty to discuss the charges in-depth, because this is an ongoing investigation.

COMMISSIONER GUNZBURGER: That's not what we want to know.

MAYOR WEXLER: Mr. Cantor, I believe the question is --

MR. CANTOR: Sure.

MAYOR WEXLER: -- is there an ongoing investigation, and is part of that the outpatient program?

MR. CANTOR: There is absolutely an ongoing investigation. There has been an ongoing and pending investigation. As far as I know, although I'm waiting for a captain to call me back as I'm speaking, it doesn't, as of this date, reach into the outpatient program. It does specifically reach in -- at least one of the major allegations does reach into the inpatient program, the housing program.

MAYOR WEXLER: You mentioned the embezzlement part. Then that does not reach into the outpatient program at all?

MR. CANTOR: As far as we know to date. I don't know that for a fact yet. I'm still waiting for Captain Sanchez of my department to contact me, because that has been a major issue, an accountability for us for some time.

I will tell you that as a result of Director Butterworth's call Tuesday evening, I didn't even bother wasting time contacting even my city manager, even though I should have, but I contacted him the following morning; I did issue a memo to our finance director to suspend funding for the starting -- suspend, not terminate, but suspend funding until further notice. And we donate anywhere from 150 to \$200,000 a year to The Starting Place, between the Burn grant and the donation of law enforcement trust funds.

MAYOR WEXLER: Okay. We're going to go around.

Commissioners, do we have any idea about the City of Plantation and their ongoing investigation? Staff, is there any information there?

MS. HENRY: I don't have any information on that at this time.

MR. CANTOR: And I can only tell you, Mayor, I represent the Broward County police chiefs, and Chief Massey from the City of Plantation is our current president and this was a topic of discussion at our Thursday -- we meet the first Thursday of each month -- and this was a topic of conversation at our last meeting, just the --

COMMISSIONER LIEBERMAN: (Inaudible.)

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MR. CANTOR: -- some of the issues that arose involving Starting Place.

MAYOR WEXLER: I don't want to put you in -- in, you know, any kind of a difficult situation --

MR. CANTOR: Sure.

MAYOR WEXLER: -- but can you at least verify that there is an ongoing investigation in the City of Plantation?

MR. CANTOR: I can't -- I can't confirm that at all, because I don't represent the City of Plantation.

MAYOR WEXLER: All right. Thank you.

I see a lot of hands up here.

Commissioner Eggelletion, we'll begin with you.

COMMISSIONER EGGELETION: I just have a couple -- thank you, sir. I appreciate that.

MR. CANTOR: Yes, sir. For me?

COMMISSIONER EGGELETION: My question is not of you.

MAYOR WEXLER: Thank you, sir.

MR. CANTOR: Thank you.

COMMISSIONER EGGELETION: General discussion.

MAYOR WEXLER: When you hear of Captain Sanchez, though, if you'll give us some kind of a hand signal.

MR. CANTOR: Absolutely. Absolutely. Thank you.

MAYOR WEXLER: Thank you. I'm going to go around.

COMMISSIONER EGGELETION: I just have a couple of quick questions and I'm really done. And just one statement. And my questions would be to Mrs. Wilson and to the judge, Judge Beach.

But, first of all, Mrs. Wilson, to you.

Mrs. Henry?

MS. HENRY: Yes, Ms. Wilson.

COMMISSIONER EGGELETION: Mrs. Wilson, I just want to know, is there any member currently, with respect to the outpatient or community service or whatever you want to call it, the service that is rendered out of DCF's office on State Road 7, is there any member on the current staff that's involved in the

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day-to-day operations in Hollywood with respect to the in-house program involved in that outpatient program?

Any member on that staff?

MS. WILSON: You know, I can't answer that, Commissioner. I don't have that information to give you.

COMMISSIONER EGGELETON: Okay. Well, let me ask, who is -- who is the executive director now?

MAYOR WEXLER: I would think Ms. Strauss from The Starting Place --

COMMISSIONER EGGELETON: Ms. Strauss?

MAYOR WEXLER: -- would be able to --

COMMISSIONER EGGELETON: Someone? Okay.

MS. STRAUSS: As the clinical director for The Starting Place, I can answer that question. And the answer is absolutely not. The people that provide the service as in-home, as well as community-based and to our outpatient services in both Plantation and Hollywood are Masters level clinicians are that registered interns. The people that were the alleged perpetrators of the -- of continuing investigation were supervise -- were techs, if you will, that provided direct supervision to the residential clients. They are not one and the same. Qualifications are different. Absolutely.

COMMISSIONER EGGELETON: So my question to you then, ma'am, you know, who supervised them? Who did they report to?

MS. STRAUSS: Who supervises --

COMMISSIONER EGGELETON: Who do they -- the people --

MS. STRAUSS: The techs are supervised -- I'm sorry.

COMMISSIONER EGGELETON: No, I want to know the persons in community-based program or community-based program, who do they report to?

MS. STRAUSS: They report to the outpatient supervisor.

COMMISSIONER EGGELETON: And where is the outpatient supervisor based?

MS. STRAUSS: The outpatient supervisor is both in Plantation and in Hollywood.

COMMISSIONER EGGELETON: Okay.

MS. STRAUSS: She has two offices.

COMMISSIONER EGGELETON: So she was involved in the in-house program as well, right?

MS. STRAUSS: That is not correct.

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COMMISSIONER EGGELETON: What is she involved --

MS. STRAUSS: The supervisor for the residential program was a separate individual.

COMMISSIONER EGGELETON: Separate individual.

MS. STRAUSS: That's correct.

COMMISSIONER EGGELETON: Totally separate?

MS. STRAUSS: Completely separate.

COMMISSIONER EGGELETON: Okay. And you're --

MS. STRAUSS: Each --

COMMISSIONER EGGELETON: -- and you're willing to write that -- and you're willing to put that in writing?

MS. STRAUSS: I can provide you better yet a copy of or organizational chart.

COMMISSIONER EGGELETON: Please. I need that. Thank you. The next question is --

MS. STRAUSS: Any further questions?

COMMISSIONER EGGELETON: Not for you, ma'am. Thank you. Judge Beach, it's always good seeing you, Judge. And let me just say --

JUDGE BEACH: Thank you.

COMMISSIONER EGGELETON: -- you know, I know this Commissioner, and I know I speak for the rest of my colleagues, we all have the highest respect for you and what you do for us in Broward County. I know I've attended some of your drug graduation programs, and, you know, I understand the gravity of this situation. And I also understand the seriousness by which you take your job, not only as a judge, but the compassion that -- of how you deliver justice to us.

JUDGE BEACH: Thank you, sir.

COMMISSIONER EGGELETON: My question to you is, if I understand you correctly, when you addressed the Board, I think what you said, and correct me if I'm incorrect, what you were saying is that you believe that this Board should in some way continue its commitment to fund some drug treatment program, and not necessarily a specific agency; is that correct?

JUDGE BEACH: Continue the commitment of funding. This agency historically has helped thousands of children and their families, there's no denying that. But you have to be very concerned about the allegations, and I know you are.

COMMISSIONER EGGELETON: Okay.

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JUDGE BEACH: And I believe the sooner that you get the reports that DCF is, I understand, in the process of developing, the sooner you can make a decision about what to do as far as the outpatient treatment.

And I have to tell you, there are many of these kid who should not be returned home. And you all have always been concerned about that, and I just encourage you to continue that concern until you know what to do.

COMMISSIONER EGGELETON: Judge, let me just ask you one other question, because I know you're involved across the board with many of these programs. And I want to specifically ask you whether or not do you have any knowledge of how this outpatient or community-based program, whether or not that program, you can assure us, is separate and aside from this in-house program that is based down in Hollywood?

JUDGE BEACH: It is, as far as I can determine. You know, I'm not there on a daily basis. I have to tell you, I'm ashamed to admit that I haven't been there in a number of years. But I order people differently when I order them into outpatient treatment than I do when I order them into the residential program. And I do know that, structurally, the organization is set up differently, so that they do have the two different branches.

I would suggest that you listen to your staff, and the state, and Jack Minge, who I'm glad to see back in Broward County, who I understand is taking a look at things. Now, I don't know if you remember, but he directed the Henderson Clinic for a number of years and is a well-known administrator, and I believe that he is going to give you information soon that will help you make those decisions.

I can't tell you how important it is, though, not to suspend what you're doing, potentially. I think that could probably occur without a reduction in the outpatient services, but as quickly as you can move on it, it really has to continue.

I did want to make one comment. There are other residential beds for boys in our community. There are not any other residential beds available for females that I'm aware of, with a few exceptions. Henderson does some work over in The Village for older young adults, and I believe there is some work going on at Fort Lauderdale Hospital. And those are the only places that I am aware of. Spectrum runs a residential program for boys.

MAYOR WEXLER: Thank you, Judge.

COMMISSIONER EGGELETON: Thank you.

MAYOR WEXLER: Are you finished, Commissioner?

COMMISSIONER EGGELETON: No. Madam Mayor, members of the Board, let me just say -- well, first of all, thank you again, Judge.

JUDGE BEACH: Thank you.

COMMISSIONER EGGELETON: And I have to tell you all that I have the greatest respect for Judge Beach and all of those in the Broward County judicial system that provide the alternative sentencing for many of our juveniles that find themselves, for whatever reason, involved in activities that are not appropriate. And let me tell you how concerned I am about that. When I was in the legislature, I passed a bill, sponsored and passed a bill that required judges to provide alternative sentencing for juveniles who

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were caught using drugs, as opposed to those that were caught selling and distributing drugs. And so my involvement in this go way back.

I don't think -- and maybe I'm wrong, but, you know, here is a person who sit here who had family members that have been involved in drugs, some of them incarcerated for a number of years, some of them receiving treatment and -- and programs, some of them youthful, some of them adults. So I understand what many of the families are going through, because I have seen the hurt.

(COMMISSIONER RODSTROM LEFT THE ROOM.)

COMMISSIONER EGGELETON: I have sat there and cried with family members when I see a person whose life is spiraling out of control. So I -- I can be an empathizer with many of the parents and some of the staff here. I don't want to be a sympathizer, but I can be an empathizer.

But I'm often reminded, Madam Mayor, by a story that I learned years ago by a theologian, you know, in England who found himself going to a revival, and on the way, he saw this drunk in the gutter who could not get himself out and kept falling back in. And he stopped along the way, and he asked the driver to stop, and he gets out of his car and he began to blast this person. And a still small voice, spoke to him and said, "Merchant, be it for the grace of God, there goes you." So I understand, be it but for the grace of God, I could be in many of your shoes that are out here today.

However, let me say this. I do not want this Board supplying one dollar of its funds to this program as far as its residential program is concerned, the programs where the license have been suspended, as far as I'm concerned, we should not supply one dollar.

COMMISSIONER JACOBS: (Inaudible).

COMMISSIONER EGGELETON: I understand that. I clearly understand that. Okay? I don't think that we should do that.

Secondly, I think that, in the future, even if we were to do that, that board has to totally resign and reconstitute itself with none of its current members, period, before it gets my vote.

Secondly, as far as the outpatient program is concerned, I don't know what our funding is on that, but I need some sort of review, because I'm getting two -- you know, this sheet outlines one thing; Mrs. Wilson is telling us something different in terms of our funding. I need to know what the exact funding is. And, Mrs. Wilson, if you can provide us with what is the funding that we supply to the outpatient or community base, whatever program -- I don't know the name. I've heard several names from individuals. I need to know what is the funding level we provide to that program.

MS. HENRY: Ms. Wilson, can you respond, please?

MS. WILSON: Under the terminated contracts, Commissioner, we provided \$199,950 for residential services. We provided \$276,043 for outpatient services. That's two different types of services. One is the step down service that I spoke about, which was \$104,388, and the other is the office-based counseling, the TOPS program, \$171,655. The wrap around services, we provided at a funding level of \$361,604.

COMMISSIONER EGGELETON: Well, I think you've given a total funding. I only want to know the program that's based in Plantation at DCF's office on State Road 7.

MS. WILSON: I have no program that's just based in Plantation at DCF's office on State Road 7.

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MAYOR WEXLER: (Inaudible) thousand dollars is --

COMMISSIONER EGGELETTION: You don't have a program that we fund over there?

MS. WILSON: No, sir. I have a program that provides services throughout the county. Many of our clients are seen in Hollywood at the Hollywood office. That's my statement prior to.

COMMISSIONER EGGELETTION: All right. Then I need to know -- Mr. Moss, do you want to add something to that?

MR. MOSS: I just would to correct that the program is not based in the DCF office. They have their own space that's close --

COMMISSIONER EGGELETTION: Okay.

MR. MOSS: -- to where the department's office is.

COMMISSIONER EGGELETTION: Okay. That -- well, whatever program that is over there, that's the only one I'm concerned about at this -- at this moment.

MAYOR WEXLER: Staying open?

COMMISSIONER EGGELETTION: Yeah, staying -- staying open or we continuing to fund, because that's the only one whose license have not been pulled.

Now, I don't know, I think we need some -- Mrs. Henry, I want to know exactly the money that's going there, because if -- what Mrs. Wilson has just laid out to be is a total of 800 and some odd thousand dollars.

MAYOR WEXLER: \$637,000.

COMMISSIONER EGGELETTION: So I don't know what the total funding is going to that program, but that's the only program that I want to even entertain and consider.

MAYOR WEXLER: Ms. Henry, \$276,000 is dedicated of county's dollars to outpatient.

MS. HENRY: Yes.

MAYOR WEXLER: 75 percent of that \$276,000 are outpatient treatment out of Hollywood --

MS. HENRY: Yes.

MAYOR WEXLER: -- and 25 percent of that amount -- I'm going to give you an opportunity, okay?

UNIDENTIFIED SPEAKER: Thank you.

MAYOR WEXLER: But I'm only saying what your letter has indicated to us.

UNIDENTIFIED SPEAKER: Yes, that's correct.

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MAYOR WEXLER: 25 percent of that \$276,000 is Plantation.

(COMMISSIONER RODSTROM RETURNED TO THE ROOM.)

MAYOR WEXLER: The bigger part, the 361,000, is for wrap around services, and that's countywide in-house --

MS. WILSON: In homes.

MAYOR WEXLER: -- in people's homes, homes.

MS. WILSON: In homes.

COMMISSIONER EGGELETON: Okay.

MAYOR WEXLER: Right. By a social worker or a clinician.

Now, do you want somebody from The Starting Place, Dr. Whitehouse, to tell us, of the \$276,000, how those outpatient dollars are distributed?

DR. WHITEHOUSE: Okay. Ms. Wilson is correct, obviously. She has the contracts in front of her, as I do as well. We -- we have a total of three contracts. We have the wrap around contract. That is for in-home, in-school. It's out in the community. Those services are not provided in an office. That's the 373, and that's also the contract that we have a subcontract with Memorial, as well. So there's a total of five clinicians that are funded with those dollars, Master's level clinicians that go into the community.

We then have two separate outpatient contracts. The most recent award was 200,000 towards residential services, which is a mute point. The remaining was for community-based outpatient services, intensive in-home. That was roughly the \$104,000 that Ms. Wilson just spoke about. That's also Master's level clinicians providing in-home and community-based outpatient services. That is not located in either one of our locations.

The third contract which I guess is --

MAYOR WEXLER: Wait. You have utterly confused me, and I thought I got it.

DR. WHITEHOUSE: Okay.

MAYOR WEXLER: The \$104,000 --

DR. WHITEHOUSE: Correct.

MAYOR WEXLER: -- you said is not provided in either one of your facilities?

COMMISSIONER JACOBS: That's in-home.

MAYOR WEXLER: Those are in -- that's in-home service?

DR. WHITEHOUSE: That's in-home services.

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MAYOR WEXLER: Okay.

DR. WHITEHOUSE: That was part of a total award that also included an additional \$200,000 for residential services. So if you remove that 200,000, what we're left with in that contract is \$104,000 that was specifically for in-home intensive outpatient services.

That leaves a third contract, which is actually our original contract with the Children's Services Administration Division, and what that is does not -- it is -- we do see clients. It is for traditional outpatient services, on-site at our facilities. Nowhere in that contract does it stipulate that we will see clients in Plantation or in Hollywood. We have the ability to see the clients -- we are serving 120 clients per contract. It doesn't stipulate where those contract services are to be provided. It does provide that we have licenses for outpatient services in both Hollywood and in Plantation, which, ladies and gentlemen, yes, we have both outpatient licenses in both Hollywood and Plantation, neither one of which were revoked.

So, for the record, neither license was revoked.

COMMISSIONER EGGELETTION: Yeah, that helped. But let me just tell you something, okay? For me --

DR. WHITEHOUSE: Sure.

COMMISSIONER EGGELETTION: -- for my vote, anything involved with your Hollywood facility, I'm not supporting. It's off the table. It's not even available for discussion. So if any of those dollars --

DR. WHITEHOUSE: Okay.

COMMISSIONER EGGELETTION: -- are funneled through there, Mrs. Wilson, Mrs. Henry, for this Commissioner, it's off the table. Okay?

I'm concerned with the outpatient programs that are run out of the Plantation office and, Mayor, if -- once we hear back from the City of Plantation, if there is a problem with that program, you know, then that, too, will be off the table.

But I'm willing to support -- and I'm going to stop talking -- I'm willing to support the outpatient or community-based, whatever you want to call it. I know you've got some in-home programs out of that Plantation office. Those are the programs I'm willing to support. And I would expect, Mrs. Henry, that Mrs. Wilson were to give us a complete breakdown to this Board, to our satisfaction, as to what the dollar amount and how the programs actually work. Okay?

COMMISSIONER LIEBERMAN: Mayor, as I point of information before we go further, we've asked a couple of questions about whether or not there's an investigation in Plantation. Can we ask Ms. Henry --

MAYOR WEXLER: Yes, we have asked that question, and we --

COMMISSIONER LIEBERMAN: No. Has Ms. Henry contacted the Plantation Police Department? We had the individual come talk to us from the Hollywood Police Department. Can someone from her staff call Plantation, call the chief of police, and check whether or not there is an investigation going on in Plantation at the same time, or any other -- is there another police department involved?

COMMISSIONER GUNZBURGER: May I add to that?

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MAYOR WEXLER: Do you want another question asked of the Plantation Police Department?

COMMISSIONER GUNZBURGER: I'd like -- I have a way that I'd like to have this asked, besides just generally. I'm not going to reveal anything that is not public knowledge, and in the paper, it did talk about a staff member who embezzled up to \$2,000,000. That -- and I believe he was based in Plantation.

COMMISSIONER LIEBERMAN: Yes.

COMMISSIONER GUNZBURGER: However, what we paid for was for services, not for what he may have stolen from the agency. And unless we find out if our dollars were not going to services, but, with what he embezzled, was a way of falsifying records of clients served under our dollars, that would be a very necessary thing to know.

I read also in the paper, and I have no knowledge, and, as Ms. Parrish taught us, the only thing you can be sure of is that which you have personal knowledge, but from what I understood upon reading the newspapers, that he was fired in 2006, I believe.

MAYOR WEXLER: Okay.

COMMISSIONER GUNZBURGER: I mean, this is very different.

MAYOR WEXLER: We -- I understand that, but I think that Ms. Henry is listening to the debate and understands that the Commission wants a phone call made, if it hasn't been made already, to find out as much information as possible regarding any open --

COMMISSIONER LIEBERMAN: Right. Yes.

MAYOR WEXLER: -- ongoing investigation, whether it be allegations, whether it be embezzlement, whatever it may be that involves the Plantation Police Department.

COMMISSIONER LIEBERMAN: Correct. And Hollywood.

MAYOR WEXLER: Well, Hollywood is -- Hollywood, obviously, they're doing their due diligence. But for me, and I've been asking --

COMMISSIONER LIEBERMAN: No, he was waiting additional -- Mayor, with all due respect, he said he was waiting additional confirmation. We need that information, too.

MAYOR WEXLER: Absolutely. From Captain Sanchez.

COMMISSIONER EGGELETON: And, Mayor, let me just say --

MAYOR WEXLER: Absolutely. Can we --

COMMISSIONER EGGELETON: -- you know, we're not -- I'm sorry.

MAYOR WEXLER: I have -- I have multiple, multiple Commissioners on the queue. We really need -- we can go back to you --

COMMISSIONER EGGELETON: That's okay.

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MAYOR WEXLER: -- but I need to get to other Commissioners. Jack, not yet.

UNIDENTIFIED SPEAKER: I can answer the Plantation question.

MAYOR WEXLER: Okay. Come on up and answer the Plantation -- how come you can answer the Plantation question?

UNIDENTIFIED SPEAKER: Because I inquired of them yesterday as to their status of their investigation and it is still under investigation,

MAYOR WEXLER: Okay.

UNIDENTIFIED SPEAKER: They intend to wrap it up within the next couple of weeks, and it is for the -- strictly for the embezzlement, is what I was told.

COMMISSIONER EGGELETON: Okay.

COMMISSIONER LIEBERMAN: Okay.

COMMISSIONER EGGELETON: And can I ask him one question with reference to that?

MAYOR WEXLER: No. The next time we come around to you.

Commissioner Wasserman-Rubin. I'm sorry, it's over an hour. I know this is an important topic, but we've got to hear from other Commissioners.

Commissioner Wasserman-Rubin, followed by Commissioner Lieberman, followed by Commissioner Keechl.

COMMISSIONER WASSERMAN-RUBIN: Thank you, Mayor. My comments today, as well as my vote and my action, will be as a mother. Just want you to know that, first of all.

Secondly, as you're hearing all these questions and allegations and this and that, as a parent, if I'm sitting in the audience, I will block everything off except the services to my kid. Where are they?

(Applause.)

COMMISSIONER WASSERMAN-RUBIN: I support, and I think it is of the utmost importance that, particularly with mental health issues, substance abuse, co-occurring disorders, that there be a continuum of service. We all know this. We all know that it's crucial for the child to continue to have the services performed by the same mental health expert or staff person as possible -- as is possible.

On the other hand, I would be, as a parent, very concerned to place my child back into a situation which is currently being investigated with allegations of this magnitude.

(VICE MAYOR RITTER LEFT THE ROOM.)

COMMISSIONER WASSERMAN-RUBIN: I don't want my kid anywhere near those people until the dust settles. In the meantime, what do we do with the services that are being provided to the people in the residential program, the Beach House, as well as the outpatient? Okay?

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I would be far more comfortable asking or getting an answer to the question: where are the services to these children going to be continued, uninterrupted, while the investigation is going on? Is there such a place?

(Applause.)

COMMISSIONER WASSERMAN-RUBIN: And I -- and I realize, the lady who spoke about mortgaging her house, if you -- if you happen to have insurance, health insurance, and if you happen to have a mental health rider, if you happen to have that, it's probably capped at no more than \$10,000 a year. Well, at \$300 a day for residential treatment programs, that goes, and then they release your child into a situation where, number one, there has been no solution to the problem. It's an ongoing thing. It doesn't just stop when insurance stops. And what do we do with these children and these people, these human beings? And that is my biggest concern out of all of this.

So, given that, I would be very concerned about voting for anything today that would stop, or cause you to stop, treatment or services to this population. And I ask who has the answer to the question: what do we do with this population of our community while the investigation is going on? I need to ask that question.

COMMISSIONER LIEBERMAN: Ask the question.

MAYOR WEXLER: Ms. Wilson, Ms. Henry.

MS. HENRY: Before Ms. Wilson comes to the podium -- and, please, Marlene, come to the podium -- I think it's important, again, to separate the issue of residential from outpatient or wrap around services. We -- our -- through county dollars, we funded five residential beds, three of them were filled. So I understand that that program was, obviously, much larger than the discussion that's taking place today, but our -- our funding participation has primarily been on the outpatient end of this.

The second thing I'd like to point out is Administrator Moss indicated early in the discussion that there had been dialogue between our office and his office about where all of this goes. And, basically, what we have said is that, right now, we understand that there is a lot of flux, there is -- there is flux on the board, there's flux within the management, there's clearly a lot of -- you can see from the discussion today, we're having trouble trying to at least have the public understand and get their arms around where certain things happened and where certain things didn't. We're at a disadvantage because there is an ongoing investigation and we're not able to have the kind of dialogue that, quite frankly, might put some of this to rest. There are other police agencies involved. Yes, you have Plantation and you have Hollywood, but you also have FDLE. I mean, so this -- it's messy and --

COMMISSIONER WASSERMAN-RUBIN: Mayor, with all due respect to Ms. Henry, I understand what you're saying to me about the money and the funding and all of that.

Is there something that we can do to make sure that the services continue uninterrupted to the children that are in these programs today? That's all I want to know.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MS. WILSON: For -- for the --

COMMISSIONER RODSTROM: Ms. Wilson said there are.

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COMMISSIONER LIEBERMAN: She did. She testified to that.

COMMISSIONER WASSERMAN-RUBIN: Without question, the residentials also?

MAYOR WEXLER: Folks, one at a time.

COMMISSIONER WASSERMAN-RUBIN: I have the floor. The residentials, also?

MAYOR WEXLER: One at a time.

COMMISSIONER JACOBS: An hour ago, she addressed that.

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER WASSERMAN-RUBIN: Okay.

MS. WILSON: The residential services and, really, DCF, and especially Pat Kramer, I believe, is to be commended in terms of finding placement for all of those children in residential. So they have -- are in placement.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR WEXLER: Folks -- folks, this is --

MS. WILSON: Let me also say if there are children, again, not from our residential, but from outpatient, or if we can help in any way, we have staff here after the meeting, we're happy to talk to every parent that's here or every family member that's here. But residential is primarily a DCF function, and my understanding is that -- that placement has been made for -- I know for our children, and for children under DCF.

COMMISSIONER WASSERMAN-RUBIN: Can we call them up and ask DCF if that's the case? That's all I want to know. I just want to know the answer.

MAYOR WEXLER: Mr. Moss.

COMMISSIONER WASSERMAN-RUBIN: Who in DCF can answer the question?

MAYOR WEXLER: Commissioner Wasserman-Rubin would like for you to respond, please.

COMMISSIONER WASSERMAN-RUBIN: Mr. Moss.

MR. MOSS: Pat Kramer -- Pat Kramer is the director of our substance abuse and mental health program for Broward County.

COMMISSIONER WASSERMAN-RUBIN: I'm very aware of that.

MR. MOSS: She can answer. She's staffed these children and she can answer your question, I'm sure.

MAYOR WEXLER: Thank you.

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COMMISSIONER WASSERMAN-RUBIN: Good morning, Pat. Thank you.

MAYOR WEXLER: Welcome, Pat.

(VICE MAYOR RITTER RETURNED TO THE ROOM.)

MS. KRAMER: Good morning. First of all, I do want the families to know that paramount in our decisions, in everything that we have done, it has been the welfare of your children that we have put first.

Having said that, I do want to explain that once the decision was made to revoke the license, our staff -- you heard about a team that came down from Tallahassee in addition to our staff from our local office, worked in conjunction with the county staff, with the staff from Starting Place, and literally have called each and every parent to make sure that we could try to staff alternative services. That does not always mean a like residential program. And each of the children that we discussed with their parents what alternatives, each parent has to authorize whatever treatment we do.

We have been on the phone every single day since this occurred up until 8:00 last night. Any family -- and Marlene suggested that we meet with families. I have given my personal cell phone number out to every family that I've spoken with. It was given to families when they came to The Starting Place. We contacted the children and families of those that were not there, that were on pass, as well as those that had eloped.

It is our hope that if there are any families that feel at this point that alternative services have not been made available to them, that they call us. I personally have worked with many of you sitting here and have arranged referrals. Our central office found placements, not just here in Broward County, but in Dade County and in Palm Beach. Some of the individuals that were at Starting Place lived in Dade or Palm Beach, not just in Broward.

Again, if we have missed a family, if we have not given the kind of service that one would expect us to give, I am here. I won't leave until I've spoken with you. We will work with the county.

The other thing, Commissioner Wasserman-Rubin, you suggested that there might be some concerns about funding. DCF is currently funding any placement that private insurance is not covering, including those for the individuals that the county was funding. So if there -- if that is seen as a barrier, at this particular moment, that is not. That was the commitment that the department made, from Secretary Butterworth, down to Bill @Janes, down to Jack Moss, and we are here to carry that out and absolutely will answer any questions, both from you and the family.

MAYOR WEXLER: Thank you, Pat. Thank you.

COMMISSIONER WASSERMAN-RUBIN: Mayor --

MAYOR WEXLER: Commissioner Wasserman-Rubin.

COMMISSIONER WASSERMAN-RUBIN: Thank you. Concurrently, is it possible for you, as a Mayor, please, to contact the people who are doing the investigation and ask them that you -- that they thoroughly but speedily, if possible, conclude their -- and then report back to us? Because this is really serious.

MAYOR WEXLER: I've been in --

COMMISSIONER WASSERMAN-RUBIN: You can request.

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MAYOR WEXLER: Since last Friday, with the time certain given immediately that this item be on the agenda, I've tried to be as informed as possible without interfering in an ongoing investigation, which I'm certainly capable of doing, as well. Yes, Commissioner, I will see what I can do in the city -- since I represent both cities, if maybe I can find out a little bit more.

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: Okay. First of all, I want to thank Marlene Wilson and her staff for taking very prompt action and --

MAYOR WEXLER: Let me interrupt you. I need a motion to waive past 12:30.

COMMISSIONER LIEBERMAN: Motion to continue the meeting --

MAYOR WEXLER: Thank you.

COMMISSIONER LIEBERMAN: -- past 12:30 to the completion this item only.

MAYOR WEXLER: Thank you. Okay. Go ahead.

COMMISSIONER LIEBERMAN: Okay?

MAYOR WEXLER: Yes, we're all in favor.

COMMISSIONER LIEBERMAN: Okay. Good. First of all, I want to thank Ms. Wilson and her staff for taking the appropriate prompt action that needed to be taken as soon as they were made aware of these allegations.

I'm a bit perplexed, I guess is the politically correct word, as to why, when the incident occurred in November, staff was not notified that there was a concern, but it appears from all the backup we have that as soon as her office became aware the extent of problem, they took the appropriate actions.

Number one, residential and outpatient licenses have been revoked.
UNIDENTIFIED SPEAKERS: No.

COMMISSIONER KEECHL: No.

COMMISSIONER LIEBERMAN: I'm sorry, residential and wrap around services have been revoked.

MAYOR WEXLER: Residential and day treatment.

COMMISSIONER LIEBERMAN: Residential and day treatment. I was told that the ones -- it includes the wrap around. I talked to Mr. Elwell a few minutes ago off premises.

COMMISSIONER GUNZBURGER: (Inaudible.)

COMMISSIONER LIEBERMAN: The only thing that's in front of us, the only thing that's in front of us is the continuation of outpatient services. No services would be provided at any center, according to Mr. Elwell, who I talked to about two minutes ago.

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COMMISSIONER GUNZBURGER: No.

MAYOR WEXLER: No. That's not quite right.

COMMISSIONER GUNZBURGER: You're wrong.

MAYOR WEXLER: No. That's not correct.

COMMISSIONER LIEBERMAN: The only thing that's in front of us from this item, Commissioners, is whether or not to continue funding for outpatient services. That's all that's in front of us.

COMMISSIONER GUNZBURGER: Yes.

COMMISSIONER LIEBERMAN: The other item was withdrawn.

COMMISSIONER GUNZBURGER: That's correct.

COMMISSIONER LIEBERMAN: Period.

MAYOR WEXLER: Outpatient is wrap around and at a facility.

COMMISSIONER LIEBERMAN: At a facility.

COMMISSIONER GUNZBURGER: That's right.

COMMISSIONER LIEBERMAN: And the only -- the only issue that we have -- and the concern that I have at this moment is you have a spokesperson from the Hollywood Police Department saying to the best of their knowledge this is all there is, but they're not quite sure, and they're waiting for confirmation.

We know there's an investigation in Plantation which deals with embezzlement, and we don't know to the extent that that includes falsifying reimbursement requests from the county to that facility.

And, yet, the bottom line, for me, is very close to the bottom line to Commissioner Wasserman-Rubin, which is, we have some Broward County residents who have

CONFERENCE OPERATOR: You are the only person in the meeting now.

COMMISSIONER LIEBERMAN: -- who are relying on the provision of services for their children.

As a mother of three, I don't think there's anything more heartbreaking to a parent or a family when you have a child who needs programs either for substance abuse, dual diagnosis, or any of the host of problems that parents deal with. It's very difficult to be alone in dealing with those situations. And, Commissioner Wasserman-Rubin, you are a thousand percent right when you say most health insurance is woefully inadequate to help parents help with those matters.

But the problem that I have is this, to me, appears to be a work in progress. It's the tip of the iceberg. We don't know what lays beneath the iceberg yet. We don't have enough information, either given to our staff, or from the two police agencies, to know how extensive the problem is. We've heard from the center itself that the supervisors of the individuals who were creating the problem, who should

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have been supervising this information, were not, in my mind, actually doing the kind of supervision which need to -- needed to happen so this issue would come to the forefront.

So the question for Ms. Wilson, which I asked an hour ago, is are you convinced that every one of these children who needs services, whether it be residential services, outpatient services, day treatment services, or any of the kind of services we're talking about, that you will be able to provide placement for those children? And Ms. Wilson said, they're working on it, but they believe they will.

Is there anything -- Ms. Henry, I'd ask Ms. Wilson if there's anything she has heard which has changed her mind or changed her opinion with respect to revoking our funding, stopping our funding, at this point, for all of these programs, which is what she's done, based on what she's heard. Because for me, the money needs to follow the kids.

I don't want to recede from our commitment to providing funding for the programs these kid need to get healthy in our community and become productive citizens. It may not be at Starting Place. It may be an entirely different program. And I'm not asking that we revoke our funding for these programs.

But I want to know from Ms. Wilson if there is any doubt in her mind that this money cannot follow these children to other suitable programs where they can get the same type of service they've been receiving, regardless of what category it's in.

MS. HENRY: Ms. Wilson.

MS. WILSON: Commissioner, I repeat the same, the money is following the children. That's been somehow a confused item, that the money will go away. We will bring back actions to amend or enhance contracts for services, so that children can continue to get outpatient wrap around services, unless you choose differently.

COMMISSIONER LIEBERMAN: Okay. And, Ms. Wilson, there was a statement made by one individual that there may be enough beds for males but not females. Are you having any problem locating residential beds for the females?

MS. WILSON: There is a capacity issue for beds for residential, Commissioner, that is absolutely the truth. For both sexes, actually.

COMMISSIONER LIEBERMAN: Okay. What are we doing to address the issue?

MS. WILSON: Again, I believe in terms of -- and I would wish DCF would speak to this, because the residential was not the biggest part of our program, but in terms of that, we have looked at alternatives within county with other providers, be it mental health providers and sub providers to do that service. I believe as DCF reported, that they have looked elsewhere out of county, both Miami-Dade and Palm Beach, for capacity. But that is an issue for residential, yes.

COMMISSIONER LIEBERMAN: I guess the reason I'm asking the question, Ms. Wilson, is I think if I were in the position of some of the parents who spoke to us today, I'd feel like the rug was pulled out from under me --

MS. WILSON: Uh-huh. Absolutely.

COMMISSIONER LIEBERMAN: -- with very little notice, regardless of who pulled the rug out, and that's not the subject --

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MS. WILSON: Absolutely.

COMMISSIONER LIEBERMAN: -- of today's discussion, they had come to rely on treatment programs for their children. To me, this is a community wide effort. It may be a DCF issue, but we need to be working with DCF --

MS. WILSON: Absolutely.

COMMISSIONER LIEBERMAN: -- to make sure that there is no child who has a gap in their treatment plan. That is critical to continued success, but it probably is not going to be at Starting Place.

MS. WILSON: We have been and we will continue to work with DCF on that, Commissioner.

COMMISSIONER LIEBERMAN: Okay. You know, I just am really unwilling to allow any funding to continue to happen, based on the testimony, until we see a corrected plan, until we know the extent of the problem.

I think -- I can't take argument with any action that Ms. Wilson took. I think she took the appropriate approach. You know, and as we were sitting here, I was thinking there have been other entities where she's done the exact same thing, and to do anything other than what we've done with other agencies, to me, would be inconsistent with our past actions when we become aware of embezzlement situations. So, though the issue may be simply embezzlement in Plantation, or perhaps mis-billing for services, it would be consistent with everything we've done as a Board to not to be funding these programs. But I don't want to have our not funding the outpatient services result in any gap in treatment for any of the children who are nonetheless residents of Broward County, who are suddenly finding themselves without appropriate treatment methodology.

So, for me, if we took that money and we made sure that we got these kids into programs, that is really the key. And we don't really have that answer today to know --

COMMISSIONER GUNZBURGER: That's the problem.

COMMISSIONER LIEBERMAN: -- that a hundred percent of the children will be able to be placed appropriately. And that's the issue, you know, and I appreciate it coming to us, but there's just too many unanswered questions.

MAYOR WEXLER: Next on the queue is Commissioner Keechl, followed by Commissioner Jacobs, followed by anybody else?

COMMISSIONER GUNZBURGER: Me.

MAYOR WEXLER: No, I know that, but me, too.

Do you want to close, Commissioner?

COMMISSIONER GUNZBURGER: Yes, please.

MAYOR WEXLER: Okay. Commissioner Keechl.

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COMMISSIONER KEECHL: Thank you, Mayor. I want to echo the comments of Commissioner Lieberman with regard to this issue. Clearly, nobody on this Board wants to take away any services. We are a progressive Board, and we pride ourselves on the services that we do provide.

But we have an obligation to the people of Broward County and their children to ensure that we're not putting them at risk. And Ms. Wilson should be lauded, once again, for taking a conservative approach. And I would hate to think what we would be saying up here if she hadn't taken this approach, and this investigation continued on. Every one of us would be screaming bloody murder.

It is terrible to sit up here and see the parents go through what they've gone through. But that's not the issue. The issue is there is an ongoing criminal investigation by at least two agencies, maybe three, maybe even more, some of which we can talk about in public, some of which we can't even talk about today. Some of us may have been briefed, some of us may have not been.

But we do know from the backup, and from Ms. Wilson's earlier statement, that staff has identified alternative providers to deliver outpatient and wrap around substance abuse services. So until this is cleared up, there is nothing we can do, and we have to continue to withhold our funding with regard to the outpatient program.

Having said that, you know, Judge Beach, as usual, is right. It is about the children. Judge Pollock, who has walked in the room, shares those concerns with us all the time. We are not backing off of our commitment to these programs. We are going to continue providing the funding, and Ms. Wilson is going to make sure that happens. But it is not fair to other children and to the people of Broward County that we take a chance.

And so until this investigation is over, this Commissioner is going to agree with Ms. Wilson, and not continue to fund. Thank you.

MAYOR WEXLER: Thank you.

Commissioner Jacobs.

COMMISSIONER JACOBS: Well, one of the things about being at the end of queue is most of your colleagues have made the points that need to be made, and since we've been on this for quite some time, I won't reiterate, except to say I agree with my colleagues on the point that the discussion today, I'm a little frustrated that it went as far afield as it has. And particularly for those parents in the room that somehow believed that what the state funds is the same as that which we fund, or anyone that believes that our commitment to the funding that we do have is not going to move. Our funding may be suspended to one agency, but that does not mean it's not going to yet move to another agency that will deliver the same services.

Now, will it be identical? Of course not. If you're used to having one counselor and you're at a different counselor, there's a whole -- there's a whole lot of trust and relationship building that goes along with that, so it is not the same.

But to the point that this -- the -- what I find particularly egregious, and Commissioner Lieberman mentioned it, and we talked about it earlier today, and that is that 14 months ago, there were allegations known by the state. And as a funder, I am offended that we were not allowed into that circle of knowledge. We should have been. Maybe there are some steps that could have been taken.

The place we're in today is that there is a plan that is being addressed. The Starting Place has many good people there. They offer a lot of great services to families very much in need, and we've

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seen that testimony today as well. For The Starting Place, for those services that are outpatient, a plan is in the works. It's not ready yet. It's not cooked. The investigation by three agencies, and, again, there may be more are not complete. We are simply not in a place right now to go and return those funds to that agency right now.

I would also say that there are other allegations that go beyond those employees that have been jettisoned from this organization. There are other things in place, which, again, in a public setting, we cannot discuss, but there are more concerns out there than -- I -- I want to make sure that no family in this room thinks that because certain employees were let go, the problem has been taken care of, because they have not. Which is why the state is not restoring funding at this time.

So until there's a plan in place, shortly it should be there, until the children that have been moved into other providers, until Starting Place has its act back together and those funds can then go back to Starting Place, I have great confidence, having been Mayor during the year that Hurricane Wilma hit this county, and watching Marlene Wilson, firsthand, and her staff find places for families in unbelievable situations in a time where there was certainly not enough services out there, and no ability to even communicate how to get people to those services, it was amazing what she did, and her commitment to children and families and the elderly in this county. I have complete faith that she will continue to find -- for whomever has not been assigned to a new service yet, they will be assigned.

Remember, this issue just was dumped in everyone's lap a week ago, no knowledge on our side. DCF knew 14 months ago; we didn't. So to the degree to which we have acted appropriately and in a very speedy manner to try to find a new place for these families to go, I feel confident in our staff.

And then the final thing I would say, if there's anybody in this audience who feels that, in the days to come, that you are not getting the service on the site that we fund, outpatient services, to the degree to which all of the Board members today have expressed we have confidence you're going to get, I personally want to hear from you. My number is 357-7002. You can call my office. If you're not getting what you need, I want to know about it because I want to rectify the situation.

Thank you.

MAYOR WEXLER: Commissioner Rodstrom.

COMMISSIONER RODSTROM: Today's conversation, and I've obviously been here long enough, you hear these things before, and I'm painfully reminded of the conversation we had with AIDS Center One, I think it was, where you had an executive director, there were some allegations. We had the same debate with them. But I recall that, at the end of the day, we did not terminate the funding, that we had an interim executive director put in place and we were able to gain confidence that in the meantime we were going to have an organization that was going to rectify the problems, because we didn't want to see the funding stop.

My problem is, with this type of social service, it's not like there are a lot of places like The Starting Place in this county. If anything --

UNIDENTIFIED SPEAKER: (Inaudible).

COMMISSIONER RODSTROM: Well, if anything -- I mean, and I've had some friends, personal knowledge of when they've had their kids, they were -- ended up like this woman who testified earlier that she had to go to look at private sources, because there weren't that many public entities out there that perform this service. It's very narrow and very difficult to get your child into it.

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So what my fear is is that -- I know staff does a great job and all this, but my fear is is that these kids will not have the ability to have the kind of treatment that they've been receiving, and that there will be a lapse in service. That's my concern.

(Applause.)

COMMISSIONER RODSTROM: So -- please. So what I'm wondering is, as I sat here and listened to this, I'm wondering if there is somehow -- right now, who is running this organization? Is there a --

MAYOR WEXLER: Lynn Strauss.

COMMISSIONER RODSTROM: So she's running the organization. Okay.

MS. STRAUSS: I am.

MAYOR WEXLER: She's the executive director.

COMMISSIONER RODSTROM: All right. Then, let me ask another question. Let me ask another question. Do we have, our staff, do we have someone on staff who we can put in there as a trustee for the next few weeks to --

MAYOR WEXLER: Oversee.

COMMISSIONER RODSTROM: -- oversee this organization? I mean, I'm just thinking out loud. I don't know where I'm going with this, but I -- I think this Commission needs -- this Commission needs assurance that the money is not going to be misspent, and that these problems are going to stop.

That being said, I don't think -- it's certainly not my intention that this is a permanent thing. This is a very temporary thing, in my mind, because this organization has always done great work in this community. So -- but I find myself suddenly in a position that we're stopping service and there's a break in service and kids are going to get left out.

So how can we -- Ms. Wilson, how can we be sure that our money, if we were to give it to this organization, would be protected and that these egregious things we've read about and heard about would no longer be taking place, because those persons that were accused have now been terminated?

MAYOR WEXLER: Commissioner Rodstrom, last evening I discussed with Ms. Wilson what I was going to propose here today.

COMMISSIONER RODSTROM: And what was that?

MAYOR WEXLER: It's very similar to what you're --

COMMISSIONER RODSTROM: And what did she say?

MAYOR WEXLER: What did she say? She said that's not our recommendation, but --

COMMISSIONER RODSTROM: Well, what about -- I mean -- but -- but --

MAYOR WEXLER: Go ahead, because we're --

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COMMISSIONER RODSTROM: -- this something -- I'd like to hear from you, then, Mayor --

MAYOR WEXLER: -- we're on the same --

COMMISSIONER RODSTROM: -- because --

MAYOR WEXLER: I was going to go next.

COMMISSIONER RODSTROM: Okay. Well, then -- then you have a willing participant.

MAYOR WEXLER: Okay.

COMMISSIONER RODSTROM: So I'll just sit back and wait for you to speak.

MAYOR WEXLER: Thank you.

COMMISSIONER RODSTROM: But -- I just don't want to see us -- in my mind, I just don't know what -- I mean, as long as we protect the public's money, as long as we protect the public, that is --

MAYOR WEXLER: The public.

COMMISSIONER WASSERMAN-RUBIN: Protect the children.

MAYOR WEXLER: Protect the children. Exactly.

COMMISSIONER RODSTROM: That's what I'm talking about. Who else do you think I'm speaking about? The public, the public, these people in the audience who came here.

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER WASSERMAN-RUBIN: That's what I'm saying, connect it up.

COMMISSIONER RODSTROM: We need to protect them, and we -- but we need to protect the public dollars, both. There's two parties we have to respond to.

MAYOR WEXLER: Correct. I'm going to take a moment. I've listened to almost two hours of our conversation, public input. This is such an important topic.

Commissioner Gunzburger, I will ask you to close, and I don't know if you have any motions that you want to make at the appropriate time --

COMMISSIONER GUNZBURGER: I do.

MAYOR WEXLER: -- which will be very soon.

In my conversation late last evening with Ms. Wilson, it went something like this -- and, by the way, I did have a phone conference late yesterday afternoon with both Judge Tobin and Judge Tudor. And the conversations went something like this, as well. Our utmost priority is twofold, protecting the children and being accountable for public resources, public dollars. But the children -- and we, you and I,

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Diana, have been through this before, as you have on issues, we have as former School Board members, where safety and public -- of making sure that programs are provided, but that children are protected.

The only thing on the table for discussion today, for me, for us, is the day treatment piece. That's it.

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER GUNZBURGER: And wrap around.

MAYOR WEXLER: Thank you. It was your turn to correct me, anyway. Come on, Commissioner.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: I know it well. The outpatient piece, and --

COMMISSIONER GUNZBURGER: And wrap around.

MAYOR WEXLER: -- which also incorporates wrap around.

I need two things clarified, two questions. Wrap around is only provided by Memorial Hospital, Lynn? Or Dr. Whitehouse? That question is for you. Then that's a question. You mentioned Memorial. Are they the provider?

DR. WHITEHOUSE: They are -- they are our subcontractor.

MAYOR WEXLER: Okay. Then Starting Place is not providing the wrap around program?

DR. WHITEHOUSE: Yes, we are. We have three counselors. They have two. It's a joint effort.

MAYOR WEXLER: It's a joint contract. All right. Second question, does DCF fund any of the outpatient services?

MR. MOSS: Yes.

MAYOR WEXLER: Could you tell us to what tune?

MR. MOSS: We're funding about \$400,000.

MAYOR WEXLER: Okay. And you have not pulled that license, Mr. -- just stay here for a moment.

(Laughter.)

MR. MOSS: I feel like I'm on a string here.

MAYOR WEXLER: And you have not pulled that license?

MR. MOSS: No, we have not.

MAYOR WEXLER: And you have not pulled that license because you have confidence in the program?

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MR. MOSS: We have had a brief review from professional staff in Tallahassee who believe that that program is operating somewhere above average, and there's not -- there's not an immediate concern for the safety of the children in the outpatient program.

MAYOR WEXLER: What I needed raised, my comfort level needs to be until the investigation is concluded. And that's what's key here, both Hollywood and Plantation. There are many, many agencies that are looking into this. I could make a phone call. Whether they'll respond to me, who knows?

COMMISSIONER GUNZBURGER: Right.

MAYOR WEXLER: Who knows: I'll try.

But besides the point, I would like to be able to raise my comfort level that we could continue providing the funding for services for outpatient services.

COMMISSIONER GUNZBURGER: And wrap around.

MAYOR WEXLER: And wrap around. But that the method in which, or the interim program is changed somewhat. And what I threw on the table last night to Ms. Wilson was, would DCF be able to provide, or willing to provide, some kind of a -- and I called it a monitoring, an in-house monitoring. You called it --

COMMISSIONER GUNZBURGER: (Inaudible.)

MAYOR WEXLER: -- Commissioner Rodstrom, some kind of a liaison person that was assigned to. But we were both getting to the same place.

And I was asking that DCF provide that oversight until we have assurances at the conclusion of the investigation. That would raise my comfort level.

MR. MOSS: There are two points. One is that our staff is now mobilizing to do an intensive review of the program, which will take a week to ten days or so.

Secondly, with Mr. Minge coming in and providing CEO type services, as well as consulting on the strategic plan, it's our position that we would like to see the programs continue without the children being interrupted for a period of weeks, until we know what the strategic plan is, we know what the results are, and we make decisions based upon the facts.

MAYOR WEXLER: Help me understand what provision, to raise my comfort level, short -- I mean, I don't see anything other than your identifying a staff person to be assigned to the facility until the conclusion of the task of Mr. Minge. Or Doctor.

MR. MOSS: We have limited staff to be there on a full-time basis, but we can oversee. I have confidence in Mr. Minge, if the board of directors retains Mr. Minge, with his background, experience, for this interim period, that we would have the sufficient oversight, probably better than what the department can provide, because of his experience, but we will still be involved on a very regular basis after we do our review.

MAYOR WEXLER: Well, I need either the Board of County Commissioners, through Human Services, to take responsibility, or the Department of Children and Families to take responsibility, and I'd much prefer

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that you do it at this point, Mr. Moss, and raise my comfort level. And unless that's going to occur, then I've got to support staff's recommendation.

MR. MOSS: If you could tell me what your expectations are, I can respond to your --

MAYOR WEXLER: My expectation is that there is a monitor placed from your department, whether it be Tallahassee or local, to oversee the day-to-day operation, until there is a final report.

MR. MOSS: The answer is yes.

COMMISSIONER RODSTROM: Okay. There you go. We got that.

MAYOR WEXLER: Thank you.

COMMISSIONER GUNZBURGER: All right. Now can I make --

MAYOR WEXLER: Commissioner.

COMMISSIONER GUNZBURGER: -- I'm going to make my motion, but, Mr. Moss, please stay at the mic one more time.

MR. MOSS: This is part of my wellness program, walking back and forth.

COMMISSIONER GUNZBURGER: Debbie supports it.

I'm going to make a motion, but I want -- I want to put one other thing on the table. Having started with the startup group, with Mr. Moss, with Children's Service Council, we did not put all the money out into the community right away, because the services weren't there, the providers weren't there, the financial well-being of organizations to provide services weren't there. How many children are currently receiving outpatient services through -- through The Starting Place?

MR. MOSS: I'll have to ask -- I don't know the answer, the specific answer to that question, because in addition to the county and the state funding, the Children's Services Council is funding in excess of \$300,000 also.

COMMISSIONER GUNZBURGER: I know that.

MR. MOSS: Do we know how many children are involved totally in outpatient, wrap around, everything?

DR. WHITEHOUSE: County funding funds 500 clients. DCF fund approximately another 300, and then we have Medicaid programs that funds approximately another 300 clients.

COMMISSIONER GUNZBURGER: And that's all going through Starting Place. Can you -- all right. Thank you.

UNIDENTIFIED SPEAKER: And also some Children's Services Council money funds --

COMMISSIONER GUNZBURGER: Right.

UNIDENTIFIED SPEAKER: -- about another -- sorry, I forgot you guys -- about another 150.

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COMMISSIONER GUNZBURGER: Thank you. Although, no, it's 375.

MAYOR WEXLER: I'm sure you know the answer.

COMMISSIONER GUNZBURGER: However, are there any organizations out there that could absorb this number of children, all of a sudden? Because what I'm hearing from everyone on this -- every one of my colleagues, that we need to think about the children, and, frankly, the families, because the families with children with problems are as affected as the children themselves.

MR. MOSS: No. And the other part of that is, if we think about the children, as was mentioned, moving a child from therapist to therapist is not always the best thing when they're in treatment, if we can preserve a continuity of therapy.

COMMISSIONER GUNZBURGER: All right. Then I'm going to make a motion now that you have agreed to put a staff member there to oversee, that we continue funding, based on services provided, until the -- until we know, within the next few weeks, until we see that there's a strategic plan and that there's a revision to the whole operation that's going to give us all a level of comfort. How many weeks do you expect that to be, Mr. Moss?

MR. MOSS: Jack?

MAYOR WEXLER: That's got to be part of your motion.

COMMISSIONER GUNZBURGER: Right. That's why I don't -- I don't give open-ended --

MAYOR WEXLER: He's coming -- he's coming forward.

MR. MINGE: He's our strategic planner.

MAYOR WEXLER: Only outpatient.

COMMISSIONER GUNZBURGER: This is only going to be for outpatient and wrap around. Nothing else.

MAYOR WEXLER: The rest is gone.

COMMISSIONER GUNZBURGER: The other two lost their licenses.

MR. MINGE: Again, I'm Jack Minge, and I'm helping to develop that strategic plan. We -- we will have an outline of where we anticipate going in the next few days. However, the development of a formal strategic plan, as you can tell today, from all the complexities that we've discussed, is going to take several weeks.

COMMISSIONER GUNZBURGER: What is several? That's not a number I can deal with.

MR. MINGE: We would -- we would -- okay. We would look towards working with the county staff, with the DCF staff and the other funding organizations during that period to get their buy-in (inaudible).

COMMISSIONER GUNZBURGER: Could you do it in 30 days?

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MR. MINGE: We could do it in 30 days, yes.

COMMISSIONER GUNZBURGER: Fine.

MR. MINGE: Yes.

COMMISSIONER GUNZBURGER: For 30 days, and then we will revisit this whole issue.

MR. MINGE: And I would also say --

MAYOR WEXLER: Is there a second to that motion?

COMMISSIONER LIEBERMAN: Second.

MAYOR WEXLER: It's been seconded. I have a short, small -- Commissioner.

COMMISSIONER KEECHL: Thank you, Mayor. Ms. Wilson -- Ms. Henry, may I speak to Ms. Wilson?

MS. HENRY: Ms. Wilson.

COMMISSIONER KEECHL: Ms. Wilson, I am not going to vote in favor of funding until you are comfortable with this. I believe, colleagues, this is below -- this is below the line. We make policy, but this is below the Stirling line. So in light of the staff member being placed in there, are you changing your recommendation to us, or do you still feel that until this investigation is over, we should not be funding?

MS. WILSON: I still have a concern in terms of the investigation. I also have a concern about the children. This -- this was always about safety of kids --

COMMISSIONER KEECHL: Okay.

MS. WILSON: -- for us.

COMMISSIONER KEECHL: Thank you.

MS. WILSON: I -- let me -- let me just -- Commissioner Keechl, if we could provide enough oversight -- when we first met with DCF, the first meeting we had with Mr. Moss, he talked about a receivership, a voluntary receivership, and providing oversight by his staff for 60 days. We agreed to that. We would agree to oversight in terms of as long as it was there, DCF providing that, we would agree to that, understanding that there is still a criminal investigation and things may change, and we may bring something back to you because of that.

COMMISSIONER KEECHL: Okay. Thank you, Mayor.

MAYOR WEXLER: Understood.

COMMISSIONER KEECHL: Yeah, understood.

MAYOR WEXLER: Commissioner Jacobs.

COMMISSIONER JACOBS: Well, this is an interesting development, because this is what the state initially backed out of, a commitment to do that. So now the state is --

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COMMISSIONER LIEBERMAN: Correct.

COMMISSIONER LIEBERMAN: For 60 days.

COMMISSIONER JACOBS: -- now the state is stepping back up and saying they will provide oversight. So I still have some concern about that oversight.

And then my second question would be, though, is what about the children that staff has already testified were placed in other agencies, where have -- so, Ms. Wilson, if you could, where are those children now?

MAYOR WEXLER: That's not these kids.

COMMISSIONER JACOBS: And, you know, because I was -- what I heard you say earlier and two hours ago was that those children, most of them had been placed. There was surely not 100 percent, but in outpatient services there had been other services set aside or -- or connected with. So where -- have they already been moved? Are they still waiting?

MS. WILSON: Some children have been contacted and families have been contacted in terms of outpatient and wrap around services, yes, Commissioner. We'll -- that's the family's choice, and we'll ensure that the family has that decision, not us, in terms of what is best for their family and their child. So if that has happened, we will -- we will ensure that that money follows that child. That's the most important thing in terms of services.

The -- the issue in terms of the monitoring, yes, that was part of our original desire, to see oversight, and if that can be put in place, we're going to keep monitoring also, and ensuring that things go well. But -- but there is still a criminal investigation that's also of concern.

COMMISSIONER JACOBS: I agree.

And Mr. Moss, the oversight?

MR. MOSS: Receivership was a very active option until the attorneys got involved and told us that we did not have the authority for receivership under the specific licensing statute that they were licensed by. So then we had to look for alternatives.

COMMISSIONER JACOBS: Okay. But I didn't hear until just a few moments ago that those alternatives involved active staff on site in a monitoring capacity.

MR. MOSS: We will (inaudible) committed to that --

COMMISSIONER JACOBS: So you're saying now you can do that?

MR. MOSS: Well, if that's what's necessary in order to continue the funding of all the pieces of the pie, then we will agree to that because of the needs of the children.

COMMISSIONER JACOBS: Okay. And, again, just to reiterate, there is no discussion here today whatsoever of funding going away. It is funding following children to a different facility, but not going away. So if this funding is going to continue to flow to the agency that's currently under investigation, and the state is telling me, as a policy maker, that you have, and are going to, put in place the proper staff

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to monitor that, and if what Ms. Wilson is telling us is that those families will then choose whether they want their dollars to flow with their child to one facility or another, then under those circumstances, I believe I can support the motion today. But only, again, for a time certain until --

MAYOR WEXLER: 30 days.

COMMISSIONER JACOBS: -- a plan comes back and we have some better idea, a week into this thing, what the allegations are that are being levied, whether they're accurate or not, and how far these investigation are going.

And I would ask, finally, that there were other allegations that were -- that were not staff to client, but -- other than staff to client, other than those who have been let go. And I very much want to find out what's going on with those allegations and those investigations, because we haven't talked about that there are serious allegations and safety issues still in place today that I don't believe many of the parents in this room are aware of. They don't really understand why the state stepped in. The state has not shared publicly, and we are sitting up here today not sharing publicly what we know, and I think these families need to understand exactly the full scope of this investigation. They would feel --

COMMISSIONER LIEBERMAN: Very differently.

COMMISSIONER JACOBS: -- very differently if they knew as much as what is being looked at.

MAYOR WEXLER: Commissioner Lieberman, followed by Commissioner Eggelletion, and then, hopefully, we can vote.

COMMISSIONER LIEBERMAN: Mr. Moss, could I ask you to come up? What -- I heard in answer to the question for Commissioner Gunzburger you agreed to take over active monitoring, supervision on site of these services. Can you tell me what that means, what exactly DCF will be doing?

MR. MOSS: No. We -- we have to look at our staff capabilities. We will -- we will see that it's not going to be 24/7, because there are not children there 24/7. We will monitor the program to be certain that the children are safe, receiving the services that are being paid for.

COMMISSIONER LIEBERMAN: See, what I heard Commissioner Gunzburger ask for and what I'm hearing now are very different things. And that is my concern. I believe that what she asked for is that during whatever hours services are provided at the site, that DCF have a monitor present for that entire time. What I'm hearing Mr. Moss say is we're going to monitor our resources, we're going to take a look at that, we're not going to be 24/7. And I don't think any of us asked 24/7. But I believe what was asked is during the period of time services are provided that there be a monitor on site.

MAYOR WEXLER: I asked that, and he went back -- I guess he's looking at Pat or somebody for confirmation. And if it's a yes, that's -- please, thank you, because my understanding is -- and it's not open 24/7.

COMMISSIONER LIEBERMAN: I know. That's why I'm not concerned about 24/7.

COMMISSIONER GUNZBURGER: It's only an outpatient wrap around.

COMMISSIONER LIEBERMAN: Commissioner, believe me, I heard your question. The answer that I want to get to is --

MAYOR WEXLER: Get clarification.

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COMMISSIONER LIEBERMAN: -- what I thought your question was, which is during the hours services are provided there'll be someone from DCF actually on-site actively supervising and monitoring the services?

MR. MOSS: The answer is yes, except for those that are in-home services which are impossible.

COMMISSIONER GUNZBURGER: That's what I was just going to say.

MR. MOSS: But -- but services --

COMMISSIONER GUNZBURGER: You can't be in every home.

COMMISSIONER LIEBERMAN: Now, let me take it a step further. With the children who are getting in-home services, how will you monitor the billing of the county? See, for me, under similar circumstances, I'd want a joint check. I don't want to send a check just to The Starting Place, because there's an embezzlement investigation ongoing. To me, there needs to be two people who sign off on this check that comes in.

COMMISSIONER EGGELETON: That's right.

COMMISSIONER LIEBERMAN: And if DCF is going to be there, I'm comfortable with the check going to Starting Place and DCF, but that DCF has to --

MR. MOSS: You don't want the state -- you don't want the money to come to the state and then try to get it out again.

COMMISSIONER LIEBERMAN: No, no. That someone -- whoever -- I don't want only -- I do not only want The Starting Place to be able to cash those checks for services. For me, there has to be financial oversight in addition to some of the program oversight that needs to happen.

MR. MOSS: I think the county is already monitoring those invoices, as the state, is in terms of we only pay for a unit of service, both the state and the county, and that is being monitored. They're not getting just a check.

COMMISSIONER LIEBERMAN: Then here's -- okay. Then instead of a two-party check, here's what I'd want. I'd want every invoice that comes in from The Starting Place signed off by that DCF monitor. There's an embezzlement -- people, there's an embezzlement investigation that's ongoing.

COMMISSIONER EGGELETON: I'm with you on that 100 percent.

MR. MOSS: We don't --

MAYOR WEXLER: Mr. Moss --

MR. MOSS: -- we don't have the physical staff to do that.

MAYOR WEXLER: -- can you offer -- can --

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MR. MOSS: We will look at the program and be sure that there's program compliance, that there's program fidelity, that they are providing the services that have been contracted for. We will monitor all active sessions. I have staff that looks at the --

COMMISSIONER LIEBERMAN: I'm done.

MR. MOSS: -- invoices that come to the state. The county has staff that monitors the invoices that come to the county, as does the Children's Services Council.

MAYOR WEXLER: Very thoroughly, we monitor them.

MR. MOSS: They get all the government they're paying for, I can tell you that.

COMMISSIONER GUNZBURGER: And CSC monitors very carefully the services it pays for.

MAYOR WEXLER: Commissioner, you're not next.

COMMISSIONER LIEBERMAN: You know, with all due respect, if there were no embezzlement investigation, it would be a different issue. You've got a Plantation investigation we know is embezzlement. We don't know the details on.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LIEBERMAN: There's a Hollywood investigation. There's an FDLE investigation.

MAYOR WEXLER: Folks.

COMMISSIONER LIEBERMAN: I want some degree of financial assurity that when they're billing for units of service, those units of service were delivered, whether they be at the center or they be at home.

MAYOR WEXLER: Commissioner Eggelletion.

COMMISSIONER EGGELETION: Thank you.

MR. MOSS: Well, we're going to do random -- Pat tells me we can do random checks even with the families for services at home to be certain that those services have been delivered.

COMMISSIONER EGGELETION: Correct.

MR. MOSS: But we can't do a thousand a week.

COMMISSIONER RODSTROM: But the perpetrator is no longer --

COMMISSIONER GUNZBURGER: Has been gone for almost --

COMMISSIONER EGGELETION: Madam Mayor --

COMMISSIONER RODSTROM: That's the key point here. You can write the headline any way you want.

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MAYOR WEXLER: Folks -- Commissioner.

COMMISSIONER EGGELETTION: Madam Mayor?

MAYOR WEXLER: Commissioner Eggelletion, you have the floor.

COMMISSIONER EGGELETTION: Madam Mayor, members of the Board, Commissioner Lieberman, I agree with you a hundred percent. Let me just tell you all something. \$2,000,000 is missing. From what I understand, credit cards went to family members, uncontrolled spending. This went on for a while, ladies and gentlemen. Okay? This went on -- I have to think about the services that \$2,000,000 could have paid for. Okay?

The bottom line is, I can't, in all good conscience, have a check continually going to The Starting Place with the same board thinking that I'm going to get a different result. It just simply don't work that way in America. Period. Okay?

So I will clearly support, you know, dual signature checks, you know, because if -- because if you tell me, well, you know all these people are going to monitor this, we were supposed to have been monitoring this when the \$2,000,000 went missing. And all of a sudden it slipped through. It had a CPA there that was supposed to be monitoring it. Didn't happen. Bottom line is it did not happen.

So for this Commissioner to be satisfied, I don't mind continuing these outpatient services. I don't care if it's -- Mrs. Henry, Mr. Newton, you can help us out here -- I don't care who additionally signs off on this, but for me, there has to be some dual signatures on this check, or my vote for outpatients is absolutely no. I have to know beyond a reasonable doubt, beyond a shadow of a doubt, that the money is going for exactly what it is intended to pay for, and that is for the people in this service.

And I don't have the comfort level -- in fact, let me ask this question. Currently, Mrs. Henry, or Mr. Moss, or Mrs. Wilson, whomever can answer this question, those employees that are employed in the Plantation area in this outpatient, who writes their check? Where does it come from today? Can anybody tell me?

(COMMISSIONER JACOBS LEFT THE ROOM.)

MAYOR WEXLER: Starting Place, I think, would need to answer that.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: Sir. Wait.

COMMISSIONER EGGELETTION: It comes from where?

MAYOR WEXLER: Who wants to answer that question?

COMMISSIONER LIEBERMAN: They have to come to the mic, state their name.

MAYOR WEXLER: Exactly.

UNIDENTIFIED SPEAKER: We have a current chief financial officer of the organization here.

MAYOR WEXLER: Okay. Sir, if you'll come forward and introduce yourself, please.

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MR. ALEJANDRE: Hello, my name is Uri Alejandre. I'm the CFO for The Starting Place. The checks come from an operating account at The Starting Place.

COMMISSIONER EGGELETTION: Okay. Now this is -- now -- so, it's from the operating account.

MR. ALEJANDRE: Correct.

COMMISSIONER EGGELETTION: So we were to continue this outpatient program, program, okay, continue to fund it, then the check goes to you, we pay you, you have that money in your operating account and you just simply issue the checks to those individuals.

(COMMISSIONER JACOBS RETURNED TO THE ROOM.)

MR. ALEJANDRE: To the employees, correct.

COMMISSIONER EGGELETTION: To the employees.

How could we incorporate a second signature on your check, sir?

Mr. Newton?

MR. ALEJANDRE: Well, I --

COMMISSIONER EGGELETTION: Wait a minute. You don't need to answer that. Mr. Newton, can that be accomplished?

MR. NEWTON: I just need to straighten out what I think are some of the facts that may be missing here. It's a reimbursement situation --

UNIDENTIFIED SPEAKERS: (Inaudible.)

MR. NEWTON: -- so it's not really the check --

UNIDENTIFIED SPEAKER: (Inaudible) make sure the services --

UNIDENTIFIED SPEAKER: I wanted to clarify that.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR WEXLER: Folks.

COMMISSIONER EGGELETTION: Okay. Wait a minute. Let the attorney tell me.

MR. NEWTON: It's the invoice. In other words, it's the invoice that's the important piece of this.

COMMISSIONER LIEBERMAN: Right.

MR. ALEJANDRE: Correct, that's very important. The invoices is generated through a software (inaudible).

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MR. NEWTON: So it's the invoice that you need dual signatures on.

COMMISSIONER EGGELETTION: Okay. So it's the invoice, then, that I want dual signatures. Okay.

UNIDENTIFIED SPEAKER: All the services are -- are --

MAYOR WEXLER: Folks, one at a time.

COMMISSIONER EGGELETTION: Excuse me, sir. Excuse me.

MAYOR WEXLER: Folks.

COMMISSIONER EGGELETTION: Let me continue with the attorney. So, Mr. Newton --

MAYOR WEXLER: You have the floor.

COMMISSIONER EGGELETTION: -- Mr. Newton, are you suggesting to us that the -- every invoice that -- because it's a reimbursable service, I'm assuming. That's what you're telling me; is that right?

MR. NEWTON: That's correct.

MAYOR WEXLER: Yes.

COMMISSIONER EGGELETTION: Okay. So what you're suggesting, then, is that the invoices, now, should be what?

MR. NEWTON: What I'm indicating to you is that along the lines of what Commissioner Lieberman had indicated, since it is a reimbursable situation, services had been provided already and you are simply reimbursing for the cost of those services. Commissioner Lieberman indicated that it is the invoice that is the important document that be countersigned by the state to assure that there is someone monitoring from the state to ensure that a service had been provided.

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER EGGELETTION: Are you okay with that, Mr. Moss?

UNIDENTIFIED SPEAKER: I was told that services are already monitored by Broward County.

MR. MOSS: I was told that the invoice are generated by Broward County software.

MAYOR WEXLER: Yes. I think that Ms. Wilson or Mr. Elwell --

MR. MOSS: We do spot checks of invoices.

MAYOR WEXLER: -- could answer your question of the detail.

MR. MOSS: We have the fiduciary responsibility with the state dollars to review the invoices that come in. The county has been looking at and monitoring invoices that come in to the county, that the county pays. We look at charts. We do our due diligence.

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COMMISSIONER EGGELETON: Okay. Well, let me ask this them. Mrs. Wilson, do you all have the ability to go back to determine, for instance, let's say a counselor in that program, one of these persons with these Master's degrees says that on X day, I went to X person's house, I talked to the parents. Do you all have the ability to go back and check to see whether or not that was, in fact, done?

MS. WILSON: We don't do that right now. In terms of sampling, we do do monitoring every year. We do sample files. We do look at services performed and -- and verify those services were performed as a sample.

But -- but, Commissioner, I would suggest to you that, with oversight, we would like that to happen during this 30-day period. That is part of monitoring, that there is oversight that services are being performed and being performed appropriately. That's my concern now, that services are performed appropriately. So that if DCF is monitoring, oversight, providing that oversight, that that would be part of that oversight in terms of looking at services.

MAYOR WEXLER: Signing off on the invoice.

COMMISSIONER EGGELETON: So that's what you would want to see; is that right?

MS. WILSON: That's what I would like to see.

COMMISSIONER EGGELETON: That's -- what you're saying, that's contingent on your recommendation that we continue to fund; is that right?

MS. WILSON: That -- that is what I would like to see, Commissioner.

COMMISSIONER EGGELETON: Okay. You got it. Thank you.

MAYOR WEXLER: Okay. Mr. Moss, did you agree or not agree that the monitor would sign off on the invoice?

MR. MOSS: We will do spot checks certainly, as we do now, and we will do our due diligence, and we will do spot checks. It's -- with a thousand children in care and them attending several sessions a week, it is impossible for our staff to monitor those. We will see -- we will look at the program fidelity, we will see that the services are being delivered as contracted for. We will do spot checks for the county, if you'd like us to do that. We're talking about a 30-day period here.

MAYOR WEXLER: Yeah. Right.

MR. MOSS: This is not something that I want to put on my resume.

MR. SMITH: Let me just say that Starting Place is also willing, if the county wishes to place a person in the facility, with the chief financial officer, in his office, from time to time to come in and monitor the invoices before they go out, we are willing to do that. We are willing to have DCF do that.

MAYOR WEXLER: Mr. Smith -- Mr. Smith, we have the right --

MR. SMITH: You have the right to --

MAYOR WEXLER: -- to monitor the county's dollars right now.

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MR. SMITH: Absolutely correct. That's correct.

MAYOR WEXLER: In --

MR. SMITH: But, no. I'm saying we're willing to have them come into our facility as well as if there's electronic transfers to look at it.

MAYOR WEXLER: I'm not sure that Mr. Moss's response satisfies a number of the Commissioners, that --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: Please, can -- are we ready -- do we have closure here yet, folks?

COMMISSIONER LIEBERMAN: I'll make a friendly amendment.

MAYOR WEXLER: Okay.

COMMISSIONER LIEBERMAN: My amendment to Commissioner Gunzburger's motion is that --

MAYOR WEXLER: I don't know if it's friendly, Sue

COMMISSIONER GUNZBURGER: I don't know.

COMMISSIONER EGGELETTION: Make the amendment.

MAYOR WEXLER: Go ahead.

COMMISSIONER LIEBERMAN: My amendment to Commissioner Gunzburger's motion is that the on-site monitor from DCF must sign off on every invoice requesting reimbursement from the county.

COMMISSIONER EGGELETTION: I'll second that amendment.

MAYOR WEXLER: Is that a friendly --

COMMISSIONER GUNZBURGER: That is not a friendly amendment. It has to be voted on separately.

COMMISSIONER LIEBERMAN: Okay.

COMMISSIONER GUNZBURGER: You know, if you look at the dollars assigned to social services from the state, from the county, from Children's Service Council and see how thin the resources are, and when we sit and go over our budget, let me tell you, preserving social services is going to be very difficult. This is -- I heard there are over 500 children in outpatient and wrap around on a weekly basis. I don't see how anyone --

(COMMISSIONER WASSERMAN-RUBIN LEFT THE ROOM.)

MAYOR WEXLER: Like that be picked up? Not going to happen.

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COMMISSIONER GUNZBURGER: -- can be monitored continuously by a staff person. The resources aren't there. It's an impossible task. It's one that will be -- if you want this whole thing to go away, you've just put the reason that it will go away. I will not accept it.

MAYOR WEXLER: Okay. We have a motion and a second, though, for monitoring to the extent of signing off on every invoice.

Is there any further discussion on that?

I'm going to do that one first, Commissioner.

COMMISSIONER LIEBERMAN: So we're taking it as a separate motion?

COMMISSIONER GUNZBURGER: Yeah, I -- it's not a --

MAYOR WEXLER: Yes, it's not been accepted as a friendly amendment.

COMMISSIONER LIEBERMAN: Okay. All right. So, the separate -- the substitute -- I guess the friendly amendment is now a secondary motion --

MAYOR WEXLER: Correct.

COMMISSIONER LIEBERMAN: -- the motion being that DCF's monitor be required to sign off on every reimbursement invoice to the county for funding.

MAYOR WEXLER: For the 30-day period.

COMMISSIONER LIEBERMAN: For the 30-day period.

COMMISSIONER KEECHL: Mayor, I just want to make sure that motion incorporates the other representations by DCF.

COMMISSIONER LIEBERMAN: Well if it passes, it then becomes amended to Commissioner Gunzburger's motion.

MAYOR WEXLER: Correct.

UNIDENTIFIED SPEAKER: Let me just say --

MAYOR WEXLER: Correct.

COMMISSIONER LIEBERMAN: She just didn't accept it as a friendly amendment.

MR. MOSS: We cannot sign on every invoice that comes over.

MAYOR WEXLER: Jack, I understand that.

All those in favor of the motion, indicate by aye.

Opposed?

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Will opposed please raise their hands. Opposed. One, two --

COMMISSIONER RODSTROM: I want -- I want something else.

COMMISSIONER JACOBS: Can I speak to the reason why?

MAYOR WEXLER: Yeah. Yeah. Are you voting against it?

COMMISSIONER JACOBS: You're asking something impossible of the state. They cannot --

MAYOR WEXLER: Correct.

COMMISSIONER JACOBS: -- do this.

COMMISSIONER RODSTROM: I want to offer something else.

MAYOR WEXLER: Correct. So the motion dies.

MAYOR WEXLER: Commissioner Rodstrom.

COMMISSIONER RODSTROM: I mean, I would -- I would be okay with if the state does what they've committed to do, but -- and we enhance it with our County Auditor's office. Something like that, I would be more comfortable with.

COMMISSIONER LIEBERMAN: Oh, my God.

COMMISSIONER RODSTROM: Well, it's 30 days. It's 30 days. It's a bridge -- it's a bridge gap here to keep the kids, you know --

MAYOR WEXLER: In service.

COMMISSIONER RODSTROM: -- I have to have the comfort that our money isn't being frittered away. And, so I -- if they also are overseeing them to some extent, doing spot checks and they're doing spot checks, then I have a better handle on that they know we're watching them.

MAYOR WEXLER: Do you -- do you want auditing or do you want accounting?

COMMISSIONER RODSTROM: I want -- I want spot checks. I mean, again --

MAYOR WEXLER: By auditing?

COMMISSIONER RODSTROM: -- you're not going to sign off on every invoice. I think we realize that. But I want -- I want them to know that we're watching out, and we're going to ask questions about every invoice, possibly --

MAYOR WEXLER: Okay. Is there a --

COMMISSIONER RODSTROM: -- and if there's probable cause, then I want them to come to us immediately if they see something wrong.

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COMMISSIONER JACOBS: Is that a motion, John?

MAYOR WEXLER: There's a motion and a second for spot checks by --

COMMISSIONER JACOBS: Is that -- okay. I was going to say, I'll second his motion.

MAYOR WEXLER: The Vice Mayor has seconded it.

Commissioner Jacobs, followed by Commissioner Lieberman.

COMMISSIONER JACOBS: We've had such a long conversation about this, I don't want us to lose sight of the fact that there is a kid that's going to see one person, either in their home or at a facility, and they see them every week. And there's a relationship developed there. And to the degree to which Marlene has said she can move them to a different counselor and they can just pick up and keep going, you know, into the sunset, I don't know -- I know that we can find that if we're not going backwards to The Starting Place, that's the original staff recommendation that I would support.

But if we don't have to do that, if there is a way to do exactly what John is suggesting, that we can keep a kid with a counselor, and we can be assured that there is -- there are a lot of new eyes looking at this. And a month ago, you would have had all of them telling us, don't worry, everything's fine. Everything's fine. We have spot checks. Everything's great.

What I'm concerned about is that we don't go blithely forward for the next 30 days with everything being exactly the same. So what I believe what this motion does is adds additional focus for the next 30 days, until this plan comes back and we are assured that these investigations and these plans are in place. And then we can make a different decision at that point, based on time and facts, which currently we have been looking at this for a week. So there's a lot of unknowns. At that point, I think there will be some more knowns. I'm willing to take that leap for 30 days.

So I'm happy to support that motion.

MAYOR WEXLER: Thank you. Thank you.

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: First of all, spot checks is what they've been doing all along, and they didn't find the problem for a while. So why anybody would feel comfortable suddenly in spot checks which didn't pick up a problem for two years is kind of amazing to me.

COMMISSIONER GUNZBURGER: The problem --

MAYOR WEXLER: Shh.

COMMISSIONER LIEBERMAN: However -- however, there are -- what was testified to today is there is roughly 500 children that get these services from the county. There's another 300 funded by DCF, 300 through Medicaid, and 150 from the Children's Services Council, as I wrote those numbers down today. I'm not asking they sign off on invoices to the Children's Services Council. That's something the Children's Services Council needs to do. I don't know what the insurance companies will do for those people who have private insurance. I suspect there will be a problem with them, as well. The DCF, what they want to do for their own protection doesn't trouble me.

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It's the 500 clients that they get reimbursement from the county for. If DCF is putting a monitor on site who is going to be there, we're not asking them to check everybody, though they may choose to do that. They may choose to do spot checks in the other four categories. Maybe they want to protect the state's money that DCF is getting, maybe not. But to the extent that I tax taxpayers, which I do, because this is add valorem revenue we give them for the 500 clients who we pay for, having the state double check and sign off on the invoice is a small, a small inconvenience to protect the money.

And finally, Mr. Lukic --

COMMISSIONER RODSTROM: Then let's do it for every organization we give money to. Because --

MAYOR WEXLER: All right. Folks --

COMMISSIONER RODSTROM: -- that's going to happen again.

COMMISSIONER LIEBERMAN: Excuse me.

COMMISSIONER RODSTROM: (Inaudible).

COMMISSIONER LIEBERMAN: Excuse me, but I don't know any other --

COMMISSIONER RODSTROM: Let's do it for everyone.

COMMISSIONER LIEBERMAN: Commissioner Rodstrom, you don't have the floor.

MAYOR WEXLER: Commissioner --

COMMISSIONER RODSTROM: The perpetrator --

COMMISSIONER LIEBERMAN: You don't have the floor.

MAYOR WEXLER: Commissioner, please.

COMMISSIONER LIEBERMAN: With all due respect, you don't have the floor. Okay?

There is no other organization that I am aware of at this moment that there is an embezzlement investigation going on.

VICE MAYOR RITTER: Point of order.

MAYOR WEXLER: The point is that that motion failed, Commissioner.

VICE MAYOR RITTER: Point of order.

COMMISSIONER LIEBERMAN: The question I'm asking is: Mr. Lukic was asked, and he never responded, as to how he will monitor this. I want to hear from Mr. Lukic.

MAYOR WEXLER: Mr. Lukic.

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COMMISSIONER LIEBERMAN: Because what we're doing is as opposed to the person who is on-site, we're now trying to shift responsibility to people who aren't on-site, haven't been there, to correct a lack of oversight in the first place.

MAYOR WEXLER: Okay. Mr. Lukic, do you want to weigh in on this?

MR. LUKIC: Well, first, to clarify the record, I wasn't asked my opinion of the oversight earlier. But I am concerned about my ability to do the oversight for a couple reasons. First of all, we're looking at a month. The accumulation of the information would presumably be paid monthly. I'm not sure if this organization paid more than that. Typically my office does an audit after the fact.

Getting involved on the ground to find out what services were provided at the time they're provided is very different than our typical approach. And I understand why Mr. Moss is so reluctant to get involved in this, because the sheer number of activities taking place is substantial. You can only do this on a test basis. Unless you had someone who was coordinating -- coordinating the actual appointments, intimately involved in the operations, to know what's taking place.

My office is prepared, on the direction of the Board, to do whatever the Board wishes me to do. I could go out, I could look at files to confirm that some home visits took place. It would be very challenging, perhaps impossible, for my office to do much more than a sampling.

COMMISSIONER LIEBERMAN: Do you have any recommendations, Mr. Lukic, that would better protect the county than the way it's being addressed at this very moment with the current motion?

MAYOR WEXLER: All eyes are on you.

MR. LUKIC: Yeah, I understand that. This is a very precarious position to be in to answer that question. First of all --

COMMISSIONER LIEBERMAN: You're the Auditor.

MR. LUKIC: I am the Auditor. I would tell you from an auditor's perspective, I have very -- some significant concerns. Most of have been voiced by the elected officials here.

First of all, children's safety is an imperative. You don't know the nature and extent of the people who may have been involved in that, whether they're in outpatient or inpatient program or vice versa. That is one concern.

With respect to the financial areas, there's a significant embezzlement that took place. I do not know any of the facts and circumstances revolving around that embezzlement, how many people may or may not have been involved, whether or not the sole person that I believe one person was removed, if there's others that were involved in it. I do not -- do not know if the embezzlement involved billing for units of services that may not have been provided.

So I can't really tell you how to do that. The --

COMMISSIONER RODSTROM: Do we have -- are we funding Workforce One?

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER RODSTROM: Are we funding Workforce One?

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MR. LUKIC: I believe we are, yes.

COMMISSIONER RODSTROM: And was there embezzlement there?

MAYOR WEXLER: Yes.

MR. LUKIC: Yes.

COMMISSIONER RODSTROM: And is your office involved day to day signing off on every invoice from Workforce One?

MR. LUKIC: No, I'm not.

COMMISSIONER RODSTROM: No. So, I mean, look, let's be consistent here. Let's not treat one agency different than another agency. And that's what you're doing with your motion. I mean, in all due respect --

COMMISSIONER LIEBERMAN: No, I asked Mr. Lukic if there were other recommendations.

COMMISSIONER RODSTROM: Now you're interrupting me, and I have the floor. Commissioner, you're interrupting me --

COMMISSIONER LIEBERMAN: No, I asked Mr. Lukic a question.

COMMISSIONER RODSTROM: -- and I have --

COMMISSIONER LIEBERMAN: I did not finish speaking. I asked him a question.

MAYOR WEXLER: I am going to recess this meeting if this doesn't stop. I know we're hungry.

COMMISSIONER LIEBERMAN: I asked Mr. Lukic a question.

MAYOR WEXLER: I know it's a long day. Please.

COMMISSIONER RODSTROM: All I'm saying is that (inaudible) --

COMMISSIONER LIEBERMAN: I asked Mr. Lukic a question and --

MAYOR WEXLER: You did. You did.

COMMISSIONER LIEBERMAN: -- I was waiting for his response. And the question that I asked --

MAYOR WEXLER: And you got it.

COMMISSIONER LIEBERMAN: No.

COMMISSIONER RODSTROM: And she -- and then the Mayor allowed me to ask a question.

MAYOR WEXLER: I did.

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COMMISSIONER LIEBERMAN: What I'm asking him is is there additional -- is there anything additional to Commissioner Rodstrom's motion that you would suggest that would satisfy you, as the Auditor, that we have ample protection for county funds? That's my question. He's saying it's very difficult, but I want to know if he has an answer yes or no.

COMMISSIONER RODSTROM: Did you vote to support Workforce One, Commissioner?

COMMISSIONER LIEBERMAN: I may, Commissioner Rodstrom. I want an answer from the Auditor at this moment.

MAYOR WEXLER: Mr. Lukic, it's a yes or no answer, please.

MR. LUKIC: I could go look at after the fact, after a month, after the 30 days and review the invoicing and take a look at what controls they had.

COMMISSIONER RODSTROM: That's not what I'm asking you to do.

MAYOR WEXLER: That's what I was asking you to ask. Exactly.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: Exactly. All of this conversation back and forth. As a member of the Children's Services Board for over ten years, I know the protections that are in place and the accountability for the county. Are you going to ask that question?

COMMISSIONER EGGELETON: Yeah, I'll ask that question. I need to know, Madam Mayor --

MAYOR WEXLER: Please.

COMMISSIONER EGGELETON: -- from the -- Mrs. Whitehouse, how are your invoices generated? Maybe we need to walk us through that process, because if we have a better handle on that, maybe -- maybe some of this stuff would go away. Your CFO, whomever, walk us through --

COMMISSIONER LIEBERMAN: Right.

COMMISSIONER EGGELETON: -- how your invoices are generated.

MAYOR WEXLER: Thank you.

DR. WHITEHOUSE: First and foremost, our billing is provided on a weekly basis from the -- a therapist provides a unit of service, but there's documentation. That documentation, at the end of month, gets compiled, obviously, in the client chart, but the supervisor gets a billing sheet. The billing sheet is by date, by client, by staff member who provided that service. Before that billing sheet gets submitted to our business office, which then I will hand it over to our CFO, who takes it from there, the supervisor has checked every single progress note to indicate that there was a service delivered and signed off on by a counselor.

So there is actual -- each supervisor, for their program, is responsible for checking that and providing that information, then submitting that billing sheet to the business office.

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MR. ALEJANDRE: I also have to say that the counselors have been fingerprinted, a background check, so -- and they are licensed to do that. So once we receive this billing log, as well, if you want, the detail of the services that were provided, we enter those services into the county software, which is online. Any of you could access that. I believe some of them are public records, unless you say so differently in the software. So you can go there, you print out the invoice through that software provided by Broward County, and you have all the billing there. You bill for it. You receive a check and put it in the operating account. Then we are monitored every, what, every two months?

UNIDENTIFIED SPEAKER: (Inaudible) our contract.

MR. ALEJANDRE: Well, yeah, I would say quarterly by Broward County, and they compare this billing with the software, with the charts that were signed by these therapists, and everything has been fine for at least ten years or more that we've been funded for.

COMMISSIONER EGGELETON: Well, that's the problem. But I need to ask Mrs. --

MAYOR WEXLER: Commissioner, does that address --

COMMISSIONER EGGELETON: Yeah, that addressed. But one other question.

MAYOR WEXLER: Thank you.

MR. ALEJANDRE: We're talking about outpatient.

COMMISSIONER EGGELETON: I just need to know whether or not Mrs. Wilson and her staff from time to time go back in those invoices to the -- and interview the individual counselor or the person that was supposed to have received the service to determine whether or not those individuals did, in fact, receive the service that was invoiced.

UNIDENTIFIED SPEAKER: That is part of the county's --

MAYOR WEXLER: Ms. Wilson.

COMMISSIONER EGGELETON: That's not -- I'm asking Mrs. Wilson.

MAYOR WEXLER: Thank you. Ms. Wilson.

COMMISSIONER EGGELETON: I'm asking Mrs. Wilson.

MS. WILSON: Yes, we monitor up to twice a year, Commissioner, and we do --

COMMISSIONER EGGELETON: Okay. So you go back and check that.

MS. WILSON: We do go back and check.

COMMISSIONER EGGELETON: All right.

MS. WILSON: We do also look at their audit, and they had audit exceptions this year and they also have a five percent error rate in billing. So they are under corrective action rate for us for billing at this point.

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COMMISSIONER EGGELETON: Okay. Now, Mrs. Wilson, don't leave the microphone. We've got to come to yes on this and I think that's what the Mayor is trying to get us to.

MAYOR WEXLER: Correct.

COMMISSIONER EGGELETON: You indicated earlier to Commissioner Keechl that you didn't mind continuing the funding, however, there needed to be some monitoring put in place; is that correct?

MS. WILSON: Yes, sir, that's correct.

COMMISSIONER EGGELETON: When you say monitoring, give me your definition by what you mean by that, ma'am.

MS. WILSON: In terms of monitoring, we would like -- this is more than just fiscal for us. This is clinical supervision, and this is monitoring day-to-day of the -- of supervisors and what is happening clinically with clients, with children, in terms of outpatient services. This is real important to us, Commissioner, as well as the fiscal aspect that you have talked about, this is important that we ensure that someone is looking at, talking to, oversight, seen --

COMMISSIONER EGGELETON: I got it. I got it. Now, I want to be realistic --

MAYOR WEXLER: Before you go on. Mr. Moss, is that your understanding of oversight, as Ms. Wilson has explained it, for the 30-day period?

MR. MOSS: As my professional.

MAYOR WEXLER: Ms. Kramer, is that your understanding of oversight?

MS. KRAMER: I'm sorry, Commissioner, I didn't hear the --

COMMISSIONER EGGELETON: Mrs. Marlene Wilson, please repeat the answer. This is critical.

MS. WILSON: For us, we'd like to see, in terms of oversight, monitoring of the clinical aspect of the program for outpatient services to ensure that services are rendered appropriately. And that -- that is looking at supervision, looking at services actually performed, and doing that kind of thing day-to-day in terms of the services over the 30 days.

COMMISSIONER EGGELETON: Okay.

Mrs. Kramer?

MAYOR WEXLER: Mr. Moss, Ms. Kramer, is that your understanding that you will comply to that?

MS. KRAMER: We can comply with it with one exception. The on-site actual involvement in therapy sessions is strictly up to the individuals.

(COMMISSIONER WASSERMAN-RUBIN RETURNED TO THE ROOM.)

COMMISSIONER EGGELETON: We understand that.

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MS. KRAMER: We can assure that it was performed. We just can't sit in on the session.

COMMISSIONER EGGELETON: We understand that. Then, if that be the case, and if the Board is agreeable to that, then I would suggest that we provide the funding based -- and ensconced in a motion the comments of Mrs. Wilson, the reply of Mrs. Kramer, and I would move that as a motion.

VICE MAYOR RITTER: Second.

COMMISSIONER LIEBERMAN: I second that.

COMMISSIONER GUNZBURGER: (Inaudible.)

MAYOR WEXLER: No, that -- okay. But the motion is Commissioner Gunzburger's; seconded by Vice Mayor, and you both accept that within as friendly. We're very friendly at this time. Thank you.

VICE MAYOR RITTER: This is a testy Tuesday.

MAYOR WEXLER: Definitely.

Are we done with discussion then?

All those in favor, please indicate by aye.

Opposed?

VOTE PASSES UNANIMOUSLY.

MAYOR WEXLER: Thank you. We are in recess until 2:00 p.m.

(THE MEETING RECESSED AT 1:41 P.M. AND RECONVENED AT 4:20 P.M.)

MAYOR WEXLER: We are reconvening the 10:00 a.m. meeting. Vice Mayor.

REGULAR AGENDA

VICE MAYOR RITTER: Thank you, Madam Mayor. I'd like to move to reconsider the Consent Calendar.

MAYOR WEXLER: It's been moved. Second?

COMMISSIONER KEECHL: Second.

MAYOR WEXLER: Commissioner Keechl.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

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AGENDA ITEM 51

MAYOR WEXLER: Vice Mayor, I believe that --

VICE MAYOR RITTER: Item 51. Item 51, Madam Mayor, which was submitted by you but is an amended calendar for the meetings of the Broward County Board of County Commissioners from January of '07 through December of '08.

MAYOR WEXLER: To reflect the direction that was given during our PMCM to add --

UNIDENTIFIED SPEAKER: The yellow sheet.

MAYOR WEXLER: -- the yellow sheet that was handed out when it sat on the dais this afternoon.

COMMISSIONER GUNZBURGER: Second.

MAYOR WEXLER: Thank you.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 36

MAYOR WEXLER: I think I'm done. All right. The --

COMMISSIONER JACOBS: Move Item 36.

MAYOR WEXLER: Thank you, because I don't know where I am.

COMMISSIONER LIEBERMAN: Second.

MAYOR WEXLER: It's been moved by Commissioner Jacobs; seconded by Commissioner Lieberman.

Any discussion?

Seeing -- oh, yes, thank you. I told you I was a little discombobulated.

COMMISSIONER EGGELETON: You didn't finish with the Consent Agenda.

COMMISSIONER LIEBERMAN: Yeah, we did.

COMMISSIONER EGGELETON: Oh, that's right. (Inaudible.)

MAYOR WEXLER: I finished with the Consent Agenda but 56 is on the Regular Agenda and we're going to get to it in hopefully not too long. What am I doing?

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PUBLIC HEARING

MAYOR WEXLER: For Item Number 36, which is the Safe Parks & Land Preservation, it's the Public Hearing, and it has been moved by Commissioner Jacobs, seconded by -- did you second it or Lieberman? I heard one of you.

COMMISSIONER LIEBERMAN: I seconded it.

MAYOR WEXLER: Commissioner Lieberman.

The Public Hearing to consider approval of exchange agreement is now open.

Is there a member of the public who wishes to speak to this item? I have nobody signed up on Item Number 36.

The Public Hearing is now closed.

Are there any comments from the Commission?
Seeing none, all those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 37

MAYOR WEXLER: Item Number 37.

COMMISSIONER EGGELLETON: Move 37.

MAYOR WEXLER: Item Number 37 has been moved by Commissioner Eggelleton; seconded by --

MS. HENRY: Commissioner -- sorry.

MAYOR WEXLER: It's a request for a continuance --

MS. HENRY: Thank you.

MAYOR WEXLER: I know that, but I've got to get it to the floor first before there is a --

COMMISSIONER LIEBERMAN: Because it's a Public Hearing.

MAYOR WEXLER: Because it is a Public Hearing, that's correct. And it has been requested to have a continuance until the March 11th, 2008 meeting. Okay. Do they need to vote on that or just --

MR. NEWTON: Vote on the continuance, yes.

COMMISSIONER LIEBERMAN: Move to continue.

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MAYOR WEXLER: Moved from Commissioner Lieberman; seconded by Commissioner Jacobs.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

REGULAR AGENDA

AGENDA ITEM 43

MAYOR WEXLER: That concludes the Public Hearing. Item Number 41 -- did it. Sorry.

COMMISSIONER LIEBERMAN: 39.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LIEBERMAN: 39.

MAYOR WEXLER: 39 was withdrawn. Item Number 40 was done. Item Number 41 is done. 42 went to Consent.

Item Number 43. Who would like to serve on this selection committee? Aviation.

COMMISSIONER LIEBERMAN: I'll serve.

MAYOR WEXLER: Commissioners --

COMMISSIONER JACOBS: Are we on 43?

MAYOR WEXLER: We are on 43. Are you serving, Commissioner? Commissioner Jacobs, Lieberman, Eggelton, Keech, Gunzburger, Vice Mayor Ritter, and myself.

MAYOR WEXLER: Moved -- it's been moved by Commissioner Gunzburger, seconded by Commissioner Eggelton with those names serving on the selection committee.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

MAYOR WEXLER: Thank you. 44 went to Consent. Item --

COMMISSIONER LIEBERMAN: Oh, Mayor, just one thing on 43, we also need -- I had asked whether we were going to amend the two responsiveness to responsibility. I didn't see that yellow sheeted.

MAYOR WEXLER: It was yellow sheeted.

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COMMISSIONER LIEBERMAN: Okay. So it's clear.

MAYOR WEXLER: It was yellow sheeted --

COMMISSIONER LIEBERMAN: Okay.

MAYOR WEXLER: -- and the RLI was changed from singular to plural to reflect --

COMMISSIONER LIEBERMAN: I did not see the yellow sheet. That's why I just wanted to make sure.

MAYOR WEXLER: Actually, you had two items that were --

COMMISSIONER LIEBERMAN: Yes, I do.

AGENDA ITEM 45

MAYOR WEXLER: Item Number 45 is another selection committee, post disaster logistics staging area services. Anybody wish to serve on that?

COMMISSIONER EGGELETTION: Move Item 45.

COMMISSIONER LIEBERMAN: I do.

MAYOR WEXLER: With Commissioner Lieberman, and anyone else wanting to serve on that?

Seeing none, please move the item. Moved by Commissioner Eggelettion; seconded by Commissioner Lieberman. Sold, right?

COMMISSIONER JACOBS: Solo.

MAYOR WEXLER: Solo.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 48

MAYOR WEXLER: Okay. 46 went to Consent. 47. Item Number 48. Item Number 48.

COMMISSIONER KEECHL: I'll move 48.

COMMISSIONER JACOBS: (Inaudible.)

MAYOR WEXLER: Yes, Commissioner. I have one -- I have two people signed up for Item Number 48. Do you want to hear from the public first?

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COMMISSIONER JACOBS: I just had a quick question and maybe someone could address it.

MAYOR WEXLER: Certainly.

COMMISSIONER JACOBS: And that is I didn't see anything in the backup. I thought we sent this out for municipal comment.

MAYOR WEXLER: We did.

COMMISSIONER LIEBERMAN: That's why I raised my hand.

COMMISSIONER JACOBS: And I don't find any municipal comment, so I was just wondering where that is.

COMMISSIONER LIEBERMAN: I'll tell you why. It's my fault.

MAYOR WEXLER: No, it's not. No, it's not your fault at all.

COMMISSIONER LIEBERMAN: It is.

MAYOR WEXLER: No, it's really not, because -- no. Because what we've asked for yesterday, and we've got -- we know that something that was passed at the league and we have not been able to get a copy of the resolution that was passed.

COMMISSIONER LIEBERMAN: But if I can --

MAYOR WEXLER: Commissioner.

COMMISSIONER LIEBERMAN: -- let me explain. This is my fault and I take full responsibility.

MAYOR WEXLER: All right, it's your fault.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LIEBERMAN: Here's what happened. I'm the liaison to the board of directors of the Broward League, and based on our discussion we had at the last time, I told this would not be coming for quite some time, and forgot we had given a date certain to bring it back.

I was at the board meeting where the board voted unanimously to oppose this and asked us to find additional remedies. And I had not, as of yet, read today's agenda at the time I attended the board meeting last week on Thursday. There is a reso from the Board of the League of Cities urging us not to do this, that though we may be having a problem with one city, that for the most part the other cities are not in the same position, and they feel much the way we feel about being charged for juveniles who are arrested, that we would be doing to them the very same thing that we are complaining about.

So I apologize.

MAYOR WEXLER: Thank you. As a matter of fact, we tried very hard yesterday to get something definitive, because I knew the same thing had been told to me from the League, as well as from the police

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chief's organization, that also discussed it, and something if there was from the -- they felt the same way, yeah. And I don't remember if there was an answer from the county managers' association.

But I do have three speakers signed up, and I really think we need to give them the opportunity to address this item. The first speaker is Shelly Mojica. Shelly, are you still here?

COMMISSIONER KEECHL: No, Mayor, there's an e-mail we've all got from her.

MAYOR WEXLER: Okay.

COMMISSIONER KEECHL: I can read it into the record, if you want me to.

It says unfortunately, I'm unable to stay for this meeting. I was going to read a letter from Mayor Joy Cooper, who was unable to attend. Her letter stated, quote, as discussed at our joint legislative workshop together, we all understand the origins of this item. We ask that if any action is taken today, you consider setting a threshold of the number of the incarcerated before changes would occur. We would also welcome the opportunity to work on the language in the interlocal agreement as to avoid dual taxation. Thank you for your consideration in this matter. Sincerely, Joy Cooper.

MAYOR WEXLER: How about John Bollinger and Jamie Costas?

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: Did you actually sit here all day?

MR. BOLLINGER: Yes, I did. And I had a voice early this morning, but you can hang meat in here, so it got me a little cold.

MAYOR WEXLER: And you are John or Jamie?

MR. BOLLINGER: I'm John.

MAYOR WEXLER: John Bollinger.

MR. BOLLINGER: Yeah, Jamie's with me.

MAYOR WEXLER: Okay.

MR. BOLLINGER: I was here to address the Commission regarding an issue that came up in previous discussion on this item about municipal ordinance arrests and homeless in Fort Lauderdale. All right? I'm here to let the Commission know that we all know that being homeless is not a crime, and the Fort Lauderdale Police Department do not make arrests based on homelessness, but on violations of law.

In 1999, the Fort Lauderdale Police Department created a homeless outreach unit. What that unit did was seek to make essential services available to the homeless while we were patrolling. Since 1999, over 40,000 people have been contacted by our officers and offered assistance in these essential services. And, to their credit, over 23,000 people availed themselves to it.

Beyond our proactive efforts in the homeless area, numerous social service agencies throughout Broward County contact our agency including the Public Defender's Office, asking for assistance with their homeless clients.

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Our homeless outreach program has been recognized for the National Center on Homelessness and Poverty, as well as the National Coalition for the Homeless as one of the best in the nation. Our offices have assisted law enforcement agencies in California, Florida, Hawaii, New Jersey, Illinois and Massachusetts in creating their own homeless outreach projects that are similar programs to ours.

Both our program and our officers have received numerous awards for the work they've done. And one of our officers, Officer Costas, who was here today has been appointed by the governor to serve on the Florida Advocacy Board regarding mental health and homelessness issues.

So if the Board's concern was homeless arrests being made in Fort Lauderdale, we do not arrest the homeless. We arrest people on violations of crime. Okay?

MAYOR WEXLER: Thank you.

MR. BOLLINGER: Thank you.

MAYOR WEXLER: Mr. Costas, did you want to also make a statement?

MR. COSTAS: Just something real quick.

MAYOR WEXLER: Please come forward.

MR. COSTAS: Thank you very much for the opportunity. I respect and honor each and every one of you.

On behalf of the city manager, and on the police chief, the city is not looking to shipwreck people in the jail system. In fact, they're looking to navigate them through the course of social services.

These homeless individuals that we deal with on a normal basis through the City of Fort Lauderdale, just around 50 percent of our homeless population is, in fact, Broward County residents. 38 percent of our homeless, in the last year alone, we had 6800 homeless people last year. Of the 6800 homeless people 38 percent had been in Broward County less than 60 days. So these are people that are coming from across the nation, and, not only that, but they're also coming from social services. The social service providers, both the hospitals, the mental health facilities, and all of these different providers, send their individuals from all these cities to Fort Lauderdale so that we can provide the services that are available currently.

So right now our desire and the compassion of the city is not in arresting homeless people, but in trying to place them and navigate them into a good lifestyle like each and every one of us have that we're blessed with.

MAYOR WEXLER: Okay. Thank you.

Commissioner Keechl.

COMMISSIONER KEECHL: Thank you, Mayor. With regard to this item, this began as an agenda item by Commissioner Rodstrom, who is not here today, and I co-sponsored it with him last time, because, as your liaison to the Public Safety Coordinating Council, and working with Mr. Corwin, I agreed with his backup, which indicated that around 1500 inmates are booked into the detention system and charged solely with a municipal ordinance violation.

COMMISSION MINUTES

Now, I'm willing, as the earlier co-sponsor, to do whatever it is the will of this Board is to do, including deferring it until Commissioner Rodstrom gets here, until we get the resolution, or we can go forward. I just want everyone to understand, we can do whatever you want.

But, as I said last time, and I mean this, this is a policy statement by this Board, really nothing more, because we have been -- we know that there is a major loophole to this ILA, this issue, and that is if the arresting officer in the city can find a similar statutory charge, we must take that person into the jail system and pay the \$90 a day.

And so this is a statement -- and I hate to speak for Commissioner Rodstrom, but he's said it to us before. This is basically a statement where we're saying we don't think it's a good idea to round up our homeless individuals who are in need of social services and stick them into the jails.

I have discussed this issue at the Public Safety Coordinating Council. I've discussed it with the judiciary, I've discussed it with the State Attorney's Office, I've discussed it with the Public Defender. It's happening.

And I have the utmost respect for our law enforcement, including the speakers here. While it is primarily, as I remember it, an issue that's occurring in Fort Lauderdale, it's also occurring in several other cities, and -- you know, that's what the issue here is.

So I'm willing -- I'm eventually going to vote in favor of this, whether it's today or it's at another time, because I think we're making a statement to those cities that if you want to treat the homeless in this manner, then you need to pay for it. There's no home rule issue here, because they can do what they want to do, but they have no right, as our County Attorney has told us, to require us to pay for it.

So I'll do whatever the will of the Board is with regard to when we're going to hear this, but eventually, I'm going to vote in favor of it.

Thank you, Mayor.

MAYOR WEXLER: Thank you.

Commissioner Eggelletion, followed by Commissioner Lieberman.

COMMISSIONER EGGELETION: You know, whether we hear this today or some other time, Commissioner Keechl, I'm going to support you on this. I mean, you know, you've served very well on that board, and you know the problems firsthand. You all see the numbers, you see the cases. And there's one thing you can't change. You can't change the fact. The fact is what it is. The cases are what they are. I mean, you see the printout. I've seen them. We look at the numbers. We know what those numbers are. So -- but like you say, you know, there are ways that they can get around this.

But from what I understand, if I'm not -- correct me if I'm mistaken, Mr. Newton, what this does is just asks you to begin to draft something that will come back and -- and will be considered at a -- at a future date; is that correct, sir?

MR. NEWTON: It's actually already been drafted.

COMMISSIONER EGGELETION: It's already been drafted.

COMMISSION MINUTES

COMMISSIONER LIEBERMAN: It's drafted. It's attached.

COMMISSIONER EGGELETON: Because I read -- okay. So it's been drafted. Okay. All right. Well --

MAYOR WEXLER: Here it is.

COMMISSIONER EGGELETON: I read it. Okay. So it's been drafted. Okay. I'm looking at it now. I didn't see the other part of this.

Well, you know, if you want to defer it until Commissioner Rodstrom comes back, if that's your pleasure, Commissioner Keechl, I'm going to support it, I'm going to tell you that, because I see what the numbers are, I know what we're looking at, and, you know, it's just not fair. It's not fair to those individuals, in all due respect to the City of Fort Lauderdale, and I respect the City of Fort Lauderdale PD, I respect their chief, Chief Roberts, and, you know, not only the City of Fort Lauderdale but like you say, this is just not the City of Fort Lauderdale. There are several municipalities.

And, you know, members, I will tell you, you know, you have to picture yourself being picked up because you come to a new town, or you've been here for a while, you're down on your luck, you get picked up and put in jail, I mean, it's not right. It's just not right, you know. And that's the way I look at it. It's a fundamental fairness issue, and, look, the numbers are there, as Commissioner Keechl pointed out. I mean, you look at the data, you look at the charging documents, the numbers don't lie.

So that's -- so I'm going to support it.

MAYOR WEXLER: Commissioner Lieberman.

COMMISSIONER LIEBERMAN: I'm going to make a motion that we defer this item for 30 days, and I'll tell you why. I'd want to bring it back to the board of the League of Cities, because I believe, based on the discussion that we had last week, and I take full responsibility for this, because they were preparing to respond to this, and I said, oh, it's not coming back for a while. And I would like the opportunity as the liaison to that board to bring this back to them. They do not meet again until the first Thursday in March, so maybe even defer it a little more than 30 days.

The only thing I want to caution my colleagues about is I -- we're trying to get to a particular problem, which is individuals who are homeless being arrested for loitering ordinances of the cities being sent to the jail.

Mr. Newton, are there other municipal ordinances for which a jail -- a jail time could be the remedy besides loitering? Because we only want to address loitering. Do you know?

MR. NEWTON: Not off the top of my head, I do not.

COMMISSIONER LIEBERMAN: Well, let me assure you there are. So I'm concerned about having drafted, if we were to go ahead with this, something over broad that would have unintended consequences.

So I'm begging my colleagues, I mean, probably I'm going to need 45 days, because you want to bring it to the board. I will put it on their agenda. I will ask them to provide us in writing with options to deal with the specific problem, which is the arrests of individuals who are homeless on loitering, or mentally ill, who really should be in treatment programs and not in the jail in the first place, without eliminating for other types of municipal ordinances.

COMMISSION MINUTES

I urge us not to do with the cities the very same thing we complain about being done to us by the state.

MAYOR WEXLER: Exactly.

Commissioner Keechl, followed by Commissioner Gunzburger.

COMMISSIONER KEECHL: I'll withdraw my motion, because, Commissioner Lieberman, if you made a statement, I'm never going to force you to do something you don't want to do.

I'm never going to change my position on this, just so you know, but because we were so --

COMMISSIONER JACOBS: (Inaudible).

COMMISSIONER KEECHL: -- because we were so -- well, just because sometimes we postpone so we can have some more argument later on. Now that we've got the expanded pretrial in order -- and, Mayor -- I'm sorry, I still think of you as a Mayor. Commissioner Eggleston, you weren't here when that happened -- we're in much better shape, and so I am comfortable withdrawing my motion.

COMMISSIONER LIEBERMAN: Thank you. Mayor, then my motion is, can we give 45 days so --

COMMISSIONER GUNZBURGER: Could I say something before we defer?

MAYOR WEXLER: Yeah, but I think there's a number of people that wish to comment, and then we'll take your motion to defer.

COMMISSIONER LIEBERMAN: Okay. Thank you.

MAYOR WEXLER: Commissioner Gunzburger.

COMMISSIONER GUNZBURGER: Before it's deferred, I had a discussion with Mayor Cooper when I was watching this house move across the street, this very old, old house. Well, for a Florida, old. It was a hundred years old. For St. Augustine, it isn't. And she was suggesting -- Mayor Lieberman, I'd like you to hear this -- not Mayor -- Commissioner Lieberman.

COMMISSIONER LIEBERMAN: Sorry.

COMMISSIONER GUNZBURGER: I'm tired. We're all tired.

MAYOR WEXLER: I'm the Mayor this year.

(Laughter.)

COMMISSIONER GUNZBURGER: I'm willing to call everyone Mayor today, but I'm too -- I had a bad night. I'm sorry.

Commissioner Lieberman, one of the suggestions is that we should have a number, and I decided a number is not even a fair way of looking at it, when I've thought about it. A percent, because a city of a hundred people in a city of 160,000 people, there's no -- there is no one -- there is no one number that fits all. So that's what I would hope that that's something you look at.

COMMISSION MINUTES

MAYOR WEXLER: Any other comments? All right.

I just one to make a very brief comment. I was prepared to vote this down today. I'm completely on the other side of the issue after speaking to law enforcement. You know, if we have something in place and we identify the municipal ordinance, well, they'll be charged with something else.

And there are many ways to get to where people want to go. And I'm saying it very politely. I think that, particularly when you hear my report regarding the land -- the subcommittee for the Charter Review on land use, I think that it is tremendously important that we find every way possible to work with our cities, to let them know that we are partners in our endeavors, and that it is tremendously important that we not mimic what Tallahassee does to us, and that's pass on the cost. Okay? So that's my statement.

You know, it could come back a week or four months from now; I don't support the spirit of it, but I would ask staff to please follow up with the police chiefs association as to their position, because I know they've discussed it. Yes? And if there is a formal position of the county -- city administrators, the city managers, whatever that organization is called, and certainly the League of Cities will have its formal position.

COMMISSIONER LIEBERMAN: Thank you.

MAYOR WEXLER: Thank you. And with that, your motion to defer how many --

COMMISSIONER LIEBERMAN: I'd like 45 days to give them some time to send a letter after the board meeting, if that's all right, Mayor.

COMMISSIONER KEECHL: Second.

MAYOR WEXLER: Certainly. It's been moved and seconded.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 49

MAYOR WEXLER: Thank you. It's been deferred for 45 days. We are now on Item Number 49.

COMMISSIONER LIEBERMAN: Move it with pleasure --

MAYOR WEXLER: Oh, indeed.

COMMISSIONER LIEBERMAN: -- unless the Vice Mayor wants to be, because she chaired management and efficiency.

MAYOR WEXLER: Vice Mayor, do you want to second the motion?

COMMISSION MINUTES

VICE MAYOR RITTER: Sure.

MAYOR WEXLER: Okay. It's been moved. It's been seconded.

Thank you for your hard work. Thank you for your hard work. Ms. Henry, thank you and your staff for your hard work as well, and we look forward to seeing the measurable objectives in the very near future.

With that, any further discussion?

Hearing none, all those in favor indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 52

MAYOR WEXLER: Thank you. Item Number 52. Okay. Last year we contributed \$5,000, which is already budgeted this year, towards Broward Days. Both Commissioner Lieberman and myself have been participating, attending their events. I've been in touch with both Jerry Majzlin and Jo Moskowitz, and, really, I've been trying to be a part of the process. If you don't get in the game, you know, we had this conversation last year.

We -- I put it on as a discussion item, because I think that it's important for you, the Board of County Commissioners, to make the decision of what the financial, if any financial, support for Broward Days will be. I will tell you that we are looked upon as a partner there. We are looked upon as leadership there. And I know that they would like us to take an even more active role than we do right now.

And with that, open it up. Commissioners?

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: Yeah, I'm going to move the item that's presented in front of us. It's already in the budget. It's already appropriated.

I can tell you, from having participated in the steering committee and at Broward Days, there is a new mentality, I want to say, that has been emerging, and really came forward in the past couple years. Mr. Mazlyn does a tremendous job as executive director. Jo Moscovitz, with Citrix, I can't begin to tell you the leadership she has shown in helping us with our issues. And I just think that, at this time, especially with the issues we're facing in Tallahassee, one of the things Broward Days does is it allows us to take other Broward County citizens besides just the nine of us to Tallahassee to tell the legislators we are not alone in our concerns.

So I want to move the item.

MAYOR WEXLER: It's been moved.

Are you seconding it, Commissioner Jacobs?

COMMISSION MINUTES

COMMISSIONER JACOBS: I'm seconding it. Just a quick comment, if I might.

MAYOR WEXLER: Commissioner Jacobs.

COMMISSIONER JACOBS: To echo what Commissioner Lieberman said, just to leave you with a thought, it's Broward Days. Wouldn't be ironic that Broward Days went off, and Broward County didn't support it?

MAYOR WEXLER: Okay. Commissioner -- did you have your hand up to comment? I'm sorry.

COMMISSIONER GUNZBURGER: No, but I do have a question on this.

MAYOR WEXLER: Okay. Commissioner Gunzburger, followed by Vice Mayor.

COMMISSIONER GUNZBURGER: I think when we looked at Item 51, there was one date that was in question, and that was in April 4, Broward Days, and I know that they're looking to see how many are -- you are looking to see how many are planning on going, so we know whether or not that meeting --

MAYOR WEXLER: Needs to be canceled.

COMMISSIONER GUNZBURGER: -- needs to be canceled. So after this item, you may want to go back to 51 and --

MAYOR WEXLER: Well, after that item -- after this item, why don't we just ask who is looking at going to Broward Days, and see how many Commissioners.

COMMISSIONER GUNZBURGER: I just thought I'd put that out there.

MAYOR WEXLER: Thank you for reminding me. Thank you.

Vice Mayor Ritter.

VICE MAYOR RITTER: Thank you, Mayor. It seems to be the will of this Board to fund this. I'm going to go along, although I think that this is not something that we should be doing anymore for a variety of reasons.

First of all, Broward Days doesn't send people up to Tallahassee. They send themselves up. They pay a registration fee. They pay for their own airfare. They pay for their own hotel. And their registration is basically funding the parties that Broward Days hosts for the legislators. I'm not sure that it is seemly in this time of budget cuts to go up to Tallahassee and eat bacon-wrapped shrimp and drink appletinis at a function paid for by taxpayer dollars. We all go up during Tallahassee, during -- whatever, or JB or Seven and C&C or whatever they drink up there, Maker's Mark.

We all go up during session anyway. We all lobby Broward County issues anyway. We all ask our legislative delegation to help lobby Broward's -- Broward's legislative issues anyway. After having gone through eight Broward Days as a legislator, and, while I understand that the leadership may have changed, having gone through eight Broward Days, I, quite frankly, didn't see much benefit to it as a legislator. There was a lot of vetting of leadership legislators and cabinet members and members of the executive branch. There was not a lot of vetting of the other side. And there are two sides in Tallahassee. Perhaps that's changed.

COMMISSION MINUTES

I look at their board of directors. None of us are on their board of directors, although we do fund them \$5,000 and have. None of us, to my knowledge have been invited to be on their board of directors. I've looked at their committees, and I think some of us may serve on committees now, but in the past, that has not been the case. We get invited to their receptions, but we don't get invited to much more that they do.

During the course of year, I get all their invitations, too. I choose not to attend their functions. I consciously choose not to attend their functions, because I have never seen any significance to the Broward Days days. These people go up anyway. We go up anyway. The public goes up every now and then anyway. I understand that this is an opportunity for 200 or 300 people to go up at the same time, but the city commissioners and the cities I represent go up anyway. Broward Days is just another -- another time for them to go up, plus all the other times they go up during the session. And I think in this time of budget cuts this is an inappropriate way to use the taxpayer dollars.

Having said that, I'm not going to -- you know, I'm not going to pull it off or withdraw or any of those procedural things. I'm going to -- you guys want to fund it, go ahead and fund it. I said last year that I was going to oppose it when it came up this year. I'm going to be consistent.

MAYOR WEXLER: Thank you.

Commissioner Keechl.

COMMISSIONER KEECHL: Thank you. Commissioner Ritter, I remember the conversation last year, and I voted against it because of the comments you just made right then, right now. So I don't know, unless one of your -- one of our colleagues comes back and explains why you're wrong, I can't vote --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER KEECHL: -- I can't vote for it. You know, we spent some time, thanks to the leadership of our Mayor, at the last Commission meeting talking about a \$10,000 expenditure dealing with the foreclosure blue ribbon panel. And I can think of a better way to spend \$5,000.

So for two years in a row, you have made a very good argument that we should not be spending taxpayers' money for this. So unless I hear something else, I'm going to vote like I did last year, with you -- or like I did last year, against this. Thank you.

MAYOR WEXLER: Are there any other comments, Commissioners?

Commissioner Lieberman.

COMMISSIONER LIEBERMAN: First of all, this is a lowered amount from what we've given them in the past. There have been times we have co-sponsored luncheons. For example, one year I believe we had a donation of 20 or \$25,000.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LIEBERMAN: In fact, I think Commissioner Jacobs and I -- yes, right, it was the Vice Mayor and I was the Mayor, and we did that so that we could have a luncheon on the plaza.

I need to tell you that this is -- the taxpayers' money doesn't go for appletinis and the taxpayer money doesn't go for meals. We are a minor, minor sponsor at \$5,000, extremely minor. But it's called Broward Days, and it's about Broward County, and it's about Broward County issues.

COMMISSION MINUTES

With respect to being invited, I am invited and am on the steering committee. I asked for that appointment. I was given that appointment by the previous Mayor and the current Mayor, and I attend on a regular basis. Pamela Landy from Intergovernmental attends their steering committee meetings. Next year, if someone wants the honor of attending these meetings on the various days that they meet for several hours of a day, I will be more than glad to give up that responsibility to anybody who would like to have their day changed so that they can, on a day other than a Tuesday or Thursday, spend it with the steering committee of Broward Days.

In addition to that -- should I stop?

MAYOR WEXLER: No, no, no. Please, go ahead.

COMMISSIONER LIEBERMAN: Okay. In addition to that --

MAYOR WEXLER: I planned it. I planned it.

COMMISSIONER LIEBERMAN: -- while there may be cities that come up throughout the year through the time that Tallahassee is in session, I think that Commissioner Jacobs and I would tell you the first thing, it's probably one of the -- the same thing. It's probably one of these things where she or I would say we're reading each other's notes. Is the difference is a lot of the everyday citizens from Broward County who go up, who are not city officials, who are not school board members, who are not County Commissioners, are people from our business community, and that is the only time they go to Tallahassee.

And they help us on environmental issues. Some of them have helped us on issues pertaining to the Everglades. A number of them have helped us on our affordable housing issues. And I just think that, though we've lowered the amount of our commitment to this level that this is -- and it's already budgeted. The item that came to us last time was not in our budget. We were looking for unbudgeted funds. This is money that's in the budget. The time to discuss continuation is at the budget process.

This is nothing more than taking the money that's already budgeted and putting it for its intended purpose. And I think, at this particular time, we can use all the friends we can get in Tallahassee.

MAYOR WEXLER: Commissioner Jacobs.

COMMISSIONER JACOBS: Just one last thought on this issue. And that is that every one of the 67 counties -- well, not every one, but the majority of the counties, have their day and they go up and it's a chance for those counties to shine. Most counties, like Palm Beach County and Miami-Dade County, put on events that they completely fund themselves, and they're very expensive. Broward County doesn't do that. We took the different tack which was let's reduce the cost, let's find someone else to sponsor it so we can still have our day and still shine.

To be able to contribute even the smallest amount, I would remind you that there was a day when we talked earlier about the land use fight that we had within the League of Cities at one point. I remember Commissioner Lieberman and I on either side of the governor standing there, it was a combination day for Miami-Dade and Broward County, stirring paella with access to the governor in a relaxed in environment that we may not normally have had, because of these events. And the lion's share of that event, of course, was not funded by Broward County. It was by Miami-Dade. We were in the sole position of a small sponsorship, but still enjoyed the benefits of a day.

COMMISSION MINUTES

So to the degree to which it's a small contribution, and I -- I hear you on the point about the \$10,000. I would remind you that last year I begged for \$2,000 just to keep historical preservation a placeholder in the budget, so I am not -- it is not that I am unaware of the importance of 2,000 or \$5,000 in our overall budget. I do just think that it's important for Broward, who doesn't enjoy the best of images up in Tallahassee, is given a chance to shine and show that we are much more than just renegade Democrats down here. We are -- we have a lot of other positions and a lot of other ideas that reflect a whole different county mentality, and it's a good -- it's a good way to highlight what we're doing.

MAYOR WEXLER: Commissioner Wasserman-Rubin, you had your hand up, followed by --

COMMISSIONER WASSERMAN-RUBIN: I have always felt that I could go to Tallahassee at any time, if our staff, for instance, if Pam calls up and says there's something coming up tomorrow or the day after, I don't have any problem, you know, if there's nobody else that can go, I would go and advocate for the issues that this Commission has embraced.

I have had similar concerns about the effectiveness of this, of all of us going up there. Quite frankly, if we have a very good rapport, and we all do with the cities that we represent, we can always go to their city commissions and mingle with the public as we wish.

I recognize that it's not that much money involved, and I think, however, that to use Broward Day Tallahassee gives the people an impression, some people an impression that this is our day as the Commission day, not the county and primarily business people that are traveling.

I'm also thinking that, as Ilene mentioned, something about the benefits that we sometimes get from our business, you know, acquaintances and contacts; I'm pretty sure they would still give those to us if we asked them locally. I don't think that they're only going to give it to us if we participate over there.

Again, I felt very comfortable. In fact, when I went, if you recall the Geller amendment, remember that? The Geller bill. That --

MAYOR WEXLER: The land development one? Okay. Yes.

COMMISSIONER WASSERMAN-RUBIN: The first one. The first one. I was -- I went into the governor's mansion, I had not -- office, no problem getting there. I just made the appointment. It wasn't Broward Day Tallahassee, and he immediately reacted to it and got things in motion.

So I don't -- I guess I don't feel -- when we first had Broward Day Tallahassee, it was exciting. It was everybody in the bus and everybody -- and it was promoted by the county. Now it's been taken over by --

COMMISSIONER GUNZBURGER: By the businesses.

COMMISSIONER WASSERMAN-RUBIN: -- the private. And I know, I know, I know what you're saying, Kristin, but we go through this every single year. I mean, I -- I just think that we would be more effective if, given the particular tenor of the legislature, whatever year it happens to be, that when we have issues that we can advocate for out of our legislative package, we can all go up there at whatever time we need to, but I don't really see the -- I guess I don't see it as that much benefit, other than what we could get anyway if we were to pick up the phone and call any legislator. But if our staff feels that we should be there for any given reason, any of us would be glad to go on any issue. So I'm --

COMMISSION MINUTES

MAYOR WEXLER: You know, as I'm out there talking about the budget shortfalls and the public/private necessity, and working with other government entities, yeah, I'm thrilled that the shift is away from Broward County government and the School Board of Broward County, and that the shift is to business. I'm thrilled with that. And that's what I see, because I see that it's so important for us to utilize those resources and opportunities in the private sector, to be able to have the conversation with Citrix, to be able to have the conversation with Bank of America, to be able --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: Yes, we can. Yes, we can. Any one of us could pick up the phone at any time and have those conversations. But to come forward, you know, Commissioner Jacobs serves on the steering committee. At the beginning of this year, I sat down with Jo Moscovitz, I sat down with Jerry Mazlyn, I said, I don't like all of these committees. You are just a million committees and you need to streamline, you need to focus more in order to accomplish what you want to accomplish. And-- and they heard, they heard that.

So I think that, again, if you're not part of the process, even Broward Day process, and the individuals, I just think that we would be poorly looked upon by other government entities and private sector if we didn't participate in Broward Days.

And I'm done. Commissioner, Vice Mayor.

COMMISSIONER GUNZBURGER: Thank you. I've been sitting here thinking, because I've been supportive in the past, but I heard from a former state legislature and then I thought of -- Mayor?

MAYOR WEXLER: I'm sorry.

COMMISSIONER GUNZBURGER: I thought of the Public Hearings that we're going to go through with our public workshops with agencies that are going to be looking for that -- I realize it was in this budget, but that was before we had the numbers that we got from Ms. Henry. If you look at the latest thing that we just got passed out that, there isn't going to be money even to fix up the animal care facility -- well, at least not to have the architectural and engineering services -- I think perhaps every dollar that we look at, and \$5,000 that probably could take care of five children, ten children, who knows where and what. It wasn't -- I -- Commissioner Lieberman, I know it wasn't budgeted for that, but it's money that could be reallocated, and I don't know if this is the wisest way to -- to spend \$5,000.

MAYOR WEXLER: Just a second. Vice Mayor --

VICE MAYOR RITTER: Thank you.

MAYOR WEXLER: -- and then Commissioner Eggelletion, and then back to Commissioner --

VICE MAYOR RITTER: Thank you. Commissioner Gunzburger, you're right. Just the fact that it was budgeted for this year, we're going to have to cut this year's budget based on the January 29th vote. We all knew that going in last October, that if it passed, we were going to have to cut this year's budget, and programs that were in the middle -- in the middle of the pipeline would have to be cut.

I think that if we wrote a letter to the people of Broward Days and said due to budget shortfalls, we can't financially support the program this year, but we will be willing to offer our support as Commissioners, quite frankly, I think it would be a very good thing for the public to recognize that we recognize that some of the things we did in the past, we can't do anymore. And one of them, unfortunately, may be -- may be Broward Days.

COMMISSION MINUTES

And what's interesting is that when you go up and you talk about meeting with business people and lobbying the legislature on the issues like the Geller amendment, that Geller amendment didn't even take place during Broward Days. Broward Days is only two days. There are 58 other days of the legislative sessions where our issues come up and, believe it or not, the legislature doesn't wait for Broward Days to hear all of Broward's issue. It goes from week one through week nine. And we can be just as effective, in my opinion, if -- whether we participate or not.

And I believe we should be saving this money and putting it elsewhere.

MAYOR WEXLER: Commissioner Eggelletion, followed by Commissioner Lieberman.

COMMISSIONER EGGELETION: Listen, this is \$5,000. The world isn't going to come to an end for \$5,000 out of a \$3,000,000,000 budget, okay? And let me just say, I understand how tight money is and that sort of thing. I think I'm a real fiscal conservative, but -- and I, too, have served in the legislature. And let me just tell you, you know, this is not the time to cut off your nose to spite your face. I'm going to support the \$5,000.

You have an incoming leader, Atwater, although he's a Republican, he's from Broward. He's seemed not to take the position of -- I'm not going to call names -- of another Republican who takes the Republican line. He takes the Broward line. Okay? He looks out for Broward first. At least that's what it seems to me. So I don't think this is -- this is the right time for us to start fighting this.

Secondly, listen, I understand that bills don't occur just during Broward Days. Bills occur from interim committee meetings all the way up through -- through the sessions. However, no one can sit here and tell me, because I've been there, there is a surge of Broward talked around the capital, as it is a surge of Manatee County, Duval County, all those counties, those days, members are buzzing about those particular counties. So there is some goodwill.

This is -- we used to do a lot more than this. This is a limited amount of money. And so for the limited amount of money and what you get for it, I think is good. People get to see you, you bring folk up. We should be encouraging more people to go up, but to pay their money and go up, so that you do have that impact.

And let me just say, times have changed in Tallahassee. You can no longer invite members out to eat the food that we may provide, because it's illegal now. So times have changed. So we have to do different things than we have done in the past.

So I'm going to support the \$5,000. This is not going to break us, and we need all the goodwill we can get. I understand the change in the legislature.

(COMMISSIONER RODSTROM JOINED THE MEETING VIA TELEPHONE.)

COMMISSIONER EGGELETION: I'll suspend my talk so you can go ahead and take him.

MAYOR WEXLER: No, no.

COMMISSIONER EGGELETION: But I just think we need to go ahead and pay the \$5,000 and get it over with.

MAYOR WEXLER: Commissioner, if you'll just hang on the phone, we're on the Broward Day item. We're almost --

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COMMISSIONER EGGELETON: And, madam mayor, if there's no more else to talk on this, I'd like to just call the question.

MAYOR WEXLER: There are two other -- there are two other Commissioners to talk, and I hope they're going to be brief.

Commissioner Lieberman and Keechl.

COMMISSIONER LIEBERMAN: I'll wait for Commissioner Keechl. I just want to move the motion.

MAYOR WEXLER: Okay.

COMMISSIONER KEECHL: Just quickly. I'm going to vote for it this time. Commissioner Lieberman, you're on the steering committee, that makes a difference to me. This probably should not be in the budget next time. And so, you know -- so I'm done.

MAYOR WEXLER: Then let's make a note -- let's make a note, so that we give them fair warning ahead of time, okay? Please.

Commissioner.

COMMISSIONER LIEBERMAN: I just want to move the question, Mayor. That's all I --

MAYOR WEXLER: You want to move the item with the same amount as the previous year?

COMMISSIONER LIEBERMAN: Same amount as the previous year.

MAYOR WEXLER: Okay.

COMMISSIONER EGGELETON: Second.

MAYOR WEXLER: Seconded by Commissioner Eggelation.

Any further discussion?

(COMMISSIONER WASSERMAN-RUBIN RETURNED TO THE ROOM.)

MAYOR WEXLER: Commissioner Wasserman-Rubin.

COMMISSIONER WASSERMAN-RUBIN: In deference to Commissioner Lieberman, because I don't want her upset, I'm going to vote yes. But I do -- but I do agree with Commissioner Keechl, maybe next year we should really look at it and take care of it. So that it doesn't have to be a fight every time we vote against each other.

MAYOR WEXLER: On the item, all those in favor indicate by aye.

Opposed, like sign.

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Okay. Opposed, like sign, please indicate Vice Mayor Ritter and Commissioner Gunzburger as a no vote.

VOTE PASSES 6 TO 2 WITH VICE MAYOR RITTER AND COMMISSIONER GUNZBURGER VOTING NO.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: No, they're not -- they voted in the -- against the item.

Commissioner Rodstrom, did you want to be recorded as a vote on Item Number 52?

COMMISSIONER EGGELETTION: He's gone.

MAYOR WEXLER: No, he's not gone.

COMMISSIONER EGGELETTION: No, he's still there.

MAYOR WEXLER: Is he gone? Commissioner Rodstrom?

COMMISSIONER EGGELETTION: Commissioner.

MAYOR WEXLER: Commissioner Rodstrom, are you there? Okay.

COMMISSIONER RODSTROM: Hello? Yes. Hello?

MAYOR WEXLER: Commissioner Rodstrom, we just voted on Item 52, which is Broward Days to continue the \$5,000 funding this one more year.

COMMISSIONER RODSTROM: Hello?

MAYOR WEXLER: Commissioner, can you hear me? Hello?

COMMISSIONER RODSTROM: Yes, I can hear you. Hello?

MAYOR WEXLER: Okay. Do you want -- yes, you can hear me?

COMMISSIONER RODSTROM: Yes, I can hear you.

MAYOR WEXLER: Okay. I am going -- I am going to recess the regular meeting from 10:00 a.m. this morning and I'm going to reconvene the 2:00 p.m. Public Hearing.

(THE MEETING WAS RECESSED AT 5:07 P.M. AND RECONVENED AT 5:09 P.M.)

(COMMISSIONER RODSTROM LEFT THE MEETING.)

REGULAR AGENDA

MAYOR WEXLER: We can now adjourn -- right?

COMMISSION MINUTES

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: No, no. I'm adjourning the 2:00 p.m. meeting. Okay. I am now reconvening the 10:00 a.m. meeting.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: We are now going to ask -- is your pleasure to answer whether you have any interest to go to Broward Days now, or do you want us to poll your offices?

COMMISSIONER LIEBERMAN: Poll the offices.

COMMISSIONER EGGELETTION: Poll them.

MAYOR WEXLER: Let's do it that way. Let's do it that way, okay? And pending on what we hear, we'll direct whether we cancel meeting of April 22nd. We have plenty of -- plenty of time.

AGENDA ITEM 56

MAYOR WEXLER: We are now on Item Number 56, Commissioner Eggelletion.

COMMISSIONER EGGELETTION: Yes, let me tell you why I pulled 56. In reading Item 56, I'm a strong proponent of affordable housing, but in reading this item, Commissioner Gunzbarger, you know, I think that we need to get an analysis from our staff and from the County Attorney on this, because in reading it, and I checked with the County Attorney, this is -- this is Senator Fasano's bill. What it seems as though this is doing is giving corporations, particularly those that own large mobile home parks, \$50,000,000 of trust fund money to preserve their mobile home park.

And I just think that until we get a bill analysis that we should not endorse this bill, based on the way I read it, because I can't get a clear definition of exactly what they're doing here. And I asked Mr. Newton, and I think he feels the same way, but I'll let Mr. Newton talk to this bill. But I'm a strong proponent of affordable housing, but understand what this does, this yanks away \$50,000,000 of affordable housing money and provide that for what could have been a slum lord's property or what is a -- remember, this goes to the -- the bill speak not to mobile homeowners, but mobile home park owners, which is a person who owns a large mobile home park. And usually it's a corporation, and the bill is very specific about that.

So I would suggest that we get a bill analysis.

COMMISSIONER GUNZBURGER: I have no objection to defer it until we get --

COMMISSIONER EGGELETTION: Get a bill analysis.

COMMISSIONER GUNZBURGER: I had gotten this from the Homeless Initiative Partnership. I would be glad to send this back for an analysis before. I do not want to do that. All I'm concerned with is the mobile home parks that are closing and people are being given \$1800 and told go find a place to live.

MAYOR WEXLER: Can we have that by our February 26th meeting, the next Commission meeting?

MS. HENRY: Yes.

COMMISSION MINUTES

COMMISSIONER EGGELETON: Yes, Pam Madison says yes. I see her shaking her head.

MAYOR WEXLER: Okay. Thank you. Commissioner, do you want to -- do you want to defer this?

COMMISSIONER GUNZBURGER: I'm going to defer this until February 26th.

MAYOR WEXLER: It's been moved to defer --

COMMISSIONER GUNZBURGER: Thank you.

MAYOR WEXLER: -- seconded by Commissioner Keechl.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

MAYOR WEXLER: Thank you. I believe that concludes the Agenda. County administrator's report?

COUNTY ADMINISTRATOR'S REPORT

AGENDA ITEM 53

MS. HENRY: Thank you, Commissioners. Before I outline a couple of events as part of the Administrator's Report, I -- I apologize. I forwarded, through Item Number 53, a request that we put on hold an RLI for the architect and engineering services for our animal shelter.

As you know, the budget office and the rest of the staff is going through the process of a thorough evaluation of all our CIP, as well as any other major initiatives that we can suspend until such time as we go through this budget process. We have quite a few ideas about how, going forward in the future, we might deal with some of these issues. They may not come through, and this item would come back if need be. But for now, as this item will -- there will be an SC before the Board meets again, I do have to kind of bring this to your attention today. And, again, I apologize for getting it to you late.

MAYOR WEXLER: Okay. Vice Mayor, did you want to ask --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER GUNZBURGER: See, we're all --

COMMISSIONER KEECHL: That's okay.

MAYOR WEXLER: You're right, it's very confusing.

COMMISSIONER GUNZBURGER: He doesn't look anything like Stacy.

MAYOR WEXLER: I know. He's got better hair than all of us, all of us.

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COMMISSIONER KEECHL: Here we go. We've already short listed, right, but we haven't gotten a presentation, I think, on this one?

MS. HENRY: Right, you have a selection committee that will come out to do presentations.

COMMISSIONER KEECHL: I am a big proponent of this item. However, I am reminded that nothing is off the table -- or everything is on the table, and so with much regret, Ms. Henry, I will agree to do this.

I do think that your timing is also appropriate, although I'm sure this isn't why you did it, because we're waiting, and I think we're going to be getting an item very soon from Beth with regard to the hiring of the Humane Society of the U.S. or the other entity.

MS. HENRY: Yes, to do the study.

COMMISSIONER KEECHL: And they should probably be looking at this as well.

MS. HENRY: I agree.

COMMISSIONER KEECHL: So in light of where we are with Amendment 1, I will regretfully support your position on this.

Thank you, Mayor.

MS. HENRY: Thank you.

MAYOR WEXLER: Thank you. Does that conclude your report?

MS. HENRY: No, it doesn't conclude the report. I just wanted to highlight a couple of things.

MAYOR WEXLER: Thank you.

MS. HENRY: First -- first of all, we are finally having our first major league sporting event at Central Regional Park. It is a professional soccer match, and it is a competition between the Colorado Rapids and the Real Salt Lake Team, whatever that means. So, anyway, we'll be promoting that, and hopefully, again, people around the country will get to see our wonderful facility.

In addition to that, I also, again, the FAA Southern Region of Airports Division has again awarded the Fort Lauderdale-Hollywood International Airport, our airport, the 2007 Air Carrier Airport Safety Award. So this is something the staff obviously worked very hard at, and we're very proud, we're a safe airport, and the public should know that.

And, finally, I know that it's storming outside. I believe it's going on. But we are still in a drought, and I just want to point out that we -- we are involved in a number of activities between February and the month of March, one of which is our NatureScape program. We're holding seminars all this month to help our residents and educate them on our drought resistant plantings. And we also are gearing up for Water Matters Day, which is March 15th at Tree Tops Park.

And that would conclude my report.

COMMISSIONER GUNZBURGER: It's -- also, we're under a tornado watch until 11:00 tonight.

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MAYOR WEXLER: Right now?

COMMISSIONER JACOBS: Until 11:00 o'clock?

COMMISSIONER GUNZBURGER: Yeah.

MAYOR WEXLER: I wouldn't even know if it was snowing outside. Would you?

COMMISSIONER GUNZBURGER: No.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR'S REPORT

AGENDA ITEM 54

MAYOR WEXLER: Not snowing. Okay.

I just wanted to briefly give you an update. Friday, Pam Madison and myself, this past Friday, attended the subcommittee for the Charter Review Commission's Land Use Subcommittee. There were four members in attendance of the committee. There was a great deal of -- it went on for two hours of spirited debate, and in the end, the vote was 3 to 2 -- I'm sorry -- there's only -- there's only four people. How could it be 3 to 2? 3 to 1 -- at least I knew I didn't add it right. 3 to 1 to not move it forward.

However, we have the agenda, folks, for tomorrow's full Charter --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: Yes, it is. Charter Review Commission meeting, and the Land Use Chair Subcommittee reports. Right there is composition of Broward County Planning Council and the resolution. So Pam is going to monitor it. I'm not coming downtown until about 2:30 in the afternoon. They may very well have not gotten to it until that point. I've had two times in the barrel with them.

We were successful regarding getting the Commission's point across regarding adding five members appointed by the League of Cities that was defeated in their subcommittee, and this was defeated as well. That was the item that we debated and -- and tried to get clarification on, on how -- on how we make our municipal appointments. It's really a matter of, does it go in the charter or doesn't it go in the charter, and that's where the debate, I suspect, will be tomorrow.

So I'm going to suggest that if you feel comfortable calling your appointments to the Charter Review Commission and sharing with them whatever your position may be -- because it is an issue. Even members of the subcommittee weren't really clear with the rich history, and so we provided multiple minutes of when direction was given, when the resolution was written, and it was still very much debatable. Until it -- until there is some type of action taken by the entire Review Commission, it ain't over. So I did want to give you that point of information and that head's up.

Commissioner.

NON-AGENDA

COMMISSION MINUTES

AGENDA ITEM 58

COMMISSIONER JACOBS: If I could, one of the issues we thought might be on tomorrow's agenda is not going to be there, and that's because the Land Use Committee chair is not going to be there, and that's where this item falls.

MAYOR WEXLER: Yes.

COMMISSIONER JACOBS: So it may be -- you never know, with the way that they seem to make rules up as they go. But the issue of it not passing a committee, that this is simply supposed to be a report tomorrow, and the chair of that committee is not going to be at that meeting, so it is possible that it is simply just some document that's being handed along. Just one of those things to tuck in the back that may or may not happen.

MAYOR WEXLER: Thank you. Thank you. Pam is going to monitor it. If it looks like there's something that's going to be moving forward, I'll get a phone call, and I'll come down here immediately and, you know, address them.

COMMISSIONER GUNZBURGER: (Inaudible).

MAYOR WEXLER: No, we have no idea -- you know, they may have an agenda, but they take things out of order. I mean, it's -- it -- it happens to be the last thing on their agenda tomorrow, but that doesn't mean that it's going to be taken last, if it's taken at all. And if it's just a committee report that's passed on, so be it. That will be fine. But thank you for sharing that. We will go around the queue.

COMMISSIONER KEECHL: Thank you, Mayor. I have one thing about the charter review, ironically. I think they're doing a good job and their heart is in the right place, so I don't want my comments to be taken unintentionally as a criticism. But I do have concerns about something that's coming up tomorrow, Mayor. There is a -- an ethics issue, and I've been -- I've been watching the -- I'm trying to find it -- I've been watching the meetings in my office, and I watched -- I mentioned this once before. I watched a meeting where I felt we were kind of treated unfairly as a whole with regard to our ethics or lack thereof. And I'm sure your appointments meant well, because Commissioner Ritter and I don't have any appointments, since our predecessors appointed them.

MAYOR WEXLER: I've been there.

COMMISSIONER KEECHL: But there -- there were three issues, as I remember, dealing with ethics. One was a lobbying issue where they felt it was inappropriate for us to lobby. They killed it.

One was an issue where they felt it was inappropriate for us to solicit even charitable items, which I had a strong First Amendment view on, but they killed it.

But then there was a catchall, and it's a catchall that I'm concerned about that I may be speaking with them tomorrow about. They've got for discussion tomorrow, and possibly the approval of a resolution, the creation of the Broward County Ethics Commission. And the whole idea behind this is we have not, in their view, gone far enough in adopting ethics. And I'm not interested in debating with them or anybody else whether we have or we haven't, although I do remember passing two ordinances on this topic.

But what concerns me is this proposal provides that there will be a Broward County Ethics Commission appointed, who will come up with a Broward County Ethics Code, and if five of the nine of us oppose it -- and my concern is, five of us may oppose one provision in it, but not another provision, that

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they will immediately send it to the voters in a special election. And I think this may be overkill, and I want to talk to them tomorrow if I'm able to; I also have other meetings, because I think in light of where we are budget-wise, the idea of us -- of them putting on the ballot the idea of creating an Ethics Commission who then comes up with a Code of Ethics, and if we don't vote for it, the five of us don't vote yes, it goes on the ballot for a special election as soon as possible, may be a bad idea.

So if anybody has any thoughts on that.

COMMISSIONER EGGELETON: I just want to ask you a question, Mayor, if you don't mind.

MAYOR WEXLER: Are you going to be here tomorrow?

COMMISSIONER KEECHL: I'm going to be here in the morning, and it's early in the morning, so I intend to go over and talk to them and express my concerns, especially with regard to a special election as soon as possible. But also the unintended consequences that can occur from this proposal, which I'm sure it was done in good faith.

MAYOR WEXLER: Do you want to address this?

COMMISSIONER EGGELETON: I just want to ask him a question about this.

MAYOR WEXLER: And then, Commissioner Lieberman, you wanted to address it, too?

COMMISSIONER EGGELETON: Did I hear you just say, Commissioner Keechl, that the deal is if five of us vote that it should not go on the ballot then it automatically goes on? Did I hear you say that?

UNIDENTIFIED SPEAKER: No.

COMMISSIONER KEECHL: If the Broward County Commission fails to adopt this Code of Ethics --

COMMISSIONER EGGELETON: If we fail to adopt --

COMMISSIONER KEECHL: -- which is more than one thing --

COMMISSIONER EGGELETON: Yeah.

COMMISSIONER KEECHL: -- proposed by this commission --

COMMISSIONER EGGELETON: Right.

COMMISSIONER KEECHL: -- then it shall be presented to the electors of Broward County for consideration at a special election to be held as soon as possible.

COMMISSIONER EGGELETON: Well, that's the same thing. So that it -- what it means is that they're going to put it on anyway. So --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER EGGELETON: But, yeah -- no, even -- no, they said that if we don't vote for it. So let's say we don't vote for it. Then it goes to the voters. If we do vote for it, it still becomes law. So it's like it's a win/win for them, period.

COMMISSION MINUTES

You know, I think that's a bad way to do business. I just -- you know, don't like negotiating with a gun to my head --

MAYOR WEXLER: Yeah.

COMMISSIONER EGGELETON: -- and that's what that does. It's not that I'm opposed to ethics. I mean, Florida -- look, Florida has the toughest ethics laws in the nation, period. Okay? In the nation. And that is documented fact. So I don't know what this group is talking about, but, you know, I don't talk to Mike, members on the panel, and I don't want to talk to them now. So let them vote however way they feel.

UNIDENTIFIED SPEAKER: (Inaudible).

MAYOR WEXLER: Commissioner Lieberman, did you want to ask Commissioner a question?

COMMISSIONER LIEBERMAN: No, but I want to follow up on what he's saying. I know that all of us have been following Charter Review with interest. I have to tell you that I am becoming increasingly concerned about the conflict path we seem to be headed on with Charter Review, and I'll tell you what I think it is.

The voters of Broward County overwhelmingly, higher than the state percentage, voted for Amendment 1. It only passed in the state by 63 or 64 percent; it passed in Broward County by 71 percent. So the message we got from the voters is reduce bureaucracy, find other ways to do things. And that commission is looking at various items without considering cost impact.

COMMISSIONER EGGELETON: Correct.

COMMISSIONER LIEBERMAN: There is no requirement when those issues go to the ballot that there be anything that tell the voters how much that item costs. And just so that you know, I asked staff -- and I have to tell you, and I know that many of you know this, that in my private life I've represented elected officials in front of the Ethics and Elections Committee, and I would agree with Commissioner Eggeleton that we have very strong ethics and elections laws in this state.

The problem is that you have some individuals, possibly, you know, some other media who have come to a different opinion contrary to what the law says and believe that the law should be changed. But that's in the jurisdiction of the legislature, not anywhere else.

But I have to tell you, I asked staff to take a look at what the budget was for the Miami-Dade Ethics Commission. You would be shocked if you were to learn how much money it costs for them to have their own ethics commission, and some of the issues they're getting involved in -- and I'm trying to be as tactful -- this is so difficult for me -- as I can be -- in that they have actually pre-approved and waived conflicts for individuals.

So I don't know how we're going to deal with this situation where you could -- we could sit in days of budget hearings, and we can fund things that are critically dear to our residents, like parks and libraries and social services, and you could have impacts from charter questions, because this group of people is not looking at financial questions at all.

And I don't know how -- I'm as frustrated as you, Commissioner Keechl, because every time I go there, I say, does anyone know what this costs? And you hear the dead silence in our room? I get the same silence there. And I say to them, has anybody done a cost analysis?

COMMISSION MINUTES

The meeting they had before this, as you know, was a very hot meeting, and you had some members who said to them, has anyone looked at what the cost would be? And so I don't know whether it's an amendment to our code that says that Charter Review must include an economic impact statement with every charter question, so that the voters, the very same voters who said to us, cut a hundred million dollars from your operations next year, understand that at the same time they want us to cut a hundred million, that they might be increasing the budget by voting for this item or that item. And some of them sound wonderful, but they nonetheless have a price tag. And if we're talking about informed voters they should know both sides of the issue.

So, Mr. Newton, I don't know what to do, because clearly there's not the ability for us, between now and the November election, to require a cost impact statement along with these items that are being proposed. But I think many of you would be shocked when you would look at what the financial is that literally Charter Review could impact our budget significantly and cause us to have to close facilities in order to meet the mandates from Charter Review. I just would like them to make informed decision-making.

MAYOR WEXLER: Okay. Well put. Thank you.

Commissioner Keechl, are you through? Did you want to comment on the same, on Charter Review?

COMMISSIONER JACOBS: Just one, if I might, one -- if you are going, Commissioner Keechl, I'm not sure if the number has change, but my memory is that a special election is about half a million dollars.

COMMISSIONER LIEBERMAN: Oh, it's much more than that.

MAYOR WEXLER: It's more than that.

COMMISSIONER JACOBS: So whatever the new number is, that's the number that it used to be.

COMMISSIONER KEECHL: I've asked them to get the number for me.

COMMISSIONER JACOBS: But would be to remind -- remind this board of that one budget -- just by asking the question, what that equates to in funding. You know, it's a quick, down and dirty for them to really get the idea what they're proposing, what it costs, the impact to the budget.

COMMISSIONER KEECHL: Okay. Thank you, Mayor.

MAYOR WEXLER: Thank you, Commissioner.

Commissioner Gunzburger?

COMMISSIONER GUNZBURGER: In the interest of brevity, no.

MAYOR WEXLER: Oh, thank you.

AGENDA ITEM 59

MAYOR WEXLER: Commissioner Jacobs.

COMMISSION MINUTES

COMMISSIONER JACOBS: Yes, I had a couple of things. One of the things I passed out was something you may have heard of. It was tagged TABOR when it passed in Colorado, and it is something that the Taxation and Budget Reform Commission is looking at, and I sent around. It made it through its first hurdle, the committee. Whether it makes it through its second committee, I don't know. But basically what this -- what the TBRC is proposing is it imposes limits on the form of government spending in the form of caps, not just on revenue caps, but also on all fees, every single impact fee that Broward County charges in order to make our roads pay for itself, and all the other myriad fees that we have in order to make development or growth, which we know growth does not pay for itself, but these things would be off the table and the only way that we would be able to adjust these fees would be to go before the voters. So this is a very interesting proposal. They attempted to take some of the most egregious things out of it that you'll find in the Colorado legislation, which is important to know that Colorado put it on hiatus for five years because of the unintended consequences of TABOR, and that it's being anticipated here.

The other thing that TBRC is looking at, that is something we -- I fully would support, and that is the issue of unfunded mandates, following the New Jersey model, that would set limits on state government from passing anything that has an unfunded mandate, particularly things that might be very, very small mandates but that over time, as they say, death by a thousand paper cuts, could add up. So that has also cleared its first committee, and we'll see where it goes.

AGENDA ITEM 60

COMMISSIONER JACOBS: The other thing I wanted to mention was the memo that we received from Mr. Geoghegan about our insurance and our cost having actually gone down. I wanted to offer my congratulations. You may recall, if you saw the memo, that the renewal program provides -- our new insurance program provides a \$5,000,000 decrease deductible on windstorm, increased windstorm capacity of 250,000,000 versus 200,000,000, and a premium reduction of six percent, and all of this for less money than we had anticipated.

So this is -- this is quite -- quite impressive and, again, congratulations that they believe the improved market conditions, while they had something to do with it, the truth is that the fact is that we were pursuing other insurance alternatives, and that really drove everyone back to the bargaining table to save us significant dollars.

And I just wanted to -- it's the second time that Mr. Geoghegan's staff has gone in and really caught something early on.

MAYOR WEXLER: It was actually part of our two-year program as part of the results teams from last year that Vice Mayor is the liaison to this year.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: Yes.

UNIDENTIFIED SPEAKER: Reduction?

MAYOR WEXLER: No.

AGENDA ITEM 61

COMMISSION MINUTES

COMMISSIONER JACOBS: The other thing -- two other last things to bring to your attention. You may have seen the memo from Ms. Madison regarding the issue of fertilizers and the -- the task force that was put together, and their recommendations. This is a bill that came before us last year, which would preempt local governments from setting our own ordinances as relates to applications of fertilizers within our communities.

The -- I sit on the South Florida Water Management District's Water Advisory Commission, and this was greatly discussed there and believe it's coming -- it will be back again, and it's just something to really keep our eye on, particularly when you look at Ms. Madison's memo that talks about the different issues that they are recommending, they all run right back to one thing, NatureScape Broward that we are already doing as a means of reducing fertilizer. That we took a program that didn't say let's just conserve water, but let's also look at the pollutant loads that we're adding to our surface water bodies. And it's an important part of what the state is now mandating. Just wanted to call that to your attention.

AGENDA ITEM 62

COMMISSIONER JACOBS: And then, finally, speaking of pollutant -- pollutant loads, I have seen the memo that came out from Pamela Landy that was dated February 5th, dealing with ocean outfall. And I was a little concerned. We forwarded it on to Water Resources Division, and there were several points that came out of Dr. Jurado's -- in a memo that I've attached as a yellow sheet for you all, who raises some very relevant points.

And my concern was, Ms. Henry, that those points that she brings as a scientist and as a water resources division are different than those that our utility would raise, and I'm concerned that amendments and changes and the fluid environment of Tallahassee as this ocean outfall issue is moving forward, that she not be receiving these things after the fact and offering issues or suggestions or pointing out some of the disingenuous language that's -- that's been proposed by Tallahassee, but is, in fact, on the front end of that and would want to make sure that, certainly, in this case, she didn't know, she didn't see that memo until after the fact, and I think she should be part of the front end process, particularly when we get to session and there's -- and amendments start to fly on this particular bill.

MS. HENRY: I apologize. I thought that she was involved in these discussions throughout the latter part of last year and going into this year. I don't know if, Ms. Madison, you may want to just clarify, but we have been actively soliciting and having joint presentations by both our utility and water resources, so that we don't eventually run in two different directions.

COMMISSIONER JACOBS: Go in two different directions.

MS. HENRY: Absolutely.

COMMISSIONER JACOBS: Please don't misunderstand. I know that she has been to some of those meetings, but the memo that came out was a very look -- a gloss-over, basically, of some of the issues, and the issues that were brought forward Ms. Jurado, Dr. Jurado, really, I think, were significant in pointing out to the Board in flaws in ocean outfall and some of the conversations that previously -- promises and assertions made by the state to us in the last committee meetings, and how they have now seemed to change. And that was missing from the -- we wouldn't have known that except for having this other memo. So that's a concern for me.

MS. MADISON: If I could, the memo from Ms. Landy was really to put in context that when the Board had their ocean outfall workshop, formal legislation had not been filed, so it was a cursory review. We had already shipped that legislation out to all of the relevant departments.

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Jennifer's comments came in after this memo had gone out, because we were really trying to give you the salient points of our opposition. But the points that she makes in her e-mail are certainly points that have been already presented to members of the committee in our presentations in Tallahassee, as well as our individual meetings with senators. And we continue to coordinate that position, that there's a science part of this, as well as utility and environmental part of this.

So I don't believe that there has not been a coordination, and we actually have a meeting on Thursday to review what our written comments will be to DEP, because they've requested a stakeholder meeting in Tallahassee next week.

COMMISSIONER JACOBS: Okay. What I understand is that we have been -- we have been told by the state that there was some changes in the bill that were favoring Broward County's position. What is now coming out and what the state is up there saying is completely different -- I wouldn't say completely, but it is going off in a different direction other than that which they talked to us about.

That information, I would not have known, given the memo that just came out. So that is my concern that, in this area in particular, I need to stay abreast of it, and I believe the rest of the Board does, too.

MS. MADISON: And you will be kept apprised of it as a group. I mean, certainly we will send memos to the Commissioners, but be aware that we were only giving you based upon what the committee members indicated to us. There had not been anything formally filed when you all had your ocean outfall workshop. So what the memo was responding to was the first written document we had seen. So we'll continue to coordinate.

COMMISSIONER JACOBS: Thank you.

AGENDA ITEM 63

MAYOR WEXLER: Commissioner Lieberman?

COMMISSIONER LIEBERMAN: (Inaudible.) First of all, I want to share with all of you some good things. Recently I received an invitation from the Boca Town Center, from the Simon Malls, who as you may know, also operate the Coral Springs Mall -- Coral Square mall, and the Simon Malls in Boca proudly invite us to the official dedication of the new transit station at Town Center, designed and built by Town Center at Boca Raton in partnership with the City of Boca and Palm Tran, Wednesday, November 21st.

MAYOR WEXLER: That's swell.

COMMISSIONER LIEBERMAN: Someone sent this to me because they had saved this to show how inconsistently the same company was treating Coral Springs and Boca.

So I would respectfully request, Ms. Henry, that we ask Mr. Walton and perhaps -- the Vice Mayor and I, we represent Coral Springs, can assist in this matter to get a letter together from us, from the City of Coral Springs, asking just to be treated fairly, the same way they treat the City of Boca at the Town Center Mall, so that those individuals who ride mass transit will be able to have a transit center at the mall just like they have courtesy of the mall owner in Boca.

Are there any objectors?

MAYOR WEXLER: No.

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AGENDA ITEM 64

COMMISSIONER LIEBERMAN: Okay. All right. The second thing is, I think that one of the things that we need to work on, or that I'm asking staff to work on, is due diligence before we do things. And it's very frustrating, there have been a couple of issues that have come up which are particularly frustrating.

One is, we recently got a memo from Mr. Geoghegan that the \$7,000,000 that we hotly debated on this Board whether or not the Hilton should have in TDC money to backstop the financing, apparently we cannot do. And if you read the minutes that Mr. Geoghegan provided us when he met with the rating agencies, I would sincerely hope that, you know, when these things come up, the very first thing we ought to say is, let me check with Legal, because it makes us look kind of silly when we go ahead and we put these proposals out there later to be total that Legal has looked at them afterward and said that we can't do them. And I understand the memo has gone back to Hilton saying this won't work and find another financing scheme, but, really, for me the issue is with the rating houses and the funding houses that they went to see, the bond houses, that they said, yeah, you know, we can do this, and now we can't.

So when these things come up, we've got to ask Legal to be involved earlier in the process and look at these issues, and we have to ask staff, as we go through these issues, not to say we can do something without checking with Legal. That being said --

MR. NEWTON: (Inaudible.)

MAYOR WEXLER: It was bond counsel.

MR. NEWTON: Let me just say --

COMMISSIONER LIEBERMAN: I understand it's bond counsel. I understand.

MR. NEWTON: I just want to add to the fact that I think what happened here is that everybody got so wrapped up in the excitement of the proposal itself that -- that you didn't pay particular attention to the fact that, you know, you need to read the statute related to the tourist development tax and see whether or not there is a specific --

COMMISSIONER LIEBERMAN: You know, Mr. Newton, with all due respect, I appreciate the enthusiasm.

MR. NEWTON: All I'm saying, it's not just Mr. -- I'm just -- I'm taking some of the blame, as well, because it's not just Mr. Geoghegan, is what I'm getting at.

COMMISSIONER LIEBERMAN: You know, Mr. Newton, I appreciate the enthusiasm. If it were an isolated incident, I'd feel differently than I feel at this moment. They must have been equally enthusiastic when I nominated Mark Klein to the Living Wage Board, because first they said that he would qualify, and then they said that he didn't qualify, after we appointed them, embarrassing Mr. Klein.

What's fascinating, members, is I pulled the ordinance, and the ordinance says, no representatives of entities contracting with Broward County or Broward County members -- or Broward County employees shall be members of the board. Well, besides Mr. Klein, there are three other people currently sitting on the board with whom Broward County contracts.

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So I want to know why they weren't enthusiastic about those members. There are members on Charter Review who we got members back saying they meet the requirements, they live in our district. And nobody even checked with the Supervisor of Elections Office where they vote. And, PS, when you do that, they find they don't live in the districts. And the charter requires they be residents of the district. Charter says you have to appoint residents of your district.

So I don't know what we have to do. I've got to tell you, for me, either the other three people come off the Living Wage Board, or we amend this ordinance, because you don't discriminate against Mr. Klein. Nowhere is contracting defined, and these agencies have signed contracts. These people who sit here either are CFOs, officers of agencies who have contracts with us that get funding from Broward County. I'm just saying, I just want to be treated fairly.

MAYOR WEXLER: Due diligence has to be done. That's the point.

COMMISSIONER LIEBERMAN: You bet. That's where I'm going. That's exactly where I'm going.

AGENDA ITEM 65

COMMISSIONER LIEBERMAN: And then finally, I mean, to me, I understand that we sit as a Board of nine wallflowers. We're all very quiet. We don't feel passionately about anything, and thus our debates are highly -- or rarely energetic, right? Okay. So this morning when we were debating whether or not to continue funding for the outpatient services for The Starting Place, one of our colleagues said -- and I said we need to be consistent. We need -- we've never done this before, so we need to be consistent. And another of our colleagues said, well, if you feel that way, why didn't we stop funding Workforce One? And, by the way, we funded Think Life. So in the break -- I didn't want to say anything at that moment, because I wanted to check my recollection, because, you know, you sit here long enough, we vote on a ton of issues, you look at today's agenda, we voted on 56 issues, over time it mounts up and sometimes we can have different recollections of the same event.

So the first thing I said to Ms. Wilson is how did you let Think Life continue to get funding but you're recommending no funding here? She said, Commissioner, we closed them down. We never continued funding them. So the next thing I said is, so, Ms. Wilson, why are you funding Workforce One? She said, we don't fund them. I then asked Ms. Henry, can you check with Mr. Taylor in case they get funding some from where else? And I got an e-mail from Ms. Henry that says, we don't fund Workforce One.

So I would hope and I understand we cannot be -- sometimes we're not the easiest of people. I do. I realize that. But for me to be an informed policy member, I want to believe -- you know, when we have these discussions, I've come into meetings with one opinion based on what I heard from staff and others, and then I listen to other people's arguments and I think, gosh, you know, maybe this makes sense. And I can tell you, Commissioner Rodstrom, when he said, you don't want to be inconsistent, I started thinking, okay, well, you know, we funded these people, how can we be inconsistent. In fact, what we did today was inconsistent with what we've done.

So at some point, if staff knows that we are giving out wrong information, can they send you a note, or send you a note, or, Evan, send you a note and just say, point of information, Mayor, I just want to let you know that's not the case, so at least when we make our policy decisions, we have the right facts? Is that too much to ask?

MAYOR WEXLER: They're fearful to do that.

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COMMISSIONER LIEBERMAN: Well - and I'm not asking that they walk up to the podium, Mayor, and say, stop your discussion. I'm asking that they do something they should feel comfortable about. Give a note to Ms. Henry, give a note to Mr. Lukic, give a note to Mr. Newton, and say, those aren't the facts. Because I want to rely that when -- for me, it's a personality defect. I'm going to tell you, I want to rely that I've read these items, that I'm getting correct information, and I'm basing my decision on correct information.

It's truly troubling at lunch to have had this -- and I love Ms. Wilson. I think she's wonderful, but to have had the discussion and found out, you know, that we were given wrong information, I just would say, please make your staff comfortable with sending you a note, or Mr. Lukic a note, or Mr. Newton a note, when we go far afield and, you know, our memory is not correct, because I can tell you over time, and I will tell the Vice Mayor, Commissioner Keechl, you will see that will happen, sometimes you think, well, gosh, that's not how I remember, but maybe it's not right. If it isn't right, can we please have somebody, one of the three of you, say point of information, let me give you the correct information, so at least I can feel comfortable when I make a policy decision, I have all the right facts?

COMMISSIONER JACOBS: And, Mayor, may I add something to that last comment?

MAYOR WEXLER: Yes, certainly.

COMMISSIONER JACOBS: And that is that you may feel comfortable, though, Commissioner, because it turns out we did exactly what we did today. We funded them for 30 days, and then we yank the funding. So that's what we did today was pass something for 30 days. So we have -- in essence, we were consistent today. We didn't know it, but we did --

COMMISSIONER LIEBERMAN: But we didn't fund Workforce -- we don't fund Workforce One. The fact that they have an embezzlement is truly unfortunate. I hope they deal with it. But we're not funding them during their time of --

(COMMISSIONER WASSERMAN-RUBIN RETURNED TO THE ROOM.)

COMMISSIONER JACOBS: My conversation with Marlene was that we funded for 30 days, and then we yanked the funding.

COMMISSIONER LIEBERMAN: No, we don't fund Workforce One. No agency of county -- of government funds Workforce One.

COMMISSIONER JACOBS: The other. It was the other one. It was (inaudible).

COMMISSIONER LIEBERMAN: So the point -- the point is still the same point. And I bring all these issues together at once because they're all symptomatic of the same kind of thing, which is give us the right -- make sure we have correct and true information so, I as a policy maker, feel comfortable every night that even though we're going to disagree, and I say this all the time, I don't know anybody -- I love my sister and I disagree with her almost every day. We make up in the afternoon. You don't know anybody. I love my spouse. I disagree with him.

We're going to have natural disagreements because we are not nine wallflowers. We're passionate people with passionate opinions, but I want to know that we're getting the facts right. If any of us aren't, I want to empower Mr. Lukic, I want to empower Ms. Henry, I want to empower Mr. -- Mr. Newton, to say point of information, let me set the record straight.

MAYOR WEXLER: Commissioner Keechl, did you want to add to that?

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COMMISSIONER LIEBERMAN: Oh, it's a lot of (inaudible).

COMMISSIONER KEECHL: Thank you, Mayor. I want to follow up on what Commissioner Lieberman just said. Mr. Newton, I want to follow up on what Commissioner Lieberman just said, because, Commissioner Jacobs, whether or not there was a 30-day funding, she's making -- she has three examples. And Mr. Klein, for example, I thought it was, you know, very unfair to remove him once he had been cleared. But I want to -- I didn't hear what you said about the TDT, because -- pledge, because I was very upset when I got the memo, and I was told by administration that basically we uncovered this problem at the appropriate time.

Are you telling me that we should have --

MAYOR WEXLER: Uh-huh. That's not --

COMMISSIONER KEECHL: -- is that true? Is that accurate or is that not accurate?

MR. NEWTON: I would say it is still grey. And our comfort level is not at where it would need to be in order for those funds to be utilized as a backup pledge. And so we've -- we've had ongoing discussions for about two weeks now and decided, I think, as of yesterday, that it was yesterday to inform the Board of what we thought with respect to that.

We've looked at just about every single Attorney General opinion out there, and came to the conclusion that, in order to get to a comfort level, that we may have to at some point in time seek an Attorney General opinion, but that we needed to let the Board know right now that the potential existed that that was not a viable -- viable funding source.

COMMISSIONER KEECHL: Mr. Newton, this sort of begs the question, though, doesn't it? I guess what's kind of -- what I found shocking is we had our group go up to New York, and I read the backup, and, apparently -- shouldn't -- I just -- I want to get this clear in my mind. Shouldn't somebody have realized that this was a grey issue prior to going up to New York and meeting with all of those companies who all talked about the TDD pledge was absolutely necessary?

MR. NEWTON: Understand, this was a proposal by Hilton-Faulkner, not a proposal by the county in terms of the use of the TDT as a backup -- backup pledge, from what I -- from what I understand. I may be -- it may be inaccurate, but that's what I understand.

MAYOR WEXLER: When that draft LOI came to this Board of County Commissioners, that due diligence should have been done by that point in time. And to -- and to let -- and you've --

MR. NEWTON: And all I was -- and all I was trying to say to the Commissioner is that no one had focused on it at that time until it got to the financing piece of it. And no one -- they were wrapped up in the enthusiasm of the hotel deal, and no one was focused on it, my office included. And what I was trying to do was to share some of the responsibility for not having focused in on that early on so that this Board was not be in the position that it found itself in.

MAYOR WEXLER: As it should be. Since bond counsel works for your office, it certainly should be your responsibility. I --

COMMISSIONER LIEBERMAN: I use these as examples. I just -- I just -- whatever it takes for you to make staff feel comfortable, Ms. Henry. I understand why they won't come to the podium, but they should feel comfortable passing a note to any one of the three of you. And I want the three of you --

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though we may debate at the end of the day, we love you all, you do a great job, please feel free to tell us when we are giving you wrong -- when we are giving each other inaccurate information.

MAYOR WEXLER: Commissioner Wasserman-Rubin.

COMMISSIONER WASSERMAN-RUBIN: I came back out here because I was listening to you. I had to make a phone call.

MAYOR WEXLER: Do you want to share?

COMMISSIONER WASSERMAN-RUBIN: No, I just wanted to tell you that when Commissioner Lieberman was talking about the issue of whether or not we fund the workforce development, I'm your appointee to that committee --

UNIDENTIFIED SPEAKER: And we don't.

COMMISSIONER WASSERMAN-RUBIN: -- and I knew immediately that we didn't, but things were running fast and I couldn't wedge it in. But I think there's a -- there is a reasonable discreet way to do this, and I certainly would like to -- I would like to echo Commissioner Lieberman's request that, whenever possible, if you hear -- if you hear something that is incorrect and you don't want to just say, hey, that's incorrect, just do that, please. That will be helpful to me, too.

MAYOR WEXLER: Ms. Henry.

MS. HENRY: Thank you. The staff doesn't have a problem, as you notice, oftentimes you'll see staff come to the -- to the side over here or they'll give me a look as to yes or no. So oftentimes that happens and it's not -- you know, it's not done in such a way that it impedes the meeting.

Unfortunately on the -- on the issue that was raised today, I mean, this was -- it came out of the blue. We didn't -- we didn't know it was coming, and we certainly -- Ms. Wilson knew she didn't fund them, but she didn't know if someone else did.

COMMISSIONER LIEBERMAN: Right.

MS. HENRY: So it was just one of those things that started going -- moving really rapidly, and, you know, and by that time, the meeting was over, and it -- and the issue was passed.

So, again, I don't have a problem --

COMMISSIONER LIEBERMAN: Thank you.

MS. HENRY: -- with just reiterating that with staff. They'll be happy to do that, and -- and, as Mr. Newton indicated, that, you know, we all share some responsibility on a lot of these issues, and, as a team, we'll try to do better.

MAYOR WEXLER: Commissioner Eggelletion.

COMMISSIONER EGGELETION: Thank you, Madam Mayor. Members of the Board, let me stay on that point, but I have two things, three things I really need to bring to the Board's attention. And, Commissioner Lieberman, I can tell, God rest his soul, that's your father coming out in you, because I knew him well --

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COMMISSIONER LIEBERMAN: I know you did.

COMMISSIONER EGGELETON: -- as I knew your mom, and so I can -- I can appreciate that part of your father that you have inherited, that DNA.

But let me just say that, Mr. Newton, I can really appreciate where you're coming from. You're not making excuses. You're just saying, hey, look, I messed up. I should have done something differently, and I'm letting you all know now.

Now, that, I appreciate, ladies and gentlemen. I appreciate that. See, my philosophy is we all are human. We make errors. And despite where we are -- you know, and I can remember what you were going through at the time, Mr. Newton. You were dealing with your father and whatnot, and that probably just slipped by you. And I can understand that. But when you caught it, you brought it to our attention and said, hey, wait a minute. I may have screwed up here, let me let you on notice. That, I can appreciate.

What I don't appreciate is when we screw up and then we try to justify our screwing up. That's what I don't like. Okay?

In addition, you know, with respect to that, see, I thought that's why we hired Mr. Tobin, to tell us that. That's why he was going to make \$4,000,000 to tell us that kind of stuff. And it seems as though we're not getting our \$4,000,000 worth to me. But, nevertheless, that -- that argument is for another day.

AGENDA ITEM 66

COMMISSIONER EGGELETON: Let me just get to the points that I wanted to make. First of all, Mayor, let me thank you for coming to the Black Elected Officials event that I was being honored, and I appreciate your coming there. And I think -- I want to appreciate, you know, your congratulatory stuff where I was honored at the Sistrunk Festival as well. I appreciate that very much.

AGENDA ITEM 67

COMMISSIONER EGGELETON: Last week, members, I was asked to travel to Tallahassee. I chair the State Committee on Public Safety for the Florida Association of Counties, and, as such, we look at a lot of statutes involving crime, criminal justice stuff, et cetera. One of the things -- and you heard me congratulate President Brogan on the juvenile justice study that was done -- the legislature asked that there be appointed a committee to look at the current juvenile justice law and to make recommendations.

Let me just tell you how this may or may not effect us, and one of the things that I suggested that they do. There is -- and we learned this a couple years ago at the National Association of Counties, and that is this Medicaid eligibility issue. Currently, Florida policy on Medicaid eligibility dis-enroll and suspend -- well, they dis-enroll, rather, the benefits of eligible juveniles who are put in detention, and particularly those that are put in high risk detention programs. And that's costing us money, because we have to pick up the tab on that.

So one of the things that we are recommending as a part of the new legislation, and I think they will adopt, because it's one of their findings and recommendations, that you do not dis-enroll an individual, that you simply suspend it, and that you can bring it back at another time. And I think that's very, very important.

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The thing that I think that we need to be concerned about on this juvenile justice bill, because the emphasis on this is less incarceration. They're finding out, and Governor Crist, to his credit, and I have to give the governor credit on this; I've served with the governor and we gave him the nickname chain gang Charlie, because he was gung-ho, lock them up, throw away the key. And we did that justice rewrite, and I was vice chair of that committee that did it. Buzz Ritchie was chair. We did that in 1974. We toured the state -- I mean, '94, rather. We toured the state in '93 after the murder on I-10 of two -- one British tourist and one was shot. We toured the state. We wrote the juvenile justice law, created level 14 facilities.

And I will tell you, here's the results of that. From studying that from -- from that point to now, what we found is that it doesn't work. What we're getting are juveniles that are coming out that are heartless, because they get out of detention, right, and they come out, they've learned to be real hardened criminals. So they're running around right now shooting you and I without thinking about it. They don't care anymore. All right?

So the new bill that they're pushing now is going to require more front end programs, prevention, and intervention programs. You're going to hear more about this as the session goes through, but I'm bringing it to your attention, because, for some of that, we may have to pick up the tab, but it will decrease our detention tab.

So, you know, there's a balance here that we have to work on. So I'm going to be monitoring this bill very, very carefully. We know that some of these things don't work. We know that our juvenile detention program is broken. You know, they used to use the term super-predator. Then, you know, we had the young man here that we call Crime Boy. And the next thing you know, we had Omar Presley in Miami, who died in detention care. Then we have had Martin Anderson who has died in detention care. So they realize that they have a real serious problem, and we have to work on those problems.

The other thing about this is that we're going to require and, hopefully, you know, we all work on this, is that there must be outcome based performance contracting, meaning that --

MAYOR WEXLER: Amen.

COMMISSIONER EGGELETON: -- when we -- when we contract in the future, and this is what they're saying, this is -- this is a part of the recommendation, that no contract is funded that is not outcome based.

Remember, there are two types of contracts. You've got evidence based and you have outcome based. The evidence based is based on research, you know, what does the research say. And that's what they have been funding based on what the research says. But we want to now switch to outcome based. In other words, if I give you these ten kids, and I give you \$100,000, what is the outcome, you know, how many -- how many kids have gone back into detention? You know, how many kid have you kept out of trouble as a result of that money? So you're seeing the state doing exactly what we're doing here. They're moving to outcome data driven programs.

And I would suggest, Mayor, as you go through the budget for all of our social service programs, we should go to outcome contracting, outcome data. What does the data suggest? If the data suggests that -- if the outcome is not what -- what it should be, don't fund it, because that's what the state is going to do. It's going to -- and by the way, this is -- I am told by the governor's point person on this, this is his priority bill. Okay? So if this is the governor's priority bill, and he's made some strong movements to indicate that by appointing Frank Peterman to head this up, despite the fact that the chair of this committee who wanted the appointment, who lobbied for it, was Needleman, a Republican, he appointed Frank Peterman, a Democrat, to head the new Department of Juvenile Justice. So that sort of -- and

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Frank Peterman was one of those that's pushing, and served on this study group that pushed this outcome data driven sort of thing.

So I think -- I think, you know, that is headed in the right direction, this juvenile justice thing.

Just -- they -- they also have a video, and I'll provide it for you if any of you want to look at it, that's provided by the Anne Casey fund that -- that helped them, and it's based on this little booklet, but it's -- it's headed in that direction.

But this whole thing on Medicaid eligibility is something that, from a public safety perspective, we're going to push very hard this year. It costs our county a lot, a lot of money, not only for juveniles, but for adults that are incarcerated that lose that eligibility. We pick up the tab.

AGENDA ITEM 68

COMMISSIONER EGGELETON: The last thing I want to say, Mayor, this month, the last Wednesday, I believe, of this month, the Mayor's -- the proceeds from the Mayor's Gala that you all helped me with and that some of you attended will be distributed to the north -- well, to the Memorial South Hospital District. The rest will go to now what is called Broward Health, and the other will go to the Sickle Cell Foundation in Broward. I want to thank you all for that. We now have all of our money collected, with the exception of \$5,000. It was a very successful effort. We raised slightly more than \$600,000. The proceeds will be distributed to those areas. And, by the way, Memorial South has applied, and I think they may very well receive, a grant from the federal government in excess of 1.3 million dollars for that program that they have down there.

And, again, this is why I strongly suggested that we place in our legislative program some of the state dollars, because what you're doing is -- and you're going to see the appropriations process this year in Tallahassee will look for ways in which you can save money by eliminating costs, and if you can eliminate costs of 25 to \$30,000 per patient by giving them \$2,000, it's something I think that the state would look very -- very favorably toward. But if you all want to continue to fund those 25 and \$30,000 per patients, keep doing it.

MAYOR WEXLER: Okay. Thank you.

COMMISSIONER EGGELETON: So thank you so very much, Madam Mayor.

MAYOR WEXLER: Vice Mayor?

VICE MAYOR RITTER: First of all, congratulations to our Mayor who yesterday was honored as a Woman of Vision at the Queen of Hearts luncheon (inaudible).

MAYOR WEXLER: No, just -- it's my pleasure actually to chair the event --

VICE MAYOR RITTER: Chair the event.

MAYOR WEXLER: -- and we did raise \$100,000 yesterday.

VICE MAYOR RITTER: Congratulations.

MAYOR WEXLER: So I'm very, very happy about that.

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VICE MAYOR RITTER: Congratulations.

MAYOR WEXLER: They do wonderful work there.

AGENDA ITEM 69

VICE MAYOR RITTER: Lastly, we've spent almost an hour on Non-Agenda --

MAYOR WEXLER: Yes.

VICE MAYOR RITTER: -- and when I got here and I was sort of given a crash course on the agenda, I was told that Non-Agenda was supposed to be really quick and it was stuff that you just needed to inform your fellow Commissioners about, and that was it, like honors and birthdays and things like that. And I would just hope that as we go through the rest of this year, if we have these items that we're going to talk about, or you think are going to generate conversation that are more than two or three minutes, just put it on as an agenda, as a motion to discuss, and then we can at least, all of us, administration and Commissioners can at least sort of gauge how long we think the meeting will take and how long we might be here, based on the agenda. Because when Non-Agenda goes on almost an hour, it's practically impossible to figure out where you are and what you -- what you are and when you're going to get out of here.

Thank you.

MAYOR WEXLER: Amen. I -- you know, I agree completely, but, Commissioner Eggelton, I spent about ten years involved in juvenile justice issues and was appointed by the late Governor Chiles to the Juvenile Justice Advisory and then Accountability Board. It was first under the governor's office, then under the legislature, then moved to the Department of Juvenile Justice, where it eventually just morphed out of existence.

I would -- I would hate to see -- and I am a huge supporter of prevention and intervention, and that there is a cost shift. I would hate to see that. I think that the state needs to belly up to the plate, so to speak, and do what it needs to do in order to -- which the data substantiates and shows that the early intervention and prevention programs is the best behavior change mechanism.

So I'm going to be watching this real closely. And -- and I know that Commissioner Wasserman-Rubin is the appointment to the Juvenile Justice Advisory Board locally. I hope they are well informed, and that they are also a part of this as it moves forward through Tallahassee this session.

You know, I'm not -- I don't sign onto the, if I -- if I provide intervention or prevention programs, there are going to be less kids in the detention center, which they have already cost shifted to me. I'm not -- I mean, that's a nice theory, but I'm not -- I don't sign on to that. And we may get there. We may get there years and years and years from now. But, given the budget constraints that we have, I want to watch this really, really closely. Okay?

And with that, this meeting stands adjourned. Thank you.

AGENDA ITEM 9

For Research purposes, supplemental papers from previous meetings as approved in **Item 9** are listed below:

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- | | | |
|----------|----|--|
| 06/25/96 | 30 | Interlocal Agreement between Broward County and the City of Hollywood, Florida for Uniform Collection and Enforcement of Non-Ad Valorem Assessments. |
| 06/17/97 | 64 | Agreement between Broward County and King Motor Company of South Florida for Express and Limited Branch Office; Agreement between Broward County and King Motor Center of Deerfield Beach, Florida d/b/a King Toyota for Express and Limited Branch Office. |
| 05/16/00 | 29 | Certificate of Compliance and Release executed by Maria Elena Galve, bearing the date of the 4 th day of October 2002, recorded in Official Records Book 34249, Page 1554-1561, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Richard and Joyce Bell, bearing the date of the 5 th day of August 2002, recorded in Official Records Book 33680, Page 587-597, securing that certain note in the principal sum of \$192.00; Certificate of Compliance and Release executed by Audrey Maxie, bearing the date of the 12 th day of June 2002, recorded in Official Records Book 33297, Page 1122-1131, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Shelia J. Moran, bearing the date of the 12 th day of August 2002, recorded in Official Records Book 34163, Page 572-585, securing that certain note in the principal sum of \$21,250.00; Certificate of Compliance and Release executed by Dale and Priscilla Mowatt, bearing the date of the 20 th day of September 2002, recorded in Official Records Book 33957, Page 923-933, securing that certain note in the principal sum of \$13,200.00; Certificate of Compliance and Release executed by Robert and Lisa Proscia, bearing the date of the 20 th day of September 2002, recorded in Official Records Book 33957, Page 969-979, securing that certain note in the principal sum of \$13,580.00; Certificate of Compliance and Release executed by Marietta M. Swinney and Shosharona S. Charlton, bearing the date of the 12 th day of August 2002, recorded in Official Records Book 34163, Page 506-519, securing that certain note in the principal sum of \$24,933.00; Certificate of Compliance and Release executed by Timothy Yancey and Teresa Yancey, bearing the date of the 27 th day of June 2002, recorded in Official Records Book 33447, Page 1908-1918, securing that certain note in the principal sum of \$35,000.00; Certificate of Compliance and Release executed by Marcus Sibble, bearing the date of the 28 th day of June 2002, recorded in Official Records Book 33415, Page 478-488, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Verdell Plummer, bearing the date of the 4 th day of February 2002, recorded in Official Records Book 32771, Page 1246-1256, securing that certain note in the principal sum of \$16,000.00; Certificate of Compliance and Release executed by Jean Roland Michel and Marie Noltine Michel, bearing the date of the 14 th day of February 2002, recorded in Official Records Book 32796, Page 1889-1896, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Danerys Mestra-Alvarez, bearing the date of the 25 th day of September 2002, recorded in Official Records Book 33875, Page 699-706, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Kimberly Leonard, bearing the date of the 3 rd day of September 2002, recorded in Official Records Book 33804, Page 369-376, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Virgil C. Johnson, bearing the date of the 16 th day of September 2002, recorded in Official Records Book 33957, Page 891-900, securing |

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that certain note in the principal sum of \$7,415.00; Certificate of Compliance and Release executed by Daniel Friedland, bearing the date of the 30th day of April 2002, recorded in Official Records Book 33100, Page 739–749, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Celestine Lewis Dunmore and Elijah Dunmore, bearing the date of the 8th day of May 2002, recorded in Official Records Book 33178, Page 1505–1512, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Doreste Denis, bearing the date of the 24th day of September 2002, recorded in Official Records Book 33875, Page 797–807, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Lurline Cole, bearing the date of the 6th day of September 2002, recorded in Official Records Book 33842, Page 1067–1076, securing certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Wesley Bradford, bearing the date of the 6th day of September 2002, recorded in Official Records Book 33839, Page 137–144, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Steven and Robin Gruber, bearing the date of the 23rd day of October 2002, recorded in Official Records Book 34163, Page 399–409, securing that certain note in the principal sum of \$13,580.00; Certificate of Compliance and Release executed by Milcah Johnston and Mark Johnston, bearing the date of the 28th day of June 2002, recorded in Official Records Book 33415, Page 543–552, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Isabel Mendoza, bearing the date of the 13th day of June 2002, recorded in Official Records Book 3336, Page 1064–1073, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Letitia Newbold, bearing the date of the 9th day of July 2002, recorded in Official Records Book 33458, Page 1685–1694, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Priscilla Singleton, bearing the date of the 24th day of July 2002, recorded in Official Records Book 33542, Page 1440–1449, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Delton D. Spencer, bearing the date of the 25th day of July 2002, recorded in Official Records Book 33594, Page 335–345, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Sandie Strong, bearing the date of the 3rd day of July 2002, recorded in Official Records Book 33416, Page 691–701, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Fay A. Taylor, bearing the date of the 25th day of October 1996, recorded in Official Records Book 25628, Page 0862–0871, securing that certain note in the principal sum of \$7,700.00; Certificate of Compliance and Release executed by Rosetta Yorker, bearing the date of the 18th day of June 2001, recorded in Official Records Book 31741, Page 0191–0199, securing that certain note in the principal sum of \$2,405.00; Certificate of Compliance and Release executed by Raymond Maitre and Inociane Forste, bearing the date of the 6th day of June 2002, recorded in Official Records Book 33274, Page 1271–1280, securing that certain note in the principal sum of \$5,000.00; Satisfaction of Mortgage executed by Joe Price and Rutha Price, bearing the date of the 23rd day of August 2006, recorded in Official Records Book 43372, Page 1861–1874, securing that certain note in the principal sum of \$34,630.00; Certificate of Compliance and Release executed by Carol Chin, bearing the date of the 13th day of August 2002, recorded in Official Records Book 33673, Page 192–202, securing that

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certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by George and Elsie Joseph, bearing the date of the 7th day of October 2002, recorded in Official Records Book 34163, Page 432-442, securing that certain note in the principal sum of \$12,000.00; Certificate of Compliance and Release executed by Loretta Marsh and Herman Marsh, bearing the date of the 4th day of June 2002, recorded in Official Records Book 33254, Page 805-814, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Jeffrey and Betty McClary, bearing the date of the 29th day of July 2002, recorded in Official Records Book 33680, Page 576-586, securing that certain note in the principal sum of \$16,000.00; Certificate of Compliance and Release executed by LeQuiette McCrea, bearing the date of the 21st day of June 2002, recorded in Official Records Book 3345, Page 24-33, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Tamara McNeal, bearing the date of the 21st day of June 2002, recorded in Official Records Book 33386, Page 1615-1624, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Efrain and Aida Quiles, bearing the date of the 31st day of October 2002, recorded in Official Records Book 34163, Page 443-453, securing that certain note in the principal sum of \$13,535.00; Certificate of Compliance and Release executed by Abel and Sylvia Sigal, bearing the date of the 1st day of October 2002, recorded in Official Records Book 33932, Page 1051-1060, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Brandee L. Smith, bearing the date of the 25th day of October 2002, recorded in Official Records Book 34082, Page 1788-1797, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Lorene Terrell and Cohens Terrell, Jr., bearing the date of the 14th day of October 2002, recorded in Official Records Book 34337, Page 1095-1107, securing that certain note in the principal sum of \$1,500.00; Certificate of Compliance and Release executed by Lorene Terrell and Cohens Terrell, Jr., bearing the date of the 20th day of July 2001, recorded in Official Records Book 32019, Page 1597-1609, securing that certain note in the principal sum of \$2,376.00; Certificate of Compliance and Release executed by Simone McKain, bearing the date of the 30th day of September 2002, recorded in Official Records Book 33967, Page 1356-1367, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Luther J. and Roberta Symonette, bearing the date of the 16th day of August 1995, recorded in Official Records Book 23956, Page 0764-0773, securing that certain note in the principal sum of \$24,000.00; Certificate of Compliance and Release executed by Florence Deardoff, bearing the date of the 28th day of June 2002, recorded in Official Records Book 33416, Page 500-509, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Delore Douglas, bearing the date of the 19th day of July 2002, recorded in Official Records Book 33537, Page 293-303, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by David and Marlita Franklin, bearing the date of the 24th day of June 2002, recorded in Official Records Book 33415, Page 1201-1210, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Sabrina Harden bearing the date of the 19th day of July 2002, recorded in Official Records Book 33507, Page 1321-1330, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Claudette LeCaire, bearing the date of the

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21st day of June 2002, recorded in Official Records Book 33416, Page 761-771, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Madeleine Robillard, bearing the date of the 9th day of September 2002, recorded in Official Records Book 34059, Page 784-793, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Carmen Maria Abbott, bearing the date of the 26th day of September 2002, recorded in Official Records Book 34163, Page 476-488, securing that certain note in the principal sum of \$10,685.00; Certificate of Compliance and Release executed by Tasha Bankston and Glen E. Bankston, bearing the date of the 7th day of October 2002, recorded in Official Records Book 33950, Page 45-52, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Roberto and Garciela Barrueco, bearing the date of the 24th day of September 2002, recorded in Official Records Book 33875, Page 734-743, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Larry and Lillian Simms, bearing the date of the 1st day of August 2002, recorded in Official Records Book 33680, Page 598-610, securing that certain note in the principal sum of \$5,495.00; Certificate of Compliance and Release executed by Katherine Levien, bearing the date of the 8th day of November 2002, recorded in Official Records Book 34131, Page 123-132, securing that certain note in the principal sum of \$5,000.00; Certificate of Compliance and Release executed by Edouard L. and Raymonde A. Desire, bearing the date of the 28th day of October 2002, recorded in Official Records Book 34337, Page 1108-1120, securing that certain note in the principal sum of \$25,000.00; Certificate of Compliance and Release executed by Luis and Cecilia Coda, bearing the date of the 18th day of October 2002, recorded in Official Records Book 33991, Page 1781-1788, securing that certain note in the principal sum of \$10,000.00; Certificate of Compliance and Release executed by Laura Lynn Hoffman, bearing the date of the 7th day of October 2002, recorded in Official Records Book 33982, Page 1521-1530, securing that certain note in the principal sum of \$5,000.00; Satisfaction of Mortgage executed by Andre J. Boudreaux, bearing the date of the 21st day of January 2005, recorded in Official Records Book 38958, Page 1955-1965, securing that certain note in the principal sum of \$10,000.00; Satisfaction of Mortgage executed by Shirley Adams and Marion Adams, bearing the date of the 7th day of October 2005, recorded in Official Records Book 41124, Page 1971-1985, securing that certain note in the principal sum of \$11,020.00; Satisfaction of Mortgage executed by Everette Blanchard and Claudette Blanchard, bearing the date of the 15th day of April 2005, recorded in Official Records Book 39663, Page 663-677, securing that certain note in the principal sum of \$8,680.00; Satisfaction of Mortgage executed by Sarah A. Graham, bearing the date of the 20th day of March 2003, recorded in Official Records Book 34863, Page 1363-1372, securing that certain note in the principal sum of \$5,000.00; Satisfaction of Mortgage executed by Eleanor Haas, bearing the date of the 26th day of February 2003, recorded in Official Records Book 34982, Page 1735-1748, securing that certain note in the principal sum of \$19,290.00; Satisfaction of Mortgage executed by Tonya Jones and Laura L. Smith, bearing the date of the 19th day of December 1994, recorded in Official Records Book 23010, Page 0725-0732, securing that certain note in the principal sum of \$12,447.00; Satisfaction of Mortgage executed by Deborah Mallow, bearing the date of the 26th day of July 2006, recorded in Official Records Book 43037, Page 1353-1367, securing that certain note in the principal sum of \$11,680.00; Satisfaction of Mortgage executed by Rosa Marmolejo, bearing

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		the date of the 18 th day of April 2003, recorded in Official Records Book 35041, Page 587-596, securing that certain note in the principal sum of \$5,000.00; Subordination Agreement it holds from Christine Travers, (a single woman) dated July 24 th , 2007, in the amount of \$19,723.60, and recorded in Official Records Book 44877, Page 1907 through and including Page 1917, to be executed by Christine Travers to SunTrust Mortgage, Inc., in the principal amount not to exceed \$166,500.00 at a fixed interest not to exceed 6.25% for a period of 360 months.
08/12/03	58	Termination of Road Improvement Agreement Whereas, Jedco Incorporated, entered into that certain Road Improvement Agreement dated October 21, 2004, and recorded in Official Records Book 39070, Page 416, relating to the plat of Summit Questa.
05/25/04 2:00 p.m.	03	Second Amendment to Memorandum of Understanding between Broward County and City of Deerfield Beach for Administration of Home Funding Program Minor Home Repair Program for Fiscal Year 2003/2004; Memorandum of Understanding between Broward County and Town of Davie for Administration of Home Funding Program for Fiscal Year 2003 and 2004; Amendment No. 4 to Agreement No.06-CSAD-8263-01/1 between Broward County and Henderson Mental Health Center, Inc. for Behavioral Health Art (Alternative Residential Treatment).
03/28/06	22	Sixth Amendment to Restated and Consolidated Unit of Service Agreement between Broward County and Broward House, Inc. for Ryan White Part A Funding FY 2007-08.
06/27/06	39	Unit of Service Agreement between Broward County and The School Board of Broward County, Florida for Behavioral Health Contract Number 07-CSAD-8267-01.
06/27/06	112	Louis & Geneva Sambataro Plat (064-MP-90).
09/19/06	14	Amendment No. 4 to Agreement No. 06-CSAD-8236-01 between Broward County and Smith Mental Health Associates, L.L.C. d/b/a Smith Community Mental Health, Inc.
09/26/06	53	Hollywood Landings Plat (003-MP-05).

(THE MEETING ADJOURNED AT 6:10 P.M.)

(THIS IS NOT A VERBATIM TRANSCRIPTION OF THE MINUTES.)

Public Hearing 2:34 p.m.

PUBLIC HEARING OF FEBRUARY 12, 2008

(The meeting convened at 2:34 p.m.; recessed at 4:20 p.m., reconvened at 5:07 p.m. and adjourned at 5:09 p.m.)

COMMISSION MINUTES

PLEDGE OF ALLEGIANCE was led by Jimmy Morrow, on-site repair person and Facilities Coordinator at Hallandale Adult Community Center.

CALL TO ORDER Mayor Wexler called the meeting to order and declared a quorum present.

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
Josephus Eggelletion, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter	3	Present
John E. Rodstrom, Jr.	7	Present
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

1. MOTION TO CONSIDER award of a new license for the provision of Non-emergency Medical Transportation Services (NEMTS) to Honey Can Do Cleaning, Inc. d/b/a Honey Can Do Transportation, Inc. contingent upon completion of requirements identified in the Broward County Code of Ordinances.

ACTION: (T-3:14 PM) Approved.

VOTE: 7-0. Commissioner Rodstrom was out of the room during the vote.

2. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE STATE JUDICIAL SYSTEM; AMENDING SECTION 10-3, BROWARD COUNTY CODE OF ORDINANCES, RELATING TO ASSESSMENT OF ADDITIONAL COURT COSTS IN CRIMINAL CASES AND JUVENILE CASES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:14 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 7-0. Commissioner Rodstrom was out of the room during the vote.

3. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, AMENDING VARIOUS SECTIONS OF CHAPTER 27 OF THE BROWARD COUNTY CODE OF ORDINANCES, ARTICLE IV, AIR QUALITY, RELATED TO CREMATORY FACILITIES; PROVIDING FOR LICENSING OF INITIAL AND CONTINUED OPERATION; DELETING REFERENCES TO THE FLORIDA ADMINISTRATIVE CODE TO CONTINUE PROHIBITION OF IDENTICAL UNIT TESTS; PROVIDING FOR INITIAL COMPLIANCE TESTING WITHIN THIRTY (30) DAYS OF OPERATION COMMENCEMENT; DELETING PROVISIONS CONFLICTING WITH INITIAL COMPLIANCE TESTING AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

COMMISSION MINUTES

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:15 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 7-0. Commissioner Rodstrom was out of the room during the vote.

4. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO THE HUMAN RIGHTS ACT, SECTION 16½-1 THROUGH SECTION 16½-72 OF THE BROWARD COUNTY CODE OF ORDINANCES; AMENDING SUBSECTION 16½-2(a)(1) REGARDING THE PURPOSE OF THE ACT; AMENDING SUBSECTIONS 16½-2(a)(2), 16½-3(o), 16½-3(v), 16½-21(e),(f)(1),(g), 16½-21.1, 16½-23.1(e), AND SECTIONS 16½-22, 16½-24, 16½-26, 16½-30, AND 16½-72 TO INCLUDE PREGNANCY AND GENDER IDENTITY AND EXPRESSION AS DISCRIMINATORY CLASSIFICATIONS; AMENDING PERTINENT PORTIONS OF CHAPTER 16½ TO COMPORT WITH FEDERAL AND STATE LAW; AMENDING SUBSECTION 16½-3(aa) TO MODIFY THE DEFINITION OF A PARTY; CREATING SUBSECTION 16½-3(mm) TO INCLUDE A DEFINITION OF UNDUE HARDSHIP; CREATING SUBSECTION 16½-21(h) TO IDENTIFY OTHER EMPLOYMENT-RELATED PROTECTIONS; AMENDING SECTIONS 16½-30.4, 16½-30.5, 16½-30.6, AND 16½-68 TO PROVIDE FOR DISCRETIONARY ACTION ON THE PART OF THE COUNTY ATTORNEY; AMENDING SECTION 16½-51 TO REQUIRE THAT HUMAN RIGHTS BOARD PRACTICES CONFORM WITH SECTION 1-233 OF THE BROWARD COUNTY CODE OF ORDINANCES; CONFORMING PERTINENT PORTIONS OF CHAPTER 16½ TO MEET FEDERAL AND STATE LAW REQUIREMENTS; PERFORMING SUCH HOUSEKEEPING TASKS IN CHAPTER 16½ AS NECESSARY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-3:16 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

ACTION: (T-5:08 PM) The Board reconsidered this item. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Rodstrom voted telephonically.

ACTION: (T-5:08 PM) Approved.

VOTE: 9-0. Commissioner Rodstrom voted telephonically.

5. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO LAND USE; AMENDING CHAPTER 5, ARTICLE IX, OF THE BROWARD COUNTY CODE OF ORDINANCES, THE "LAND DEVELOPMENT CODE"; AMENDING SECTION 5-182, "DEVELOPMENT REVIEW REQUIREMENTS," PROVIDING FOR ADEQUACY OF SCHOOL SITES AND FACILITIES AND PUBLIC SCHOOL CONCURRENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

COMMISSION MINUTES

ACTION: (T-4:14 PM) Filed proof of publication and enacted the Ordinance with the amendments included in the backup material to become effective March 31, 2008; however, if Broward County Land Use Plan Amendment 07-2A-T1 has not become effective as of March 31, 2008, this Ordinance shall automatically be repealed.

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

6. A. MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, REPEALING SECTION 1-5 OF CHAPTER 1, "ADMINISTRATION," OF THE BROWARD COUNTY CODE OF ORDINANCES, ENTITLED "TAX NOTICES NOT TO BE MAILED OR EXTENDED ON TAX ROLLS WHEN TAX IS LESS THAN ONE DOLLAR"; AND PROVIDING FOR AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

ACTION: (T-4:15 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law.

VOTE: 8-0. Commissioner Rodstrom was out of the room during the vote.

B. MOTION TO ADOPT Resolution 2008-047 the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, INSTRUCTING THE TAX COLLECTOR NOT TO MAIL TAX NOTICES TO A TAXPAYER WHEN THE AMOUNT OF THE PERSONAL PROPERTY TAXES SHOWN ON THE TAX NOTICE IS LESS THAN AN AMOUNT UP TO \$30.00, AND INSTRUCTING THE PROPERTY APPRAISER NOT TO MAKE AN EXTENSION ON THE TAX ROLL FOR ANY PERSONAL PROPERTY TAXES FOR WHICH THE TAX WOULD AMOUNT TO LESS THAN AN AMOUNT UP TO \$30.00; INSTRUCTING THE TAX COLLECTOR NOT TO MAIL TAX NOTICES TO A TAXPAYER WHEN THE AMOUNT OF THE REAL PROPERTY TAXES SHOWN ON THE TAX NOTICE IS LESS THAN ONE DOLLAR AND INSTRUCTING THE PROPERTY APPRAISER NOT TO MAKE AN EXTENSION ON THE TAX ROLL FOR ANY REAL PROPERTY TAXES FOR WHICH THE TAX WOULD AMOUNT TO LESS THAN ONE DOLLAR; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: (T-4:15 PM) Approved, At the conclusion of the tax cycle, Interim County Administrator Bertha Henry will provide information to the Board as to the impact of the Resolution.

VOTE: 7-0. Commissioners Ritter and Rodstrom were out of the room during the vote.

COMMISSION MINUTES

THE BROWARD COUNTY
BOARD OF COUNTY COMMISSIONERS
MEETING OF
FEBRUARY 12, 2008

2:00 P.M.

A meeting of the Broward County Board of County Commissioners, Broward County, Florida, was held in Room 422 of the Government Center, Fort Lauderdale, Florida, at 2:00 p.m, Tuesday, February 12, 2008.

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
Josephus Eggelleton, Jr.	9	Present
Sue Gunzburger	6	Present
Kristin D. Jacobs	2	Present
Ken Keechl	4	Present
Ilene Lieberman	1	Present
Stacy Ritter	3	Present
John E. Rodstrom, Jr.	7	Absent
Diana Wasserman-Rubin	8	Present
Lois Wexler	5	Present

CALL TO ORDER: Mayor Lois Wexler called the meeting to order.

MAYOR WEXLER: It is my pleasure today, ladies and gentlemen, to recognize the person who will lead us in the Pledge of Allegiance. He is really an inspiration as someone who goes the extra mile beyond the call of duty. His name is Jimmy Marro. Jimmy, if you'll come forward, please, right there to that podium.

Mr. Marro is the on-site repair person and facilities coordinator at Hallandale Adult Center. It used to be Hallandale Adult and Community.

MR. MARRO: It still is.

MAYOR WEXLER: Oh, okay. Good thing I remember certain things. All right. Now -- now, it's a full-time job for him, but in addition to those duties, Mr. Marro works with groups affiliated with the center, serves as the school's neighborhood liaison, works with the school's community partners, and is a member of the leadership team. That's probably the SAC team.

MR. MARRO: Yes, ma'am.

MAYOR WEXLER: And I think he has some good leadership skills, because he helped get the school a paved parking lot valued at more than \$250,000 from the Arvida Corporation -- maybe you can help us -- and secured two \$5,000 Broward Beautiful Grants. You, I know, embrace landscaping, because the facility is just beautiful.

COMMISSION MINUTES

MR. MARRO: Thank you.

MAYOR WEXLER: And for those efforts, you were also recognized and awarded the school related employee of the year from the Broward County School Board.

Mr. Marro is a very -- a very big thank you that we owe you on behalf of not just the Hallandale Beach community but Broward County in general.

Mr. Marro, if you'd be kind enough today to lead us in the Pledge of Allegiance. If we will rise.

MR. MARRO: It would be my pleasure.

(PLEDGE OF ALLEGIANCE WAS LED BY JIMMY MARRO.)

MAYOR WEXLER: Mr. Marro, don't leave yet. (Inaudible.)

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR WEXLER: It is, indeed, my pleasure to welcome you, old friend.

MR. MARRO: Thank you.

MAYOR WEXLER: And I'm so glad that you were able to do this today.

MR. MARRO: It's absolutely my pleasure to be here. I really appreciate that.

MAYOR WEXLER: Please (inaudible).

(Applause.)

MR. MARROW: Thank you very much. I appreciate it.

MAYOR WEXLER: Thank you.

MR. MARRO: All right.

GOOD AND WELFARE

MAYOR WEXLER: We haven't done a Good and Welfare for a really, really long time, so please bear with us today. We have quite a few children, older children, adults that we want to recognize.

The next recognition is protecting Florida's environment from the impacts of climate change called EnvironmenTile contest. The -- Florida boasts numerous natural resources including beaches, coral reefs, wetlands, lakes, rivers, and clean air. The relationship between the increase in population and its effects on these natural resources is heightened by the impact of climate change.

In efforts to increase awareness about climate change issues, the Broward County Environmental Protection Department invited students to participate in the 2007 EnvironmenTile -- and please notice the boards around here -- contest.

COMMISSION MINUTES

(COMMISSIONER JACOBS RETURNED TO THE ROOM.)

MAYOR WEXLER: The contest is open to middle school students in Broward County public schools, asked students to create an illustration depicting solutions on how to mitigate the effects of climate change on the Florida environment.

Over 800 students participated in this contest. The students did an outstanding job in coming up with ideas on how to protect Florida's environment from the impacts of climate change. The students' artwork is being displayed this week downstairs in the lobby. Selected student artwork is posted on Broward County's Environmental Kids Club website, www.broward.org/kids/environment.

And I would like to ask the following Commissioners to please join me up here as we recognize one, two, three, four, five or six recipients from your individual districts. First, Commissioner Jacobs.

Commissioner Jacobs, you have three recipients from your district.

COMMISSIONER JACOBS: Yeah.

(Applause.)

MAYOR WEXLER: First place -- and listen to this, listen to this -- here. First place, I would like to ask Min Ninja. You're going to come up. You come up and I want you to pronounce your name for me, please. Would you say your name?

(COMMISSIONER LIEBERMAN RETURNED TO THE ROOM.)

MS. GWEN: Min Gwen.

MAYOR WEXLER: Min Gwen.

MS. GWEN: From Crystal Lake Middle.

MAYOR WEXLER: From -- I got that part right, and you are Min Gwen and you are an eighth grade student there. And you are a first place winner. And do you know what that is? A new desktop -- oh, was I supposed to read this from the bottom up? That's okay. New desktop computer, books, DVDs for student and your school. Wow, that's fabulous.

COMMISSIONER JACOBS: Congratulations.

(Applause.)

MAYOR WEXLER: Are you the -- are you family, teachers? Come up on with us, would you do that.

UNIDENTIFIED SPEAKER: Mom is here, too.

MAYOR WEXLER: Mom, do you want to come up for the picture? Come on.

(Picture taken.)

MAYOR WEXLER: All right. I think we got it.

COMMISSION MINUTES

Thank you and congratulations to you. Congratulations to you.

COMMISSIONER EGGELETON: The instructor's name. The instructor's name.

MAYOR WEXLER: Min, this is for you, as well. It didn't photograph very well. The teacher's name? Who wants to know --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR WEXLER: You're the administrator. What is your name, sir?

MR. QUANSTROM: Carl Quanstrom, the Magnet Program School Coordinator at Crystal Lake.

MAYOR WEXLER: Carl -- say it again.

MR. QUANSTROM: Quanstrom.

MAYOR WEXLER: Quanstrom. Carl Quanstrom, the Magnet School Coordinator for Crystal Lake Middle School.

COMMISSIONER JACOBS: And Min's teacher?

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER JACOBS: Melissa (inaudible) is the teacher.

MAYOR WEXLER: The next person, for third place, is Jessie Fenman. Jessie?

Jessie is from Lyons Creek Middle School. Not here.

MAYOR WEXLER: Not here, and Marcos Soma is not here? Marcos Soma is here.

(Applause.)

COMMISSIONER JACOBS: Do you have family here, too?

MAYOR WEXLER: Mom, come on up.

And Marcos is a sixth grade student at Lyons Creek Middle School, and is there an administrator here with you today?

MR. SOMA: No.

MAYOR WEXLER: No? Well, then it's just us, isn't it?

MAYOR WEXLER: Thank you. Congratulations.

COMMISSIONER JACOBS: Congratulations.

COMMISSION MINUTES

MR. SOMA: Thank you.

MAYOR WEXLER: And Marcos wins a family four-pack to the International Game and Fishing Association, and a family four-pack to the Parrot Jungle Island. Wow.

Commissioner Jacobs, you have another recipient here today, another eighth grade student from Crystal Lake Middle School, and that is Reshard Adams.
(Applause.)

MAYOR WEXLER: Congratulations. And Reshard wins a CD player and a gift card.

(Applause.)

MAYOR WEXLER: That's it. Thank you.

Commissioner Keechl, can you join me down here?

And Commissioner Keechl has a recipient from Sunrise Middle School, Tara Lawson Corley.
(Applause.)

MAYOR WEXLER: Tara, do you have your teacher, administrator, or parent here today?

MS. CORLEY: I have my (inaudible).

MAYOR WEXLER: That's it?

MS. CORLEY: And my auntie.

MAYOR WEXLER: Please come on up. Come on up. We want as many as possible in it.

UNIDENTIFIED SPEAKER: Hello. Nice to meet you.

MAYOR WEXLER: Tara, you have a CD player and a gift card as well, and congratulations to you.

Commissioner Keechl.

(Picture taken.)

Thank you, yes.

And the final -- I want to make sure I'm not missing anybody. The final two recipients, one is not here today, but I want to recognize Shannon Allen from Pioneer Middle School. That's one of the schools that I represent in District 5. And from -- I have Maria Pitts. Maria, come on up.

(Applause.)

MAYOR WEXLER: Maria, you are also an eighth grade student at Pioneer Middle School. And do you have any family you want to come join us up here? Come on up. Come on up.

And you have won a new bicycle and a climate change book.

COMMISSION MINUTES

(Applause.)

MAYOR WEXLER: Thank you. Congratulations. Thank you.

(Applause.)

MAYOR WEXLER: Okay. Maria, this is -- Maria, this is yours, as well.

I would also be remiss if I didn't acknowledge a very special lady, and I didn't see you out there, so I don't know if you're there or not. I'd like to congratulate all of the winners. And I know you started to take the FCAT today. So today is really, really, really -- we appreciate you coming here this afternoon, because it was a stressful morning. But special thanks to Diane Sipielli, and, Diane, are you here today? No, she's probably monitoring somewhere.

She is the -- we all know Diane Sipielli. She is the coordinator of Character Education Initiatives for Broward schools. She is also assisting with environmental character education. She publishes a newsletter, and she sponsors various contests, and she is just -- she's also -- she also heads up the homeless program for the school district. But I really want to thank her, and, as always, she's just outstanding.

Now some fun stuff. Thank you. Not that that wasn't fun. Thank you.

I told President Brogan a few moments before we actually started the meeting that I had the honor, and Coach Schnellenberger believes it was in 2002, who knows, I can't remember what year, but it was the first year and the first game and the first ball at Lockhart Stadium for FAU. And, boy, oh, boy, I was chair of the School Board and that was truly a thrill, because I'm not sure I was ever on a football field before.

COMMISSIONER EGGELETON: Did you kick a field goal?

MAYOR WEXLER: They barely let me touch the ball, but -- but it was wonderful. And as an acknowledgment of that day -- actually, Coach, it's 2003. Your signature is -- Howard Schnellenberger, 2003.

UNIDENTIFIED SPEAKER: You got it out.

MAYOR WEXLER: I got it out. I went back and I took it off my shelf. And it just gives me such pleasure, because I feel like we've come full circle. Actually, I feel like we've come full circle.

(VICE MAYOR RITTER LEFT THE ROOM.)

MAYOR WEXLER: If you would join me up here, please, President Brogan, Coach Schnellenberger, and the members of the football team, the winning football team.

(VICE MAYOR RITTER RETURNED TO THE ROOM.)

(Applause.)

MAYOR WEXLER: What I could say about Mr. President here, as we went back, Commissioner Wasserman-Rubin and I, to when he was Mr. Superintendent and followed your many titles and your illustrious career. Wonderful, it truly is.

COMMISSION MINUTES

Broward County, with three of Florida Atlantic's seven campuses within its borders, is proud to claim FAU as its hometown university. I'm proud to claim it as my alma mater.

(Applause.)

MAYOR WEXLER: That pride burns with special brilliance today as the FAU Fighting Owls are held nationally as champions of the Sunbelt conference and winners of the New Orleans Bowl. With just seven years of play behind them, the Owls, under the expert guidance of legendary coach, Howard Schnellenberger, ranked as the youngest startup team in NCAA history to go to a Bowl game.

(Applause.)

MAYOR WEXLER: The Owls hold the additional distinction of being the first team in the Sunbelt conference to defeat a big ten team. Having upset traditional powerhouse Minnesota by a score of 42 to 39 on September 15th, 2007, the team's outstanding performance mirrors FAU's vigorous pursuit of its mission to deliver the best educational, research, and community services to the people of Broward County.

FAU continues to make substantial contributions to the quality of life in Broward County in a multitude of ways. From opening the door of higher education to ever growing numbers of local residents, to giving all of South Florida a Bowl winning football team to root for;

Now, therefore, be it proclaimed by the Board of County Commissioners of Broward County that the Board hereby designates Tuesday, February 12th as Florida Atlantic University Day in Broward County, Florida, and looks forward to many more years of mutually beneficial growth and development and repeat performance -- that's not in there, okay -- signed by myself, the Mayor.

Congratulations.

(Applause.)

MR. BROGAN: First of all, Madam Mayor, to you, Madam Vice Mayor, Commissioners, it was not long ago that I stood before you talking about Florida Atlantic University as a part of our hometown tour. At the time, I wasn't aware that two things were going to happen. I had a pretty good idea about this one, and they didn't let me down, but we have since hosted a nationally televised presidential debate on NBC, which was an extraordinary success for the university, and, hopefully, our country. But as well, our young men, our coaches, our dance team, our cheerleaders, our trainers, and all the people with the athletic department did something quite extraordinary to the point where as the Mayor mentioned, set a record. Taking a team in NCAA competition, the fastest it's ever been done, from blank sheet of paper to winning a prominent Bowl game in only seven years of existence.

That is one that I think is going to stand the test of the ages, and I would like to invite to the podium the architect of our program. And I say program because, as I'm regularly quoted as saying when people say what's the success, it's the fact that Howard Schnellenberger is not a team builder. Teams come and teams go. Howard Schnellenberger as long been known as a program builder, and what he's brought to the university in a very short period of time is not just a winning team. That's evident. What he's brought to us is a quality program that will stand the test of time as well.

And so, as proud as we are of all of these young men and their incredible accomplishments, they know what I know, that they have reaped the benefits of learning at the knee of someone who is widely renowned as one of the finest college coaches in the game now and in the past and will be in the future.

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So I'd like to introduce to you the architect of all of this, our head coach and the gentleman who helped lead these great young men to the win at the New Orleans whole this year, and our own Sunbelt conference championship, Coach Howard Schnellenberger.

(Applause.)

COACH SCHNELLENBERGER: Thank you very, very much, Mr. President.

And these guys behind me are the ones that truly deserve the credit for making something very special happen right here in our community.

I do want to thank all of you for having us here today, because these kinds of events for these young men certainly will last forever in their mind, and they can carry this back to our football team and let them know how you all honored us, and how you have hosted us here today.

You know, it's only fitting that we be here in front of you, because we are a part of this Broward County community. The president has said about our campuses that are here, but when we had no place to play, Fort Lauderdale and the School Board, the county school board stepped forward and gave us a place to play. And we continue to play there, and probably will through the course of this year. But won't it be wonderful when we get our own place on campus when we can all join, the campuses down here and the campuses up at Jupiter and on up to St. Lucie, can all join in that one place that's central -- most central to the entire community, right there on our campus in Boca.

So thank you very much for doing this for us. And let me just say that Chris Bartle is going to be sorely missed. He's a senior for us. Nick will be back. Nick Paris will be back. He's an upcoming senior. And Malique Eugene -- I always want to put Eugene before Malique -- will be a sophomore. And another senior coming up, Corwell Bradley.

So these guys represent our football team and we thank you very much.

They wanted me to show you what they gave you. It should be at your chair there, and we're very proud of what this represents. And I've got a few more I could hand out outside if somebody would like to step out there with us.

Thank you so much.

(Applause.)

MAYOR WEXLER: Guys, we want to take -- we want to take a picture, and, guys, I know my colleagues --

UNIDENTIFIED SPEAKER: Go long. Go long.

MAYOR WEXLER: Did you see the ball sitting up there? She's spunky.

COMMISSIONER EGGELETON: Well, she was a tomboy at one time. Always coaching, see that? He's always coaching, right?

(Picture taken.)

UNIDENTIFIED SPEAKER: Thank you all very, very much.

COMMISSION MINUTES

COMMISSIONER EGGELETON: Madam Mayor, before President Brogan leaves, I just want to thank him again for his fine work on the juvenile justice work-study bill. That bill is -- I think is going to be a very fine bill. It's a great rewrite to a program that at one time took the position of lock them up, throw away the key. You have seemed to -- and even the governor have seemed to have come 360 and believe that prevention and intervention is a better route for us in Florida. And I just want to thank you and let you know that some of us will be championing your work in Tallahassee. And thank you for leading (inaudible).

MR. BROGAN: Thank you, Commissioner. I have to return the compliment and tell you we did seven statewide public hearings with the juvenile justice reform commission that I was very fortunate to lead. And when I say lead, what an incredible group of men and women were on that commission. But we were here in Broward County, and some of the feedback that we took away with us from Broward County was incredibly important to ultimately creating the document that you're talking about, Commissioner. And we have high hopes for it in the legislative process.

I know that the division of juvenile justice is already beginning to implement some of the recommendations that they can accommodate even today, and we hope it's going to bring a much better balanced approach to the whole issue of juvenile justice for our state for a long time to come.

So, thank you very much, sir, and thank you all again for giving these young men what they deserve. Appreciate it.

(Applause.)

MAYOR WEXLER: Thank you. Commissioner Wasserman-Rubin. It's down there. I don't have my sheet, so I'm going from memory.

Commissioner Wasserman-Rubin is going to recognize Rotary International, Mr. Jim Norton.

COMMISSIONER WASSERMAN-RUBIN: May I ask Jim Norton, please, to come forward? I saw him. Oh, here we are. Okay. It's my pleasure to read this Proclamation on behalf of the Rotary.

Whereas Rotary International, founded on February the 23rd, 1905 in Chicago, Illinois, USA, is the world's first and one of the largest nonprofit service organizations. There are over 1.2 million Rotary Club members comprised of professional and business leaders in over 32,000 clubs in 200 countries and geographic areas, and the Rotary motto, Service Above Self, inspires members to provide humanitarian service, encourage a high ethical standard and promote goodwill and peace in world.

Rotary funds club projects and sponsors volunteers with community expertise to provide medical supplies, health care, clean water, food, production, job training and education to millions in need, particularly in developing countries.

In 1985, Rotary launched Polio Plus and spearheaded efforts with the World Health Organization, U.S. Center for Disease Control and Prevention, and UNICEF to immunize the children of the world against polio. Polio cases have dropped by 99 percent since 1988, and the world stands on the threshold of eradicating this horrible disease.

Rotary is the world's largest privately funded source of international scholarships, and promotes international understanding through scholarships, exchange programs, and humanitarian grants. More than 47,000 students from 110 countries have studied abroad since 1947 as Rotary Ambassadorial Scholars.

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Rotary's group study exchange program has helped more than 57,000 young professionals explore their career field in other countries. 7,000 secondary school students each year experience life in another country through the Rotary's youth exchange program.

Jim Norton is the Governor of District 6990, providing leadership and inspiration to the clubs, the membership, and throughout the community.

Whereas there are over 2300 Rotary Club members in more than 48 clubs throughout South Florida and Grand Bahama Island, sponsoring service projects to address such critical issues as poverty, health, hunger, illiteracy, and the environment in their local communities;

Now, therefore, be it proclaimed by the Board of County Commissioners of Broward County, that the Board hereby designates Saturday, February the 23rd, as Rotary International District 6990 Day in Broward County, signed by our Mayor, Lois Wexler, on our behalf.

Jim, it's a pleasure to give this to you. And I know that he is a community activist. I see him all the time all around my area, which is where he lives. So I appreciate you being there and all the good work you do.

MR. NORTON: Thank you very much. Thank you.

(Applause.)

MR. NORTON: Commissioner Wasserman-Rubin, Madam Mayor, County Commissioners, as you heard, my name is Jim Norton. I'm the Governor for Rotary International in Southeast Florida and Grand Bahama Island. And on behalf of more than the 2300 members in 48 clubs in our district, I thank you for recognizing how Rotary shares its time, talents, and resources to help those in need in our local community, and around the world.

Globally, Rotary has partnered with well known individuals such as Bill Gates to eradicate polio from the world. His Rotary -- his foundation recently affirmed our efforts by awarding Rotary a \$200,000,000 challenge grant to finally end this disease.

Locally, our clubs have awarded millions of dollars in scholarships each year to students needing financial assistance to attend college. We work with at-risk youth, mentor students at local public high schools and schools around the community. We've rebuilt parks, and we work with Habitat for Humanity to build homes for those in need, and work with other organizations around the community on other worthwhile projects.

Sunday, February 23rd, will mark our 103 year anniversary of serving humanity.

Again, thank you for recognizing the Service Above Self by the men and women in the Rotary clubs in Broward County and throughout our district with this Proclamation. Thank you very much.

(Applause.)

MAYOR WEXLER: Commissioner Lieberman, if you would present the next honoree, Broward Emergency Management Agency in support of statewide Hazardous Weather Awareness week and month. And joining you at the podium will be Lori Van Kannon, our EOC director, and Jerry Graziose, Public Safety and Emergency Management Director, Broward County Public Schools. Yeah, it's a lot of school people here today.

COMMISSION MINUTES

COMMISSIONER LIEBERMAN: Well, I'm not sure, Lori, whether it was because we were giving you this Proclamation today or it was going to happen otherwise, but the weather as certainly cooperated with bringing this issue to our attention. And you may have noticed that they are predicting some pretty intense weather for most of this week.

Whereas communities throughout Florida have been impacted by hazardous weather including tornadoes, thunderstorms, lightening, and flooding; and

Whereas the State of Florida will be observing Hazardous Weather Awareness week in February of 2008 and proclaimed by Governor Charlie Crist; and

(COMMISSIONER KEECHL LEFT THE ROOM.)

COMMISSIONER LIEBERMAN: Whereas each year brings the potential for violent weather to our state, including Broward County, when hazardous conditions can result in the loss of human life and property; and

Whereas the Broward County Emergency Management Agency, Florida's National Weather Service forecast offices, and the Florida Division of Emergency Management are in unison in stressing the importance that residents remain prepared for hazardous weather conditions; and

Whereas Broward County's news media, educational institutions, and public and private sector entities have played and continue to play an important role in educating and preparing residents for climactic uncertainties;

Now, therefore, be it proclaimed by the Board of County Commissioners of Broward County, Florida, that the Board hereby designates the month of February 2008 as Hazardous Weather Awareness month in Broward County.

It gives me great pleasure, Lori, Jerry, to present this to you on behalf of our Mayor, Vice Mayor, the Board of Commissioners, and also to thank you for all the work you do.

If you had the opportunity to serve in the EOC during your term as Mayor, I can tell you that these two people are invaluable. So I couldn't think of two better people to receive this proclamation. So congratulations. Congratulations.

(Applause.)

MS. VAN KANNON: Jerry is here with us today because the school board here has played an active role with us throughout the year of really promoting all hazards, all weather education for us, and, of course, are partners with us with the Ready, Set, Safe campaign as we gear up for hurricane season. So this is just one of many steps as we go forward. But I didn't want to take away from that. So you can showcase some of the activities, just briefly, what you've been doing at the School Board level.

MR. GRAZIOSE: Good afternoon, everyone, and thank you. On behalf of the School Board, we have taken, and most of the members here have been part of this, with the school district, we take it very seriously, weather safety. And last Friday we had a countywide tornado drill with all the schools. All the students participated in that.

(COMMISSIONER KEECHL RETURNED TO THE ROOM.)

COMMISSION MINUTES

MR. GRAZIOSE: We also work with Broward County and the Red Cross. Last week our cable channel, Beacon, during the day and at night on the cable channel for residents, ran the Red Cross Masters of Disaster programming, which was programs about all different types of weather, from hurricanes to earthquakes to lightning. So they ran that.

And then we've also -- and it's gone off a couple times in the back already while we were here -- all of the schools now have weather alert phones. We have over 900 of these in the school district. And these are used by all of our outside coaches, athletic directors, even at Lockhart Stadium. And we have a number of weather stations at schools which is all part of the science curriculum project. Also the information goes for emergency management and the local news media.

We have about 60 weather stations in Broward County right now with about half of them at schools, and our next project this year is to build -- we're putting weather stations at all of our primary shelters, so we're going to know what the weather conditions are when we have people at the shelters.

So these are some of the things we're doing from the school district along within the county and our other partners.

Thank you.

MAYOR WEXLER: Thank you, Jerry.

(Applause.)

MAYOR WEXLER: And the final recipient this afternoon are the Florida Engineering Society members. The recipient, Peter Moore, President of the Broward County Chapter.

Jerry, always nice to see you. Congratulations.

Commissioner Eggelletion.

If I seem like I'm trying to move things along, I am.

COMMISSIONER EGGELETION: Okay. Thank you, Mayor, members of the Board of County Commissioners, and the audience. I have a Proclamation that I want to present to Peter Moore, who is -- you're president of the local chapter, right?

MR. MOORE: Yes.

MAYOR WEXLER: Yes.

COMMISSIONER EGGELETION: Of engineers. You know, engineers, you don't think about them until you happen to be, let's say in, what was that, Minnesota this year and a bridge go down, then you'll start to think about them a lot, right? But the proclamation reads:

Whereas engineers have used their scientific and technical knowledge and skills in creative and innovative ways to fill society's needs; and

COMMISSION MINUTES

Whereas engineers face the major technological challenge of our time from rebuilding towns devastated by natural disasters to designing an information super highway that will speed our country into the 21st century; and

Whereas engineers are encouraged -- encouraging our young math and science students to realize the practical power of their knowledge; and

Whereas we will look more than ever to engineers and their knowledge and skills to meet the challenges of the future; and

Whereas some important activities that introduce students to engineering are featured in the National Engineer's Week; and

Whereas Discovery E provides more than 45,000 engineers to work with five and a half million students and teachers each year through classroom visit, extra curriculum programs using educational and materials provided by Engineers Week; and

Whereas introduce a girl -- wow -- a girl or a young woman, shall I say, to Engineering Day, February 21st, 2008, as an activity whereby each year more than one million girls and young women in K through 12 gain firsthand experience in engineering through mentoring activities; and

Whereas founded in 1951 by the National Society of Professional Engineers, National Engineers Week is among the oldest of America's professional outreach efforts.

Now, therefore, be it proclaimed by the Board of County Commissioners of Broward County, Florida, that the Board hereby designate the week of February 17th through the 23rd, 2008, as National Engineering Week in Broward County, Florida, ascribed this 17th day -- or ascribed the 17th day of February, rather, by our Mayor, Lois Wexler.

And I want to present this to you, and thank you so very much for all that you great engineers do, including making this room acoustically sound. That's an engineering marvel.

MR. MOORE: Madam Mayor, Commissioners, thank you very much. As the president of the Florida Engineering Society, with our over 400 members, we appreciate this opportunity to recognize engineers. We're not always the best at tooting our own horns. However, as the president of a local engineering business, founded, working, and working for Broward County, I want to appreciate -- I want to -- excuse me -- I want to give our appreciation for the ideas that Broward County has a firm understanding of the needs for infrastructure going forward into the future. Thank you very much.

(COMMISSIONER EGGELLETON LEFT THE ROOM.)

MAYOR WEXLER: Thank you.

(Applause.)

PUBLIC HEARING

MAYOR WEXLER: Okay. We have six items on today's Public Hearing agenda. Will the minutes person please post the appropriate notice of Public Hearing?

We are finished with the special presentations, Proclamations.

COMMISSION MINUTES

I'm going to ask individuals who are interested in speaking on any of the Public Hearing items to please come forward and sign up to be heard, if you have not already done so.

I have quite a few speakers on Item Number 4, and we will get to it in just a moment.

AGENDA ITEM 1

MAYOR WEXLER: Item Number 1.

COMMISSIONER LIEBERMAN: Move Item Number 1.

COMMISSIONER GUNZBURGER: Second.

MAYOR WEXLER: Been moved by Commissioner Lieberman, seconded by Commissioner Gunzburger. It is a motion to consider award of a new license for provision of non-emergency medical services to Honey Can Do Transportation.

The Public Hearing to consider this new license is now open.

Are there any members of the public who wish to speak?

Seeing none, the Public Hearing is now closed.

Are there any comments, Board members?

Seeing none, the item was moved, seconded.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 2

MAYOR WEXLER: I need a motion to consider --

COMMISSIONER GUNZBURGER: Move it.

COMMISSIONER KEECHL: Second.

MAYOR WEXLER: -- Item 2, an enactment of ordinance. Moved by Commissioner Gunzburger, seconded by Commissioner Keechl.

Item Number 2 is an ordinance relating to the state judicial system amending Section 10-3, Broward County Code of Ordinances relating to assessment of additional court costs in criminal cases and juvenile cases.

The Public Hearing to consider enactment of this ordinance is now open.

COMMISSION MINUTES

Are there members of the public who wish to speak?

Seeing none, the Public Hearing is now closed.

Comments, Commissioners?

Seeing none, the item was moved, seconded.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 3

MAYOR WEXLER: I need a motion on Item 3.

COMMISSIONER LIEBERMAN: So moved.

MAYOR WEXLER: It's been moved by Commissioner Lieberman; seconded by the Vice Mayor. It is a motion to consider enactment of an ordinance, the title of which is amending various sections of Chapter 27 of the Broward County Code of Ordinances, Article V, air quality related to crematory facilities.

The Public Hearing to consider enactment of an order -- of this ordinance is now open.

Are there any members of the public that wish to speak?

Seeing none, the Public Hearing is now closed.

Any discussion?

Seeing none, all those in favor, indicate by aye.

Opposed like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 4

MAYOR WEXLER: We are now on Item Number 4.

Item Number 4 is a motion to consider enactment of an ordinance, the title of which is as follows, an Ordinance of Board of Broward County Commissioners relating to the Human Rights Act, Section 16 ½ -1 through Section 16 ½-72 of the Broward County Code of Ordinances amending Subsection 16 ½ -2(A)(1) regarding the purpose of the act, amending subsections -- do I have to read every subsection?

COMMISSIONER LIEBERMAN: No.

COMMISSION MINUTES

MAYOR WEXLER: Thank you.

COMMISSIONER KEECHL: So moved.

COMMISSIONER LIEBERMAN: Second.

MAYOR WEXLER: Do you want me to read the particulars of the act into the record, Mr. Attorney?

COMMISSIONER LIEBERMAN: No.

MAYOR WEXLER: I don't -- okay. It's been published. Thank you. It's been moved by Commissioner Keechl, seconded by --

COMMISSIONER LIEBERMAN: I seconded.

MAYOR WEXLER: -- Commissioner Lieberman.

We have many members of the public who have signed up to speak. The Public Hearing is now open. The first speaker this afternoon, because I see "I must leave early" on the very top, so don't say we don't pay attention --

COMMISSIONER KEECHL: That's a first.

MAYOR WEXLER: -- is Adriane Reese.

MS. REESEY: Good afternoon, Ms. Mayor --

MAYOR WEXLER: Good afternoon.

MS. REESEY: -- and members of the County Commission. Today is February 12th, and it is the birthday of a great President who delivered an address over 145 years ago that reiterated that this country was conceived in liberty and that all men were created equal. Further, that a government of the people, by the people, and for the people shall not perish from the earth.

Then 60 years ago, in 1948, the General Assembly of the United Nations adopted and issued a proclamation for a universal declaration of human rights. In the preamble, they referred to all people as members of a human family with equal rights. They did not add any caveats or exceptions when they provided this. They spoke of acting in a spirit of brotherhood. They claimed that contempt of human rights would outrage the conscience of mankind and reaffirm their faith in the dignity and worth of every human person. This proclamation read in part that it was in an effort to promote social progress and better standards of life for a larger freedom.

Further, and I'm going to quote from Article 23, everyone has the right to work, free choice employment, and just and favorable conditions of work and to protect against unemployment.

As I stand here before you today as Chair of the Human Rights Board, and there are members with me today from the Human Rights Board, we voted unanimously some time ago to pass this. And I would ask you, and urge the Commission to proceed with this proposed amendment, adding pregnancy and gender identity as protected classes to this county's HRO in consideration of basic human rights, and as a display of your belief in one human family.

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Thank you very much.

MAYOR WEXLER: Thank you, Adriane.

(Applause.)

COMMISSIONER LIEBERMAN: We don't do that.

MAYOR WEXLER: Folks. Folks, I know the passion is high. I'm just asking that you please not show any outward support. It is the Board rules, no booing, no clapping. Please.

The next speaker is Carole Benowitz --

UNIDENTIFIED SPEAKER: Go like this.

MAYOR WEXLER: -- followed by Robin Bodiford. Right, go like this.

MS. BENOWITZ: Good afternoon.

MAYOR WEXLER: Good afternoon.

MS. BENOWITZ: I'm the state coordinator of PFLAG, parents, families and friends of lesbians, gays, bisexuals, and transgender people. Several years ago, I was asked to find a home for a transgender youth, who was being verbally harassed daily. She had become suicidal and was being put in a psychiatric hospital, because the foster care system did not want her. Well, I found her a home with two moms. They are a loving, happy family. She will be graduating high school, and going out into the business world, and doing her reassignment as she becomes more financially able.

By you adding gender identity and gender expression to this human rights ordinance will help her to make her life safer and closer to the quality that I have.

Thank you.

MAYOR WEXLER: Thank you. Robin Bodiford, followed by Suzanne Boisvenue. Thank you, Suzanne.

MS. BODIFORD: Very good. You said Robin Betterford. I wasn't sure if there might have been someone else here.

MAYOR WEXLER: No, but you --

MS. BODIFORD: (Inaudible.)

MAYOR WEXLER: Robin, you filled out two forms. I'm only giving you one three-minute period.

MS. BODIFORD: That's because -- that's because one disappeared.

Well, I just want to say I'm absolutely thrilled to be here today, and I'm absolutely thrilled to see nobody that obviously looks like they are opposing us. For the first time around back in the '90s, we -- it was quite a different situation. And I'm very proud if you all and I anticipate that this is going to pass with no problem.

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So I just want to thank you in advance for your vote, adding gender -- gender identity and gender expression. And I particularly want to thank Commissioner Keechl for bringing this forward, and for also having the wisdom to wait and be prudent and bring it forward now, and it's a wonderful Valentine's Day present for Broward County.

Thank you.

MAYOR WEXLER: Thank you. Commissioner Boisvenue.

COMMISSIONER BOISVENUE: Yes, thank you. Early in September of 2007, Michael Rainer and others came to me as a Commissioner in the City of Oakland Park and asked me to put on our agenda the inclusionary statement of gender identity and gender expression in our anti-discrimination laws. And, in fact, our Commission voted 5-0, a hundred percent unanimously, ordinance 02007-428, to include gender identify and gender expression in our anti-discrimination laws, because it's just simply wrong that someone should be discriminated against because of race, or gender, or sexual orientation, gender identity, gender expression, ethnic origin, political or religious opinions, or affiliations.

(COMMISSIONER EGELLETON RETURNED TO THE ROOM.)

COMMISSIONER BOISVENUE: And I'm particularly proud to see that you've also added pregnancy, because as a registered nurse working in health care for nearly close to 40 years at this point, people come into the hospitals and there's a law called the COBRA law that guarantees rights for everyone and that everyone has care. And this is absolutely the right direction to move forward in so that this is included now in all these other areas.

Thank you, and I urge you to support this.

MAYOR WEXLER: Thank you. Jacqui Charvet, followed by Leanne Bradley.

MS. CHARVET: Good afternoon, Mayor, Commissioners.

MAYOR WEXLER: Good afternoon.

MS. CHARVET: My name is Jacqui Charvet. I come before as co-administrator of TERI, the Transgender Equality Rights Initiative, to explain why these protection are so vital.

Being transgender is not a choice any more than choosing what color eyes you have. Five percent of the world's population is transgender. You might know trans people as entertainers, but there are many walking among you on a daily basis, normal people doing normal jobs, working hard, paying our taxes. We strive to just blend in. Our community has a very high suicide rate due to discrimination.

All of us trans people here today are risking everything in just speaking out. I had no idea how my life would be altered five years ago when I spoke those words the first time to my employer: I am a transgendered woman. Like Largo Florida Town Manager Susan Stanton, I had a long successful career as a senior level manager, was well liked, got the job done, a model employee. My contract was immediately terminated. No problem, I had excellent knowledge base that did not change when I put on a skirt.

Over the next three and a half years, I applied to many companies and got the same reaction when I went on an interview. Many times, it took me longer to pick out my outfit than the time for the interview. In these folders are applications and interviews that I went on looking for employment. I challenge anyone in this room to have a normal life when you have no paycheck for that long. I was in a

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ten-year relationship with my partner. We survived the transgendered issue, but could not overcome the money issue. I used my entire retirement account and came within weeks of bankruptcy before I found a job, and, there, I interviewed over the phone.

80 to 85 percent of trans people are un- or underemployed even though many have advanced degrees and skill sets. Many are forced into the sex trade just for survival. Discrimination in health care and emergency rooms, being placed into the general male population in a jail cell based on the gender marker on your license, being raped, and being subject to AIDS. Homeless shelters are segregated based on gender. This was a huge issue for trans people in New Orleans and could very easily be an issue of a hurricane were to hit Broward.

These are some of the issues that transgender people face every day. Employment, health care housing, incarceration, public accommodation, incarceration to name a few.

This ordinance will also protect straight people. How many times have you heard someone say, she is so masculine, even though you know them to be straight, or he is so feminine? How many children in our schools have been bullied for just this reason? History has shown that people fear and discriminate against those they do not understand. It's discrimination, and it is wrong.

Thirty-eight percent of the United States' jurisdictions afford protections for transgendered individuals. Oakland Park and Wilton Manors joined just recently. It's time to grant these rights to every citizen that calls Broward County home.

In closing, I thank Commissioner Ken Keechl for his leadership and vision in bringing this item up for discuss. I thank the full Commission for your positive vote to include gender identity and gender expression to the protected categories in Broward County's Human Rights Ordinance.

The year is 2008. The time is right. The time is now. Thank you.

MAYOR WEXLER: Thank you. Leanna Bradley, followed by Terry DeCarlo.

MS. BRADLEY: Good afternoon, Madam Mayor and Commission.

MAYOR WEXLER: Good afternoon.

MS. BRADLEY: On December 24th of 2000, I, being transgendered myself, incurred a very horrific discrimination as I went to a war memorial service at the war memorial. I collapsed in severe pain. Doing so, the local law enforcement showed up along with the paramedics, put me on a gurney, and their slurs and slanders and discrimination against me neglected my -- what I really needed. And it continued on in the ambulance, everything from being called it to -- except everything -- what I really was, instead of taking care of my problem. All the way to the ER, all the way up to the floor, and everything. And then 14 days later when they decided to do the surgery, still not having the care or anything, the anesthesiologist says to me, looking on the paperwork, we have to change this to "he," knowing that I was a she. I refused, and he said, I can no longer do the surgery for you.

And so on behalf of this long fight and good friends, all -- some of you I know, and 36 years in the military, I want to thank you for this wonderful fight, and I urge you to pass this wholeheartedly.

MAYOR WEXLER: Thank you. I didn't even set your time. Thank you. Terry DeCarlo, followed by Stephan Campass.

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MR. DECARLO: Mayor Wexler, Vice Mayor Ritter, and members of the Broward County Commission. My name is Terry DeCarlo, and I am the public relations and marketing manager for Care Resource, south Florida's largest HIV/AIDS community service provider.

Currently, Care Resource has over 110 employees between our Broward and Miami-Dade offices. We have been fortunate to hire over the years several transgender individuals, who have provided important services to the community we serve. Diversity is an important value of our agency, and we consider the employment of transgender people enriches our vision and allows us to better serve our clients.

It has always been Care Resource's policy to maintain a culturally diverse staff at all times, and to provide equal opportunity in employment, not discriminating because of race, color, religion, sex, sexual orientation, national origin, age, disability, or gender identity.

Currently, one of our dedicated employees performing HIV tests and counseling in our office is a transgendered person. This person is well known, well liked, and most competent in her job. Care Resource would have been amiss to write this candidate -- to write off this candidate for employment simply because she was a transgendered person.

We at Care Resource believe that discrimination in axis to or participation in the employment programs and activities of the organization hinders the achievement of excellence. It's socially and economically wasteful, and may violate the civil rights of an individual.

Care Resource thanks you for your leadership in this matter.

MAYOR WEXLER: Thank you. Stephan Compasso. Better? No. Followed by Paul Palmer.

MR. LOMPASSO: Good afternoon, Mayor --

MAYOR WEXLER: Good afternoon.

MR. LOMPASSO: Vice Mayor, and Commissioners. My name is Steven Lompasso.

MAYOR WEXLER: Lompasso.

MR. LOMPASSO: I apologize for my penmanship. It's not the first time it's been criticized. I stand before you this afternoon as the chairman of the Human Rights Campaign, South Florida Committee.

The Human Rights Campaign, HRC, is the nation's largest civil rights organization devoted to the advancement of gay, lesbian, bisexual, and transgender issues. I'm proud to stand before you this afternoon, and encourage your support of this important amendment.

As you know, this amendment will update the Human Rights Act to prohibit discrimination based on gender identity and expression. And it is long overdue. We at South Florida HRC have had the opportunity to work over the past year with South Florida's transgender community, and I could not be prouder of the affiliation and the bond that we have built here in south Florida.

In August of this year, we hosted a transgender Town Hall at the Gay and Lesbian Community Center that brought together the entirety of the community to speak about transgender issues and transgender concerns. In September of 2007, the Human Rights Campaign released its 2008 Corporate Equality Index, and for the first time we see that a majority of the rated firms, actually, 58 percent of the rated firms, now provide employment protections on the basis of gender identity.

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It should be noted that several other cities and county governments in Florida, West Palm Beach, Key West, Miami Beach, Monroe County, most recently the City of Oakland Park and the City of Wilton Manors, have acted to prohibit employment -- to prohibit discrimination based on gender identity. Eleven states across the country also have laws prohibiting this type of discrimination in employment.

You, the County Commissioners, are elected to represent all of the people, and all of us should be equal. That's all that they are asking for today. That is what this amendment does. It doesn't seek special rights. It seeks equal rights. Thank you very much.

MAYOR WEXLER: Thank you. Paul Palmer, followed by Nikki Hatch.

MR. PALMER: Good afternoon. My name is Paul Palmer and I live in Oakland Park.

When I was thinking about today's hearing, a memory from 22 years ago kept coming back to me. Some here will remember that in 1985 a young man named Todd Shuttleworth, a Broward County employee, was diagnosed with AIDS and fired from his job. Scientists had established by then that HIV could not be spread by casual contact, but many people still clung to old fears, so Todd's supervisors claimed that his very presence in the workplace caused an unacceptable disruption. Todd sued Broward County, and, in a landmark ruling, one of the first of its kind in the nation, the court ruled that his firing was unlawful. And the court further stated that unreasoned fears could never be a basis for denying employment.

That court decision marked a turning point in this county, and we have never again needed a judge to tell us that it is wrong to deny someone's civil rights based on the unreasoned fears or prejudices of others.

Broward is an amazingly diverse place, and this diversity is one of our greatest strengths. In fact, even though broadening the county's Human Rights Ordinance is absolutely the right thing to do for those who will now have equal protection under the law, it seems clear to me that we do this for all of us.

Broward County succeeds and prospers when everyone's talents and skills are brought to the table. We need -- we need the very best from everyone who has a contribution to make, and we can't afford to waste a single individual. Every one of us is different, but, as Broward residents, we have made a commitment to each other that when it comes to the civil sphere to employment, housing, and public accommodations, we will not let our difference be used to deny any of us full participation in the life of our community.

Thank you for your efforts as you continue the legacy of those before you, including one lone Broward County employee who stood up in 1985 and proved that the right to a job should not depend on the prejudices of others. Thank you for doing everything you can to make sure that each one of us matters.

MAYOR WEXLER: Thank you. Nikki Hatch, followed by Jerry Waymon Hudson.

MS. HATCH: Hello, I'm Nikki Hatch.

MAYOR WEXLER: Hi.

MS. HATCH: I'm a postoperative transsexual, and I moved to Broward County two years ago. I grew up in Jacksonville, Florida, and practiced as a chiropractor for 18 years. I had a private practice in Jacksonville for seven years, and then I took a position as Assistant Professor of Clinical Sciences at Los

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Angeles Chiropractic College. In 1996 to 2001, I took a job as a chiropractor for the SOD Specialty Hospital in Al Khobar, Saudi Arabia.

On May 1st of 2001, I was delivered a package bomb to my office --

COMMISSIONER LIEBERMAN: Oh, my God.

MS. HATCH: -- which I thought was interoffice mail. When I opened the package, it exploded, and in a single moment, my life was changed.

I feel that I was targeted primarily for my sexuality, and because I did not conform to a gender stereotype. Returning -- I mean, a lot of people say, you know, that happened in the Middle East; it wouldn't happen here in Florida. And thankfully I haven't been sent any bombs since I've been back in Florida. But I certainly have had my share of discrimination, everything from the odd stares to rude comments and laughing and giggling behind my back, to actually being asked to leave the Blue Martini and being blocked entrance into the Greenbrier Bar, which is a local neighborhood bar across from where I live.

So I think -- I'm so proud of the County Commissioners today for standing up for what is right, and I'm humbled to be here in the presence of fellow activists for human and civil rights. I hope that my injury -- something positive can come out of my injury, and that is that people can see me as the face of the victim and realize the extent that bigotry and hate, you know can result in.

As someone already -- Adriane already spoke about the Constitution basically being -- saying that we all are created equal, and that we all have the access to life, liberty, and the pursuit of happiness. And I certainly think having housing, having opportunity for employment, and not being the victim of verbal or physical assault is a basic human right that we, as Americans, deserve, and it's not a special right.

Thank you so much.

MAYOR WEXLER: Thank you.

Jerry Waymon Hudson, followed by Tobias Packer.

MR. HUDSON: Hello. My name is Waymon Hudson, and I'm speaking today as president of Fight Out Loud for a national gay, bisexual, lesbian, and transgender rights organization. I've come to speak today on behalf of our 20,000 members. And I encourage you to remember -- to amend the Broward Human Rights Ordinance to ban discrimination based on gender, identity, and expression.

This important addition will affect the lives of countless resident of Broward County, extending the right to have equal housing, employment, and services to a now a now unprotected group of people.

While this is viewed as mainly extending rights to the transgender community, something that is very much needed and long overdue, the addition will also deeply affect nearly every other person in the county. These protections will help anyone who does not fit into the narrow view of how others think they should act; something we can all relate to. This is for anyone who has ever been called sissy or tomboy, anyone who has been fired for not being man enough for a job, or the person who simply doesn't fit into the narrow -- narrow stereotype of how their gender should act.

This addition truly effects us all. Amending the HRO will further show Broward County to be a leader in extending the rights of all of its citizens, and to be the modern. forward thinking community we

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all know it is. This is about taking away one more level of discrimination and adding protections that will help us all.

Thank you.

MAYOR WEXLER: Thank you. Tobias Packer followed by Jeanette Bloshinsky.

MR. PACKER: Good afternoon. I'm here on behalf of Equality Florida, and our 8,000 members here in Broward County. I just want to thank all of you for showing leadership on this issue. But also, here on a personal note, you know, as a transgender individual here in Broward County, I grew up here, went to Coral Springs High School. This is my home. This is where my family is. And I'm thankful that the Commission has seen this as an important issue, and I hope that we will have a strong vote here today to support me and all of my other fellow members here in Broward County to make sure that people like my family know -- my mother can go to bed at night knowing that her son is safe.

I'm proud of this county. I love this county, and I want to feel safe in this county.

Back in October, I'm sure most of you read my op ed that was published in the Sun-Sentinel, you know, as someone who has experienced the real discrimination that happens against transgender people, not just in the workplace or in public accommodations, but places like the hospital, something that -- where you may not have any control over. This sends a real message to every resident that the standard of Broward County is that discrimination on any level, against any person, is not tolerated, and it is something that is the core value of our county.

So, again, thank you very, very much.

MAYOR WEXLER: Thank you. Jeanette Bloshinsky, followed by Yvette Ducharme. I'm trying.

MS. BLOSHINSKY: Hi. Thank you. I'm here as a mom today to speak on behalf of my child that is too young to speak for herself. And I'll put her picture up here; you all can see. I don't know, pass it around or whatever you have to do.

Seven years ago I gave birth to my fourth child, a beautiful baby boy who we named Jaron. Since I already had a four year old daughter and twin two year old boys, he completed our family and brought so much joy into our lives. However, when Jaron was two and began to form a little personality, it was apparent he was nothing like his older brothers. He was attracted to all things girly, and I when I was praise him, good boy, he would always correct me and say, no, mommy, good girl.

At first we thought nothing of it, but when he kept insisting that he was a girl, and wanting to leave the house in a wig, high heels, and a dress, we knew that his desire to be a girl was more than a passing phase. By the time Jaron was three, he was diagnosed with gender identity disorder by a professional. From that moment on, our lives were never the same. Jaron continued to act just like a girl. He was obsessed with all things Barbie, loved all the shades of pink, stole my makeup, and wanted his nails painted every day. And he never went anywhere without his be loved mermaid dolls. Even his entire demeanor was feminine, petite, delicate, and always graceful.

As I continued to learn about gender identity disorder and transgender children, I was horrified at what I did learn. 50 percent of trans kids will attempt suicide at least once. They are depressed, confused, and hate themselves and their bodies. My husband and I were determined that our child was not going to be another static. We never encouraged his behavior, but instead allowed him to be true to himself.

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By the age of five, my beautiful baby boy Jaron became my gorgeous daughter Jaron. A simple pronoun change, a change of clothes, and some hair growth was all that it took. Today, at the age of seven, Jaron is a happy, popular, well adjusted little girl, who, most importantly, loves herself. Little does she know the rough journey ahead of her, but you all know what it means to be transgender in today's world. And as a mom, I fear what she may face.

Jaron deserves a fair chance to lead her life as she pleases and be given the same opportunities as her peers. And I'm happy to see that change is on the way.

She recently told me that the happiest day of her life was when she found out she was transgender. May she always feel this way, always feel good about herself. And I thank you very much.

MAYOR WEXLER: Thank you. Yvette, and you can pronounce your last name for me, please?

MS. DUCHARME: Ducharme.

MAYOR WEXLER: Ducharme.

MS. DUCHARME: Ducharme.

MAYOR WEXLER: Okay. Followed by Anthony Niedwiecki.

MS. DUCHARME: Mrs. Mayor, Commissioners, I want to thank you for something that you are going just about to make a final corrections. During the last 12 years -- well, I retired recently -- I was -- I worked for Broward County at the port and at the airport. I am transgendered. I also worked in a program research and development division. All that time, I knew I was transgendered. I don't know if the people around me guessed, but all the time I feared that someone would eventually put the finger on the issue and discriminate against me.

I didn't receive any discrimination while I worked for Broward County, and I thank you very much. But during the same time, I was instrumental in creating an organization, the South Florida Gender Coalition, to help people understand, to educate, and to explain what is transgender to other people, to make sure that we -- when employers have to think of bathroom issues, which one do we use, when, if you ever get arrested by the police officers, that if you go to jail, your gender will be protected, and you will not be put in general population where some other inmates may decide to manifest physically their -- that they don't agree with gender changes and all that.

So I urge Broward County to accept this amendment in such a way that it will make it nice and easy for transgender people to work with -- with Broward County. And I thank you for allowing me to have worked with Broward County and meet some of you people during my employment with Broward County.

So please vote yes. Thank you.

MAYOR WEXLER: Thank you. Anthony Niedwiecki, followed by --

MS. NARINESINGH: Rajay (ph.).

MAYOR WEXLER: Rajay? May I just say Rajay? You'll say your name for me, please. I apologize.

MR. NIEDWIECKI: Good afternoon. My name is Anthony Niedwiecki.

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First, I'd like to just say that the world would be such a better place as if everybody was as wonderful, open as the mother we heard from. If that didn't touch you, and we didn't go like that, I'm sorry, but that really touched me and moved me.

I'd like to start off by saying I'm a law professor at Nova Southeastern University where I specialize in employment discrimination and sexual identity gender and the law. I'm also a founding member of Fight Out Loud, a national organization that fights discrimination and hate directed at LGBT individuals.

I'm here to ask you to support amending the Human Rights Ordinance, not only because it's the right thing to do, but it also fixes a serious gap in the ordinance. First, it's important to extend the protections based on gender expression because this would include discrimination against those individuals who do not conform to societal gender norms. Sexual orientation protections do not generally extend to discrimination or harassment because someone does not act like a woman or a man enough. For example, a person who is harassed because they have a high voice, but is not gay, will have suffered discrimination because of gender expression and would not fall under the sexual orientation discrimination. This ordinance fixes that gap.

Second, by extending anti-discrimination law to include gender identity, you will be protecting transgender individuals, some -- who suffer some of the most serious discrimination, as you heard today. Protecting transgender individuals and those who do not conform to gender norms by society sends an important message to the -- all Broward residents that we support and respect everyone in our county.

Anti-discrimination laws have always been designed to neutralize characteristics that have nothing to do with a person's ability to do their job, or afford the rent, or pay their mortgage. Extending our county's protection Tuesday include gender identity and expression will allow us to judge each person on his and her ability to do the job, pay the rent, and nothing else.

Thank you.

MAYOR WEXLER: Thank you. Raj Narinesingh?

MS. NARINESINGH: Good job. Good job. It's Rajindra Narinesingh, Rajay for short. Hello, everyone.

(COMMISSIONER LIEBERMAN LEFT THE ROOM.)

MAYOR WEXLER: Thank you, and welcome.

MS. NARINESINGH: Great to be here. I'm a little under the weather today, but I had to be present for this, because this is a very important day for transgender people. I've been advocating for the trans community for a number of years now, and I can only hope that one day we'll be able to stop adding groups of people to the human rights ordinance, and that it would be just you're human, this -- that would qualify you or entitle you to have human rights.

About two -- well, a few years ago, I was brutally beaten up by two guys who targeted me for being transgender, and I had to really fight for my life. And I didn't go to the police, and the reason why is because I was scared of being re-victimized. And, you know, thinking about today, I probably would have felt comfortable going to the police after being brutally attacked if trans protection had been on the Human Rights Ordinance.

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So I want to thank each and every one of you here for seeing us as the human beings that we are. Take care. Thank you.

MAYOR WEXLER: Thank you. Nikki Montgomery, followed by Michael Albetta.

MS. MONTGOMERY: Good afternoon, Mayor and esteemed members of the Commission. Thank you so much for allowing me to speak briefly.

Gender protection or gender expression protection for all Americans is highly desirable in order to achieve pursuit of life, liberty, and pursuit of happiness. But for transgendered people, this type of protection is tantamount to life and death, and is going to heavily influence on how successful they are in life.

There was a November, 2007 article in the *New York Times* I'd like to bring to your attention that related to Fortune 500 companies and their trans protection legislation. I believe it was almost 40 percent. Ironically, many of those companies were Department of Defense companies such as Boeing, McDonnell Douglas, Martin Marietta. Fortune 500 companies and many large firms in the private sector realize that transgender people have a tremendous amount to give back to their organizations in terms of creativity and devotion to the mission at hand.

Unlike some of the previous speakers, I have been very fortunate. I have served under two governors in the state and public health. I actually worked in several policy meetings with our former governor. So I've been very blessed in the fact that I've been allowed to have a career. And I love Florida, and I know that we are in the leading edge of human rights inclusion.

I would just say in closing that we heard the story about Jaron, the seven year old girl, and, actually, this legislation for our area is tantamount to her future. It represents what type of future she will inherit, whether one that's inclusive and nurturing, or one that is somewhat brutalizing.

So I applaud you for reviewing this legislation, and I hope that you make the wise decision in approving it.

Thank you.

MAYOR WEXLER: Thank you. Michael Albetta, followed by Michael Rajner.

MR. ALBETTA: Good afternoon, Madam Mayor --

MAYOR WEXLER: Good afternoon.

MR. ALBETTA: -- and ladies and gentlemen of the Commission, Commissioner Keechl. I have Michael Rajner just going to pass out a couple items, one of them here is the voter impact guide. But officially my name is Michael Albetta and I am the president of the Florida Gay and Lesbian, Bisexual, Transgender Democratic caucus, and also a vice president of the Dolphin Democrats.

What Michael Rajner is passing around is the voter impact guide, the GLBT voter impact guide of same-sex households within Broward County. And if I did this before this past summer, and I'd just like to refresh your memories, in District 1, Commissioner Lieberman, there's 6,236 same-sex households. In District 2, Commissioner Jacobs, 6,695. District 3, Commissioner Ritter, 3,964. Commissioner Keechl, 22,900. Commissioner Wexler, 4,116. Commissioner Gunzburger, 8,060. Commissioner Rodstrom, 14,104. Commissioner Diana Wasserman-Rubin, 5,208. Commissioner Eggelton, 8,665. These are same-sex household Democratic voters that live within Broward County.

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In the past year, we have seen the impact of the GLBT community has on South Florida. During the battle of the Fort Lauderdale last summer, we've learned that our community spends more than \$1,000,000,000 annually in Broward County. We are loyal to those who support us, and in return, we expect fair treatment, fairly.

Ladies and gentlemen of this great Commission, I strongly urge you to support adding transgender protections to Broward County's Human Rights Ordinance. This is an issue whose time has come for our county, and it is long overdue. As a leader in fairness in Florida and nation, as an example of good policy and good politics, it is an illustration of that old-fashioned notion of being -- doing the right thing to do. Updating the ordinance shows that what Broward County is all about.

There are many serious issues before this Commission, and some might see that this is a distraction from property taxes or the insurance crisis, but there is no greater priority that this Commission than to insure that our fellow citizens are safe in their homes, in their jobs, and their daily livelihoods.

I want to thank you from the bottom of my heart and also from the Florida GLBT Democratic caucus of Florida for doing the right thing with this historic vote today. Thank you very much.

MAYOR WEXLER: Thank you, Michael.

MR. ALBETTA: Thank you.

MAYOR WEXLER: Michael Rajner, followed by Lisa Agate.

MR. RAJNER: Good afternoon, Mayor, Commissioners. Before you start the clock, if I could just -- Marcia Ellison of the NAACP text messaged me to know that she can't make it, but she is in support of this and wanted to make certain that the Mayor and Commissioners were well aware of the NAACP's position on 16 ½.

My name is Michael Rajner. I stand here wearing many hats. I am with the National Association for People with AIDS, and -- along with the caucus, but most proudly today as a student of social work, I'm here as one of the cofounder for the Transgender Equality Rights Initiatives.

It is the group that has mobilized this strong coalition to come before you to help educate you on the social injustice that even happens here at Broward County. It's a social injustice that happens throughout the world, and it's something that, thankfully, the county has taken the leadership role to change that to bring quality to all persons.

I've had the chance and opportunity to speak with to most of the Commissioners prior to this meeting at different occasions. I've spoken with Commissioner Rodstrom, who voiced his support, which I understand will be calling in at 4:30 to support this. Commissioner Eggelton and I had a conversation where he was concerned about the enumeration, and, unfortunately, it's the courts that mandate that we must put these enumerations in and actually spell out where there is discrimination to change that.

With respect to AIDS, you know, I must say that the transgender community remains one of the most vulnerable, and they remain vulnerable for several reasons. And one of the reasons as far as disease progression is the fact that most transgendered individuals cannot obtain health insurance for various reasons. But employment is one of the ways, certainly, to make certain that they can access group health coverage and other benefits. It will help them make certain that they can afford housing and remain independent. This is an issue of social justice that I think all of the Commissioners here will support, and I look forward to your continued leadership on issues such as this.

COMMISSION MINUTES

And I will call my time. Thank you.

MAYOR WEXLER: Thank you. Lisa Agate, followed by Paul Hyman.

MS. AGATE: Thank you, Mayor and Commissioners, for entertaining all of our comments here today. They're all extremely important to everyone. But I don't come here today to talk to you about the political perspective of this, but one as an employer and a employee of a very large state agency where we embrace and very -- are proud that we hire people from diverse backgrounds.

I do have a story very different from the ones that you have heard, and that is of a previous employee of mine who worked for me many, many years ago, was a bright, articulate, educated employee, one of my -- part of my management team, and we had lost touch with each other, but contacted one another again over the last couple of years, and I was really discouraged to hear that this person, who was a viable member of my team, could not find employment in Broward County and has applied, much like Ms. Charvet's folder that she showed to you, to many, many places and is still not gainfully employed.

And my message here as an employer is to look at, and as most of us try to, people's qualifications and not just look at gender or a change in someone's driver's license. It's important that this community be treated as an equal member to the community, and we need to look at that and address that with employers.

Thank you.

MAYOR WEXLER: Thank you.

Paul Hyman, followed by Stephanie Desir-Jean?

MS. DESIR-JEAN: Desir.

MAYOR WEXLER: Desir? Desir-Jean. Desir-Jean. How's that? Paul, welcome.

MR. HYMAN: Good afternoon, Commissioners. My name is Paul Hyman. I'm the executive director of the Gay and Lesbian Community Center here in Fort Lauderdale. We serve the LGBT community with health prevention, information, referral services, and provide a safe home for a variety of groups to meet.

And I really want to place special emphasis on the notion of safety here. What really strikes me about this opportunity today is that we all serve this community in ways that we do, and many, many items come across our respective desks and Outlook in-boxes. Today we're talking about helping a marginalized, underserved, often misunderstood segment of this community. We're helping these people feel more safe to keep a roof over their head and to keep food on their tables, to feel safe so that they can feel better about themselves and connect with each other in friendship and in intimacy and in families the same way that many of us do.

So I very much appreciate and congratulate you for your attention to this item. And I congratulate you in advance for your approval of this amendment and your unanimous approval in this item, in this matter, would really enable all of you to go home tonight knowing you made a very concrete and tangible difference in the lives of people who -- who desperately need it and will appreciate it tremendously, and will give back to this community tenfold.

Thank you.

COMMISSION MINUTES

MAYOR WEXLER: Thank you, Mr. Hyman.

Stephanie Desir-Jean, followed by Victoria Michaels Lavelle.

MS. DESIR-JEAN: Good afternoon, Commissioners, and Mayor. Mayor Wexler, I'd like you to know that my husband would be very happy that you didn't get the Desir right. As long as you got the Jean right, he's going to be really happy.

My name is Stephanie Desir-Jean. I am vice president of Healthy Mothers, Healthy Babies in Broward. I serve on the board of one community formerly known as NCCJ. And I am aide to Congressman Alcee Hastings, whom you all know. And today is actually one of the first times I think I've ever -- I'm going to address this Commission as a private citizen.

Today, my son, my youngest son, Mason, turns one. It's very historic for me, because I'm done with babies, and I'm 17 years -- wait, 20 years away from financial freedom. My oldest son, Sebastian, is very sick with a stomach virus, so I was home today and -- but I felt that this ordinance, it was very important for me to be here, so I called Alan and said you need to come sit with the sick child. I've got to go to the Commission.

I want to say that I'm very proud of this Commission and I'm proud that you --

(COMMISSIONER LIEBERMAN RETURNED TO THE ROOM.)

MS. DESIR-JEAN: -- and I encourage you to pass this ordinance unanimously, because it -- it is required. During the course of my employment, I have been pregnant three times, and never once did I have to worry about losing my jobs. The only thing I worried about what I would be missing while I was on maternity leave. And many women, that's not the experience for them. So I'm very happy that you included pregnant women, and even more happy that you included the transgender community, gender identity, because, as a mother of three, it's very important to me that not only am I teaching my children what it means to be a human being and how we have to respect people, but it is being enforced and they are learning it through their community.

And so I wanted to say today, thank you very much in advance for passing this ordinance, and, like I said, I don't know if I say this enough, but today I'm very proud of this Commission. Thank you.

MAYOR WEXLER: Thank you. And the final speaker today is Victoria Michaels Lavelle.

MS. LAVELLE: Good afternoon, Mayor, Commissioners, my name is Victoria Lavelle, and I am your current reigning Miss Florida, representing the LGB community not only within this county, but now, as Miss Florida, I have the opportunity to be a spokesperson across the state.

My biggest concern, as I serve as a mentor to a younger generation of transgendered individuals, is that without equal opportunity in the workplace, our younger generation is being steered into a world of prostitution and drugs. And I think by passing equal rights for transgenders today, this entire county and community will reap the benefits of that. What community won't be better with this?

Thank you.

MAYOR WEXLER: Thank you. Okay. Commissioners.

Commissioner Keechl.

COMMISSION MINUTES

COMMISSIONER KEECHL: Thank you, Mayor. I don't think I could add much to the 23 speakers we've heard here today from various walks of life who have explained to us, to a person, how important these two amendments are to include the transgender community within the protections of the Human Rights Act, and pregnant women as well.

So I'm going to spend a few minutes saying some thank yous. First and foremost, I want to thank Robin Bodiford and Dean Trantalis for originally fighting the fight to get this amendment in place to protect those protected classes that were contained in the amendment. And Michael Albetta, who spoke to us, actually spoke to the Human Rights Board several years ago, and before my election, asking that transgendered individuals be added to this amendment.

I think it's important for all of us to understand that this amendment didn't come through me per se; it came through your appointees. The Human Rights Board, as stated by Adriane, unanimously voted, your appointees unanimously voted to ask us to do this, and I am so proud of you for your 9-0 vote earlier to initiate these changes.

I'd also like to thank Equality Florida for helping our staff draft the appropriate language, because they are the experts with regard to this. And it's taken a long time to get here, colleagues, but we're trying to do it the right way.

This is not a political issue in my world, and I think that's evidenced by the fact that the Wilton Manors and the Oakland Park Commissions, who are made up of Democrats and Republicans, voted unanimously, once they found out that we were in the process of amending our Human Rights Act, to add protections for gender identity and expression in their own ordinances.

This is not a perfect ordinance, but as my late dad used to say, don't let perfection be the enemy of good. So this is a good ordinance to begin with, and it's going to be a better ordinance by the end of today, because we're going to do the right thing, and I hope we're going to do it unanimously.

Finally, I want to thank each of you in advance, I want to thank you again for your 9-0 vote to start this process, and hopefully for your unanimous vote to do this today. This is the right thing to do.

As Martin Luther King said, "Injustice anywhere is a threat to justice everywhere." And we need to fix this problem and go on representing the people of Broward County, as we've done so well in the past.

Thank you, Mayor.

MAYOR WEXLER: Thank you, Commissioner.

Commissioner Gunzburger.

COMMISSIONER GUNZBURGER: I think this is just an extension of what we have been doing all along. I think the hardest hurdle was several years ago in the '90s when we felt that everyone deserved equal rights, gay, straight, no matter what the color of your skin was, or what your sexual orientation is. We all deserve the same opportunities and chances in our life, without our laws getting in the way of us achieving and being all that we can be, and not telling us who we can love and who we can make a life with. This just finishes and closes that circle.

Thank you all.

COMMISSION MINUTES

MAYOR WEXLER: Thank you, Commissioner. Any comments on this side?

COMMISSIONER EGGELETON: I just want to know, Madam Mayor, last year, I was visited by people on both sides of this issue, and I just want to know whether or not everybody is on Board with this now, because I was asked, as you well know, Commissioner, not to bring even this on board.

MAYOR WEXLER: It went back (inaudible).

COMMISSIONER EGGELETON: It went back? Okay.

MAYOR WEXLER: Vice Mayor.

VICE MAYOR RITTER: I've been really quiet today. Didn't say a word during that two and a half hour debate on The Starting Place. Here's my turn.

During the past year and a half, I've had many opportunities to be so thrilled that I chose to run for the County Commission instead of State Senate. We've done so many amazing things on this body that would never, ever pass the legislature, including this Human Rights Ordinance which we're amending today. In fact, when I was in the legislature, as I recall, we tried to put pregnancy in to the civil rights, the Florida Civil Rights Act and it was voted down, so --

COMMISSIONER JACOBS: (Inaudible).

VICE MAYOR RITTER: -- so this is one of those really, really great days where I get to say to myself, geez, Stac, you made the right decision.

And interestingly enough, unlike some of the other things we've done on this Board since I got here in November of '06, this one didn't generate any nasty name-calling, finger-pointing, inappropriate or disrespectful e-mails, phone calls, or letters. So either they're no longer watching us, or some of the -- some of those nasty, name-calling, finger-pointing, inappropriate, disrespectful people, most of whom live out of state, decided that it wasn't worth their while to attack us on this one. I hope that means that we are in for better times.

I'm thrilled that this will protect -- protect for housing, employment, and services, but we all know that you can't legislate away narrow-mindedness or rudeness or insensitivity or intolerance. And, unfortunately, there are still going to be those people who will be intolerant and insensitive, regardless of what any Human Rights Ordinance says.

But I believe it's going to be unanimous today. I feel a lot of positive energy up here right now, which I didn't feel a couple hours ago. And hopefully that will send a message to at least the 1.8 million people who live in Broward County that the intolerance and the insensitivity needs to stop.

So thank you. I wholeheartedly support this and look forward to casting a yes vote today.

MAYOR WEXLER: Thank you, Vice Mayor. Just one comment. The members of the Human Rights Board, I know that there are a number of them here today. I saw a couple people sitting in the back of the room there. Thank you. The camera is kind of cutting you off, but I -- (inaudible), I know you're back there. There, you're all back there. Thank you, members of the Human Rights Board.

(Applause.)

COMMISSION MINUTES

MAYOR WEXLER: You absolutely do need to be recognized for doing the right thing and making the right unanimous recommendation to the Board of County Commissioners.

You saw me ask Commissioner Keechl to come over just a moment ago. I'm not going to break the momentum here. I am not going to break the stride, and I'm just going to have to pay the consequences, I guess, a little later in the day.

You heard Michael Rajner make reference to Commissioner Rodstrom wanting to vote on this. Indeed, this is going to be a unanimous vote. But I'd like to take the vote now, and then when he -- it's rotten weather out there. I don't know what -- you know, if he's -- if he's delayed, I don't want to delay taking action on this today, especially while everybody took time out of their busy schedule to be here today.

If he does call in, then I will do a mechanical thing of a motion to reconsider so we can put it back on the floor so that he may cast his affirmative vote as well. But that would be later on today.

But right now, it was moved, it was seconded for approval. We had Public Hearing. We had discussion.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

MAYOR WEXLER: Motion carries unanimously. Thank you.

(Standing ovation.)

MAYOR WEXLER: Thank you. Okay. Thank you. Thank you.

Now, Commissioner Keechl, would I have done anything to damper that emotion and opportunity?

COMMISSIONER KEECHL: Mayor, you showed true leadership. Thank you.

AGENDA ITEM 5

MAYOR WEXLER: Thank you.

We are on Item Number 6, which is a motion -- I'm sorry -- Item Number 5, which is a motion to consider enactment of an ordinance entitled -- relating to land use amending Chapter 5, Article IV of the Broward County Code of Ordinances Land Development Code.

Been moved by Commissioner Gunzburger --

COMMISSIONER LIEBERMAN: Second.

MAYOR WEXLER: -- seconded by --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSION MINUTES

MAYOR WEXLER: No. Well --

COMMISSIONER GUNZBURGER: All right. I move it.

MAYOR WEXLER: Moved by Gunzburger, seconded by Lieberman.

The Public Hearing to consider enactment of this ordinance is now open.

Are there any members of the public who wish to speak?

Seeing none, the Public Hearing is now closed.

Any discussion?

Seeing none, all those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 6

MAYOR WEXLER: Thank you, Peter Ross, for monitoring this morning the school board's action, and it has been transmitted.

Item Number 6 is a motion to consider ordinance of the Board of County Commissioners of Broward County --

COMMISSIONER GUNZBURGER: Move it.

MAYOR WEXLER: -- repealing Section 1-5 chapter administration of the Broward County Code of Ordinances tax notices. I did see Property Appraiser Parrish in here a little while ago. I kind of waved her off. I don't think there's going to be much issue on this, either.

Tax notice is not to be mailed or extended on tax rolls when taxes are less than \$1, is Motion A. It's been moved by -- do you want to move that, Ilene?

COMMISSIONER LIEBERMAN: Yeah, I'll move it.

MAYOR WEXLER: Moved by Commissioner Lieberman --

COMMISSIONER KEECHL: Second.

MAYOR WEXLER: -- seconded by Commissioner Keechl.

Public Hearing is now open.

Are there any members of the public who wish to speak?

COMMISSION MINUTES

Seeing none, the Public Hearing is closed.

The item is on the floor.

All those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

MAYOR WEXLER: Motion B, Public Hearing to consider Motion B, which is a resolution in which the tax collector is not to mail tax notices to a taxpayer when the amount of personal property -- property taxes shown is less than an amount of up to \$30 and less than an -- and not instructing the property appraiser not to make an extension on the tax roll for any personal property taxes which the tax would amount to less than an amount of \$30.

It's been moved by Commissioner Gunzburger --

COMMISSIONER LIEBERMAN: Second.

MAYOR WEXLER: -- seconded -- did you want to?

COMMISSIONER EGGELETTION: I have a question.

MAYOR WEXLER: Seconded by Commissioner Lieberman.

The Public Hearing is now open. Are there any members of the public who wish to speak?

COMMISSIONER EGGELETTION: I do.

MAYOR WEXLER: Well, yeah, but you're not the public.

COMMISSIONER EGGELETTION: Oh, I'm sorry.

MAYOR WEXLER: You're a member of the -- the Public Hearing is now closed.

Are there any comments from the Commission? Commissioner Eggelletion.

COMMISSIONER EGGELETTION: You know, I support this, but, you know, I'm just wondering, there are going to be a number of properties with this amendment, far more than is here, that -- that may fall under this category. And, you know, I can tell you with an extra \$25,000 homestead exception in my district alone, in the area of Lauderdale Lakes and Lauderdale, you're going to find -- and North Lauderdale, you're going to find a lot of properties that's going to fall under this category. I know it's costing us some money.

COMMISSIONER LIEBERMAN: This is personal property.

COMMISSIONER EGGELETTION: This is personal property. I know.

COMMISSION MINUTES

COMMISSIONER LIEBERMAN: Right, not real property.

COMMISSIONER EGGELETTION: I -- I know. Personal property.

COMMISSIONER LIEBERMAN: Right.

COMMISSIONER EGGELETTION: Yeah, I know.

MAYOR WEXLER: All right. Do you have a question?

COMMISSIONER EGGELETTION: But you're going to find a lot of property that's -- that's going to come under this. So I'm just -- and I just wonder if the -- after this passes -- because there is an exemption, I think, in the law of \$25,000 for personal property, and I just am wondering at some point in the future could the Property Appraiser give us an update or Kayla Olsen give us an update of what the new fiscal impact of what this is going to be. It's going to be a lot more than -- than I think you see here, a whole lot more.

MAYOR WEXLER: This is both real property and personal property, Motion B.

COMMISSIONER LIEBERMAN: But it's real property. We're just readopting what we've had all along, which is when it's a dollar. It's personal property which now falls under the \$30 rule.

COMMISSIONER EGGELETTION: Right. Okay. I just want an update at some point of what the real value of this is, because I think it's going to be a lot -- I think the fiscal impact is going to be a lot more than what is shown here.

MAYOR WEXLER: So, Mr. Brossard, Ms. Henry, I don't know if you've heard Commissioner Eggelletion's question. At the end of this go around, trim notice, tax roll, we'll have some real data to share with the Commission to see the impact of this particular resolution, if that could be forthcoming at the conclusion of this cycle.

MS. HENRY: Yes. If I recall, the Property Appraiser did give us some statistics on what the impact would have been on the last year's roll, and I don't happen to have that handy, but I could get that to provide you with that.

COMMISSIONER EGGELETTION: October or November of '08 will be fine.

MS. HENRY: Okay.

MAYOR WEXLER: Thank you. Any other comments, Commissioners?

On the item, all those in favor, indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

MAYOR WEXLER: We are --

COMMISSIONER LIEBERMAN: Be back in a moment.

COMMISSION MINUTES

(Commissioner Lieberman left the meeting.)

MAYOR WEXLER: -- adjourning the 2:00 p.m. -- from the 2:00 p.m. meeting? Oh, okay.

COMMISSIONER KEECHL: Mayor, do we need to just keep it open so when Commissioner Rodstrom calls in?

MAYOR WEXLER: Yes. Yes.

COMMISSIONER KEECHL: So let's keep it open. She didn't close it yet.

MAYOR WEXLER: Thank you. Thank you. We are not -- we are recessing the 2:00 p.m. meeting. And please remind me if by chance there is not a phone call to do what I need to do? Okay. Thank you. Okay. That's still open.

(THE MEETING WAS RECESSED AT 4:20 AND RECONVENED AT 5:07 P.M.)

PUBLIC HEARING

AGENDA ITEM 4

MAYOR WEXLER: I need a motion to reconsider Item Number 4.

COMMISSIONER KEECHL: So moved.

MAYOR WEXLER: Been moved by Commissioner Keechl; seconded by -- did I hear it there?

Commissioner Jacobs.

All those in favor indicate by aye.

Opposed, like sign.

VOTE PASSES UNANIMOUSLY.

MAYOR WEXLER: Commissioner Rodstrom, I want to capture for you that we had a huge amount of momentum, passion, and doing just the right thing in this room about an hour ago or so. And we were anxiously waiting for your phone call, and we are thrilled to have you join us this afternoon.

And we have Item Number 4 on the floor, which is the Human Rights Ordinance.

COMMISSIONER RODSTROM: Yes, and, Madam Mayor, I'd like to be shown as a yes vote on that item.

MAYOR WEXLER: All those in favor, indicate aye.

Opposed, like sign?

Please indicate for the record that the motion passed unanimously, 9 to 0. Thank you.

COMMISSION MINUTES

VOTE PASSES UNANIMOUSLY.

COMMISSIONER RODSTROM: Thank you, Mayor.

MAYOR WEXLER: Thank you, Commissioner.

(THE MEETING ADJOURNED AT 5:09 P.M.)

(THIS IS NOT A VERBATIM TRANSCRIPTION OF THE MINUTES.)