

COMMISSION MINUTES

ACTION AGENDA

MEETING OF JUNE 7, 2016

(Meeting convened at 10:06 a.m., recessed at 12:43 p.m., reconvened at 2:47 p.m., recessed at 4:06 p.m., reconvened at 4:18 p.m., recessed at 5:46 p.m., reconvened at 5:58 p.m., and adjourned at 7:07 p.m.)

PLEDGE OF ALLEGIANCE was led by "Broward Good News" participants.

CALL TO ORDER was led by Mayor Marty Kiar, District 1.

MOMENT OF SILENCE

In memory of Professional Boxer Muhammad Ali.

In memory of Broward County Judge Marcia Beach.

In memory of the widow of Stu Kester, Pompano Beach.

In memory of our WWII Armed Forces on the 72nd Anniversary of D-Day.

In memory of our Armed Forces serving our country at home and abroad.

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
<u>Mark D. Bogen</u>	<u>2</u>	<u>Not Present</u>
<u>Beam Furr</u>	<u>6</u>	<u>Present</u>
<u>Dale V.C. Holness</u>	<u>9</u>	<u>Present</u>

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<u>Marty Kiar</u>	<u>1</u>	<u>Present</u>
<u>Chip LaMarca</u>	<u>4</u>	<u>Present</u>
<u>Open</u>	<u>3</u>	<u>Open</u>
<u>Tim Ryan</u>	<u>7</u>	<u>Present</u>
<u>Barbara Sharief</u>	<u>8</u>	<u>Present</u>
<u>Lois Wexler</u>	<u>5</u>	<u>Present</u>

"BROWARD GOOD NEWS" MOMENT

On behalf of the Board, Vice Mayor Sharief presented proclamations to Broward County High School students for Academic Excellence and Outstanding Leadership.

CONSENT AGENDA

A motion was made by Vice Mayor Sharief, seconded by Commissioner Holness and unanimously carried, to approve the Consent Agenda consisting of Items 1 through 61. At the request of the Mayor, Regular Items 72, 73, 75, 76, 78 and 79 were transferred to the Consent Agenda.

Each item voted on the Consent Agenda was passed by unanimous vote of the Commission unless otherwise indicated by record vote.

The following items were withdrawn/deferred: 30, 67, 74 and 77.

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The following items were pulled by the Board and considered separately: 5, 28, 33, 45, 53 and 60.

The following items were pulled by members of the public and considered separately: 5, 8, 15, 16, 28, 34, 35, 55 and 61.

BOARD APPOINTMENTS

1. MOTION TO APPROVE Board Appointments

- A. MOTION TO APPOINT Karen Swartzbaugh Ghezzi to the Children's Services Board. (Commissioner Furr)

ACTION: (T-10:32 AM) Approved with the Yellow-Sheeted Additional Material, dated June 7, 2016, submitted at the request of Commissioner Furr.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

- B. MOTION TO APPOINT Joseph V. Sansone to the Children's Services Board. (Commissioner Bogen)

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ACTION: (T-10:32 AM) Approved with the Yellow-Sheeted Additional Material, dated June 7, 2016, submitted at the request of Commissioner Bogen.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

AVIATION DEPARTMENT

2. A. MOTION TO ADOPT Resolution No. 2016-305 authorizing the Mayor and Clerk to execute a Florida Department of Transportation, Supplemental Joint Participation Agreement No. 434639-1-94-01, in the amount of \$275,000 to financially participate in the Master Plan update for Broward County's Fort Lauderdale-Hollywood International Airport; and to authorize the County Administrator to make the necessary administrative and budgetary actions to execute and approve any non-monetary amendments to the Agreement. This Agreement requires a County match of \$275,000, which is already budgeted in the Aviation FLL Capital Fund.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

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ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

B. MOTION TO ADOPT Resolution No. 2016-306 authorizing the Mayor and Clerk to execute a Florida Department of Transportation, Joint Participation Agreement No. 434644-1-94-01, in the amount of \$15,000 to financially participate in the Master Plan update for North Perry Airport; and to authorize the County Administrator to make the necessary administrative and budgetary actions to execute and approve any non-monetary amendments to the Agreement. This Agreement requires a County match of \$15,000, which is already budgeted in the North Perry Capital Fund.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

3. MOTION TO APPROVE Federal Aviation Administration Grant Agreement for Airport Improvement Program Project No. 3-12-0025-077-2016, in the amount of \$20,000,000, to financially participate in the extension of the South Runway at Broward County's Fort Lauderdale-Hollywood International Airport; and to authorize the County Administrator to take the necessary administrative and

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budgetary actions and approve any non-monetary amendments to the agreement; and authorize the Mayor and Clerk to execute the same. This grant requires a local match in the amount of \$3,333,333.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

4. MOTION TO APPROVE Second Amendment to Agreement with Keolis Transit America, Inc. for Airport Shuttle Bus and Other Transportation Services at Broward County's Fort Lauderdale-Hollywood International Airport, to adjust the annual management fee and to provide for additional expenses to qualify as reimbursable expenses; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

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5. MOTION TO APPROVE First Amendment to Shared Ride and Limousine Service Concession Agreement between Broward County and Yellow Airport Limousine Service, A Joint Venture d/b/a Go Airport Shuttle & Executive Car Service, to modify the terms of the Agreement in order to remove the minimum annual guarantee, adjust the security deposit and eliminate staffing from ground transportation kiosks at Broward County's Fort Lauderdale-Hollywood International Airport; and authorize the Mayor and Clerk to execute the same.

(Commissioners LaMarca, Wexler, and a member of the public pulled this item.)

ACTION: (T-10:33 AM) Commissioner Holness made motion to require a zero security deposit from small businesses. The motion was seconded by Vice Mayor Sharief. The motion failed. (Refer to minutes for full discussion.)

VOTE: 2-5. Commissioners Furr, LaMarca, Ryan, Wexler and Mayor Kiar voted no. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-11:00 AM) Approved. *The Board requested a requirement of a \$12,000 security deposit.* (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:54 AM) Approved, as amended, with the requirement of a \$12,000 security deposit. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

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PUBLIC WORKS DEPARTMENT

CONSTRUCTION MANAGEMENT DIVISION

6. MOTION TO AUTHORIZE County Administrator to take any and all necessary actions up to and during the Commission's 2016 Summer recess, including the execution of construction agreement to provide for the award of Bid No. R1419506C1, for the Broward County 64th Street Warehouse Wind Hardening project. **(Commission District 9)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

7. MOTION TO AUTHORIZE County Administrator to take any and all necessary actions up to and during the Commission's 2016 Summer recess, including the execution of change orders, amendments or any documents necessary to administer the agreement between Broward County and James B. Pirtle Construction Company, Inc., d/b/a Pirtle Construction Company for Managing General Contractor for the New Broward Addiction Recovery Center (BARC) Central Facility, Request for Proposals (RFP) No. R1144703P1, Construction Manager at Risk for New Facilities for Broward Addiction Recovery Center (BARC) Central Facility and Nancy J. Cotterman Center. **(Commission**

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District 7)

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

8. A. MOTION TO AUTHORIZE County Administrator to take any and all necessary actions up to and during the Commission's 2016 Summer recess, including execution of maintenance agreements, licenses and other administrative documents between Broward County, the City of Fort Lauderdale or other authorities having jurisdiction as needed to allow permit closures and other approvals for the New Broward County Courthouse project while the Board of County Commissioners is not in session. (**Commission District 7**)

(A member of the public pulled this item.)

ACTION: (T-10:55 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioner Bogen was not present. Commissioner Wexler was out of the room during the vote. District 3 is open.

- B. MOTION TO AUTHORIZE County Administrator to take any and all necessary actions up to and during the Commission's 2016 Summer recess, including execution of contract amendments, budget Resolutions, work

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authorizations and construction change orders as needed to provide for continued construction and potential post-construction phase services by James A. Cummings, Inc., the Spillis Candela & Partners/Heery/Cartaya Joint Venture and the Weitz Company for the New Broward County Courthouse project while the Board of County Commissioners is not in session. **(Commission District 7)**

(A member of the public pulled this item.)

ACTION: (T-10:55 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioner Bogen was not present. Commissioner Wexler was out of the room during the vote. District 3 is open.



Established Commission Goal



HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

9. **MOTION TO APPROVE** Agreement between Broward County and the City of Sunrise to provide joint funding for construction of a sound buffer wall along the west side of Pine Island Road from north of Springtree Lakes Drive to approximately 620 feet south of NW 50 Street, at a maximum cost to the County of \$186,364, which is 50% of the total estimated project construction cost of \$372,727; and authorize Mayor and Clerk to execute same. **(Commission District 1)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda

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adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

10. MOTION TO APPROVE Agreement between Broward County and the City of Dania Beach for trafficway beautification on Ravenswood Road from Stirling Road to Griffin Road, at an estimated cost of \$300,000 to the County; and authorize Mayor and Clerk to execute same. **(Commission District 7)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

11. A. MOTION TO APPROVE County Incentive Grant Program Agreement between Broward County and the Florida Department of Transportation for improvements to Wiles Road from Riverside Drive to Rock Island Road, at a maximum-not-to-exceed amount of \$5,750,500 to the County; and authorize Mayor and Clerk to execute same. **(Commission Districts 2 and 3)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

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ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

B. MOTION TO AUTHORIZE Director of Highway Construction and Engineering Division to approve and execute amendments to the County Incentive Grant Program Agreement with Florida Department of Transportation for improvements to Wiles Road from Riverside Drive to Rock Island Road, limited to extending the expiration date or revising the standards and specifications, and provided that the amendment does not result in any additional cost to the County.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

REAL PROPERTY SECTION

12. MOTION TO DECLARE Surplus those County-owned parcels located west of Fort Lauderdale-Hollywood International Airport as required to be sold by the

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Interlocal Agreement between County and the City of Dania Beach dated November 19, 2013; and authorize the Real Property Section to offer and manage the sale of the subject properties at a minimum bid established by current appraisals in accordance with Florida Statutes, Section 125.35.
(Commission District 7)

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

13. MOTION TO ADOPT Resolution No. 2016-307 declaring as surplus to the County's needs an unbuildable parcel of land comprised of approximately 2,500 square feet located at 3364 NW 8 Street in Lauderhill; approve Contract for Sale and Purchase between Broward County (Seller) and Camile E. Banks (Purchaser) at a purchase price of \$700; authorize the Mayor and Clerk to execute Contract and Quit Claim Deed; and authorize the Real Property Director to execute and process normal and customary title closing documents.
(Commission District 9)

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda

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adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

14. MOTION TO APPROVE Lease Agreement between Broward County (Tenant) and City of Deerfield Beach (Landlord) for the operation of the Deerfield Beach Percy White Library located at 837 East Hillsboro Boulevard in Deerfield Beach for a five-year term plus four one-year extension periods for consideration of \$1 per annum; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

15. MOTION TO APPROVE Declaration of Restrictive Covenant between Broward County and the Florida Department of Environmental Protection imposing soil and land-use restrictions on a portion of the new Broward County Judicial Complex in Fort Lauderdale; and authorize the Mayor and Clerk to execute same. **(Commission District 7)**

(A member of the public pulled this item.)

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ACTION: (T-10:57 AM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

HUMAN SERVICES DEPARTMENT

ELDERLY AND VETERANS SERVICES DIVISION

16. A. MOTION TO RETROACTIVELY APPROVE Referral Agreement between the Areawide Council on Aging of Broward County, Inc. and Broward County from October 1, 2015 to September 30, 2016 for the purpose of providing case management services to veterans within a consumer directed care initiative to prevent their premature institutionalization and nursing home placement; authorize the Mayor to execute same and authorize the County Administrator to execute all administrative and budgetary actions related to the Referral Agreement.

(A member of the public pulled this item.)

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

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

B. MOTION TO ADOPT budget Resolution No. 2016-308 within the State of Florida Grant Fund for the Elderly and Veterans Services Division to appropriate revenue in the amount of \$76,063 for the provision of consumer directed care services to veterans. This amount is the estimated annual reimbursement.

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(A member of the public pulled this item.)

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

VOTE: 7-0. *Commissioner Bogen was not present. District 3 is open.*



Established Commission Goal

FAMILY SUCCESS ADMINISTRATION DIVISION

17. **MOTION TO APPROVE** Agreement between Broward County and CareerSource Broward, in the amount of \$100,000, from date of execution to August 31, 2016, for the purpose of funding 36 youth participants in the Summer Youth Employment Program through the Community Services Block Grant, authorizing the Mayor and Clerk to execute the same, and authorizing the County Administrator to approve and execute all amendments to this Agreement subject to prior review and approval of same by the Office of the County Attorney.

ACTION: (T-10:32 AM) *Approved. (See Yellow-Sheeted Additional Material, dated June 7, 2016, submitted at the request of the Human Services Department.)*

VOTE: 7-0. *Commissioner Bogen was not present. District 3 is open.*

ACTION: (T-10:33 AM) *The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)*

VOTE: 7-0. *Commissioner Bogen was not present. District 3 is open.*

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Established Commission Goal

PORT EVERGLADES DEPARTMENT

18. MOTION TO ADOPT Resolution No. 2016-309 of the Board of County Commissioners of Broward County, Florida, authorizing the Mayor and Clerk to execute a Supplemental Joint Participation Agreement No. 1 between the State of Florida Department of Transportation and Broward County for the Slip 2 Extension Project at Broward County's Port Everglades; authorizing the County Administrator or designee to take necessary administrative and budgetary actions; providing for approval of County's matching share and extension of contract time; and providing for severability and an effective date.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



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19. MOTION TO APPROVE waiver of dockage charges at Broward County's Port

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Everglades for the ship Newtown Creek in the amount not to exceed \$18,000 during the time the ship is at Port Everglades being prepared as an artificial reef for sinking off northern Broward County.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

OFFICE OF MANAGEMENT AND BUDGET

20. MOTION TO ADOPT budget Resolution No. 2016-310 transferring funds within the Law Enforcement Trust Fund (LETf) for the Broward Sheriff's Office (BSO) in the amount of \$5,000 for the purpose of supporting the 31st National Preventing Crime in the Black Community Conference.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

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VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

OFFICE OF MEDICAL EXAMINER AND TRAUMA SERVICES

21. **MOTION TO DIRECT** Office of the County Attorney to amend various sections of Chapter 3½ of the Broward County Code of Ordinances ("Code"), regarding the issuance of renewal licenses for nonemergency medical transportation services and automobile insurance for nongovernmental EMS providers.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

OFFICE OF INTERGOVERNMENTAL AFFAIRS AND PROFESSIONAL STANDARDS

22. **MOTION TO DIRECT** Office of the County Attorney to prepare amendments to the Broward County Human Rights Act to meet the substantial equivalency requirements of the United States Department of Housing and Urban Development for the County's continued participation as a Fair Housing

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Assistance Program and to propose other conforming and technical amendments.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

23. MOTION TO DESIGNATE Vice Mayor Barbara Sharief as voting delegate and Commissioner Chip LaMarca as alternate voting delegate for the Broward County Board of County Commissioners, to cast the County's eligible votes at the 2016 National Association of Counties (NACo) Annual Conference in Los Angeles County, Long Beach, California.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

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OFFICE OF REGIONAL COMMUNICATIONS AND TECHNOLOGY

24. A. MOTION TO APPROVE First Amendment to the agreement between Broward County and Control Communications, Inc. for the 400 MHz Local Government Radio System (RFP No. R1147417P1) (the "Agreement") increasing the "not to exceed" amounts under the Agreement in the amount of \$1,157,039 to a total of \$5,887,039; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

- B. MOTION TO APPROVE Work Authorization No. 2 under the Agreement between Broward County and Control Communications, Inc. for the 400 MHz Local Government Radio System (R 1147417P1) in the not to exceed amount of \$283,964; and authorize the Mayor and Clerk to execute same.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

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ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

REQUEST TO SET FOR PUBLIC HEARING

25. MOTION TO ADOPT Resolution No. 2016-311 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 16, 2016, at 2:00 p.m. in Room 422 of the Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida to vacate a platted alley and any associated utility easement rights lying within the Corrected Plat of Everglade Land Sales Company's Second Addition to Lauderdale, together with all of that certain alley lying north of Tract "A" of the Resubdivision of Portion of Block 12, of Everglade Land Sales Company's 2nd Addition to Lauderdale, Corrected, situated at 325 SW 28 Street in Fort Lauderdale at no cost to the County; Petitioner: Broward County; Agent: Ariadna Musarra, Director, Construction Management Division; Application for Vacation and Abandonment: 2016-V-07. (Commission District 7)

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

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VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

26. MOTION TO ADOPT Resolution No. 2016-312 directing the County Administrator to publish a Notice of Public Hearing to consider the assignment of a nonexclusive cargo handler services franchise from Fast Terminal Corp. to Horizon Terminal Services LLC to provide cargo handler services at Port Everglades for the remainder of the ten-year franchise term which expires on April 21, 2025. The public hearing will be held on August 16, 2016 at 2:00 p.m. in Room 422 of the Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



27. MOTION TO ADOPT Resolution No. 2016-313 directing the County Administrator to publish a Notice of Public Hearing to consider an application to renew the nonexclusive franchise of Metro Shore Services, LLC to provide steamship agent services for a five-year term at Port Everglades. The Public Hearing will be held on August 16, 2016 at 2:00 p.m. in Room 422 of the

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Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



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28. MOTION TO ADOPT Resolution No. 2016-314 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 14, 2016, at 2:00 p.m. in Room 422 of the Governmental Center to consider adoption of a proposed Resolution Amending the Administrative Code, the title of which is as follows: (Commissioner Wexler)

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE BROWARD COUNTY TOURIST DEVELOPMENT COUNCIL ("TDC"); AMENDING SECTION 12.4 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE") TO PROVIDE FOR INPUT FROM THE TDC REGARDING TOURIST DEVELOPMENT TAXATION PROGRAM EXPENDITURE DECISIONS MADE BY BROWARD COUNTY OUTSIDE THE BUDGETARY PROCESS IN EXTRAORDINARY CIRCUMSTANCES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN

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EFFECTIVE DATE.

(Commissioners Holness, Vice Mayor Sharief, and a member of the public pulled this item.)

ACTION: (T-12:19 PM) *Approved. The Board asked that the County Attorney's Office amend verbiage in Section 1-C to reflect a 30-day time frame for the TDC to review and provide input after extraordinary (non-budgeted) expenditures are submitted for consideration. (Refer to minutes for full discussion.)*

VOTE: 6-1. *Vice Mayor Sharief voted no. Commissioner Bogen was not present. District 3 is open.*

ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

ANIMAL CARE AND ADOPTION DIVISION

29. MOTION TO ADOPT Resolution No. 2016-315 of the Board of County Commissioners of Broward County, Florida, accepting a donation from Ms. Cathy Sheppard in the amount of \$1,500 to be deposited in the Animal Care Trust Fund to be used to augment the general welfare programs of the Animal Care and Adoption Division; authorizing the County Administrator to take all administrative and budgetary actions required to implement same; providing for severability and an effective date. **(Commission District 6)**

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ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

30. A. MOTION TO APPROVE grant agreement in the amount of \$150,000 from the Petco Foundation, for the Animal Care and Adoption Division of the Environmental Protection and Growth Management Department for the purpose of lifesaving efforts by the Animal Care and Adoption Division.

(Withdrawn for further staff review.)

B. MOTION TO APPROVE delegation for signature of the grant agreement to the Animal Care and Adoption Division Director or designee.

(Withdrawn for further staff review.)

C. MOTION TO ADOPT budget Resolution within the Animal Care Grant Fund in the amount of \$150,000 for the purpose of lifesaving efforts in the shelter.

(Withdrawn for further staff review.)

31. A. MOTION TO APPROVE agreement with the HeARTs Speak, Inc., for the

COMMISSION MINUTES

Animal Care and Adoption Division of the Environmental Protection and Growth Management Department to accept a free Pet Exposure workshop and donated photography equipment from HeARTs Speak, for the purpose of enhancing lifesaving efforts by the Animal Care and Adoption Division.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

B. MOTION TO APPROVE delegation for signature of the agreement to the Animal Care and Adoption Division Director or designee.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ENVIRONMENTAL LICENSING AND BUILDING PERMITTING DIVISION

COMMISSION MINUTES

32. MOTION TO ACCEPT Joint Deed of Conservation Easement and Agreement from Terra Ranches Community Association, Inc., over a wetland mitigation area totaling 1.64 acres of real property located east of SW 172 Avenue, and north of SW 62 Street in the Town of Southwest Ranches, Florida (Folio No. 514005320120) and authorize the Mayor and Clerk to execute same. **(Commission District 5)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

33. MOTION TO APPROVE expenditure of \$108,507 from the Tree Preservation Trust Fund for a tree planting project at Quiet Waters Park. **(Commission District 2)**

(Commissioner LaMarca pulled this item.)

ACTION: (T-2:47 PM) Approved. The Board asked that information come back to the Board as to the delay in the project. (Refer to minutes for full discussion.)

COMMISSION MINUTES

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

ENVIRONMENTAL PLANNING AND COMMUNITY RESILIENCE DIVISION

34. A. MOTION TO APPROVE Interlocal Agreement between Broward, Palm Beach, Miami-Dade, and Monroe Counties for cost share support of services for the Southeast Florida Regional Climate Change Compact (Compact), and contract management by Broward County, with a contribution of \$100,000 per County over a two-year period, and authorize the County Administrator to take any and all necessary actions to execute the subject agreement upon joint execution by each of the Compact Counties.

(A member of the public pulled this item.)

ACTION: (T-2:50 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

B. MOTION TO APPROVE Agreement with the Institute for Sustainable Communities (ISC) providing for staffing and support services by ISC for the Southeast Florida Regional Climate Change Compact, and authorize the County Administrator to execute the subject agreement, contingent upon joint execution of the enabling Interlocal Agreement by the four Compact Counties, and execution of the Agreement by ISC. **(All Commission Districts)**

(A member of the public pulled this item.)

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ACTION: (T-2:50 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

35. A. MOTION TO APPROVE Planning Assistance to States (PAS) Agreement between the United States Army Corps of Engineers (USACE) and Broward County, providing for technical assistance in the evaluation of resiliency measures to mitigate for coastal flooding due to sea level rise, in substantially the form attached as Exhibit 2 and authorize the County Administrator to take any and all necessary actions required for execution subject to final review and approval as to form by the Office of the County Attorney.

(A member of the public pulled this item.)

ACTION: (T-2:52 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

- B. MOTION TO ADOPT budget Resolution No. 2016-316 transferring \$140,000 within the General Fund from the Reserve for Grant Match to provide funds necessary to complete a resiliency study in collaboration with the United States Army Corps of Engineers. **(All Commission Districts)**

(A member of the public pulled this item.)

ACTION: (T-2:52 PM) Approved. (Refer to minutes for full discussion.)

COMMISSION MINUTES

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

HOUSING FINANCE AND COMMUNITY REDEVELOPMENT DIVISION

36. **MOTION TO APPROVE** Broward Redevelopment Program (BRP) Interlocal Agreement (ILA) for a previously approved project for the City of West Park (Acquisition - \$50,000), attached hereto as Exhibit 1; authorize Mayor and Clerk to execute said Interlocal Agreement; authorize County Administrator to disburse funds in accordance with terms and conditions of said Interlocal Agreement; and authorize the County Administrator to take the necessary administrative and budgetary actions. **(Commission District 8)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

37. **MOTION TO ADOPT** Resolution No. 2016-317 of the Board of County Commissioners of Broward County, Florida, approving and authorizing

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Agreements to modify the Loan provided by the Housing Finance Authority of Broward County, Florida, for the Gulfstream Apartments Affordable Housing Project (to reduce the interest rate from 6% to 3% and to extend the maturity date to May 7, 2051), to modify and subordinate its existing subordinate mortgage in conjunction with a refinancing of the first mortgage under the HUD 223(f) program: and providing for severability and an effective date.

(Commission District 7)

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

38. MOTION TO AUTHORIZE County Administrator to enter into a First Amendment to Agreement between Broward County and Sagoma Construction Services, Inc., for administration of the County's Minor Home Repair and Water and Sewer Connections Programs; increasing funding under the Agreement in the amount of \$753,962, by adding Fiscal Year 2016 State Housing Initiatives Partnership (SHIP) Program Funds in the amount of \$579,362, and Fiscal Year 2016 State Residential Construction Mitigation Program (RCMP) Funds in the amount of \$174,600, and extending the term for two additional years, in a form approved by the Office of the County Attorney. **(All Commission Districts)**

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ACTION: (T-10:32 AM) Approved. (Scrivener's Error - See County Administrator's Report: Motion Statement currently reads: "extending the term for two additional years," and should read: "extending the term for one additional year.")

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

39. MOTION TO AUTHORIZE County Administrator to enter into a First Amendment to Agreements between Broward County and Broward County Minority Builders Coalition, Inc. and Center for Independent Living of Broward, Inc., respectively, for administration of the County's Special Needs/Barrier Free Program; increasing funding under each Agreement in the amount of \$185,122 in State Housing Initiatives Partnership (SHIP) Program Funds for Fiscal Year 2016, and extending the term for two additional years; and authorize the County Administrator to execute the First Amendments to Agreements, in a form approved by the Office of the County Attorney.

ACTION: (T-10:32 AM) Approved. (Scrivener's Error - See County Administrator's Report: Motion Statement currently reads: "extending the term for two additional years," and should read: "extending the term for

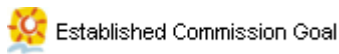
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one additional year.")

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

40. **MOTION TO CONSIDER APPROVAL** of the Second Amendment to Declaration of Restrictive Covenants recorded in Official Records Book 44460, Page 1757 for Land Use Plan Amendment PC 06-29, also known as "Trails at Central Parc, formerly known as Palm Cove and Monterey by Prestige." **(Commission District 9)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

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POLLUTION PREVENTION DIVISION

41. A. MOTION TO RETROACTIVELY APPROVE First Amendment to the U.S. Environmental Protection Agency (EPA) Cooperative Agreement PM 96495815 (grant) in the amount of \$90,000 and authorize the County Administrator to execute administrative and budgetary actions to implement the grant and allocate and implement subsequent partial awards under Agreement PM 96495815, subject to approval as to form by the County Attorney. **(All Commission Districts)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

B. MOTION TO ADOPT budget Resolution No. 2016-318 to recognize and appropriate additional revenue within the Ambient Air Monitoring Fund for the Environmental Protection and Growth Management Department in the amount of \$90,000 for the purpose of recognizing the grant funds received from U.S. EPA.

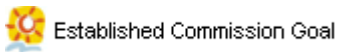
ACTION: (T-10:32 AM) Approved.

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VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



42. A. MOTION TO APPROVE eleventh award under the U.S. Department of Homeland Security (U.S. DHS) Cooperative Agreement No. 2006-ST-091-000015 (grant) in the amount of \$416,523, and authorize the County Administrator to execute administrative and budgetary actions to implement the grant and allocate and implement subsequent partial awards under Agreement 2006-ST-091-000015, subject to approval as to form by the County Attorney.
(All Commission Districts)

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

- B. MOTION TO ADOPT budget Resolution No. 2016-319 to recognize and

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appropriate additional revenue within the BioWatch Program Fund for the Environmental Protection and Growth Management Department in the amount of \$416,523 for the purpose of recognizing the grant funds received from the U.S. DHS. **(All Commission Districts)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

ACCOUNTING DIVISION

43. **MOTION TO FILE** following Financial Statements and Audit Reports:

A. Comprehensive Annual Financial Report, Broward County, Florida, Fiscal Year ended September 30, 2015.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

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ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

B. Broward County, Florida, Reports in Accordance with Government Auditing Standards and Chapter 10.550, Rules of the Auditor General, September 30, 2015.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

C. Broward County Aviation Department, a Major Fund of Broward County, Florida, Financial Statements, Fiscal Years ended September 30, 2015 and 2014.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full

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discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

D. Broward County Aviation Department Independent Auditor's Management Letter, Fiscal Year ended September 30, 2015.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

E. Annual Financial Report for the Port Everglades Department of Broward County, Florida, a Major Enterprise Fund of Broward County, Florida, Fiscal Years ended September 30, 2015 and 2014.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

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F. Broward County, Florida, Water and Wastewater Fund, a major fund of Broward County, Florida Financial Statements, Fiscal Years ended September 30, 2015 and 2014.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

G. Water and Wastewater Fund Independent Auditor's Management Letter, Fiscal Year ended September 30, 2015.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

H. Housing Finance Authority of Broward County, Florida, Financial Statements, Fiscal Year ended September 30, 2015.

ACTION: (T-10:32 AM) Approved.

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VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ENTERPRISE TECHNOLOGY SERVICES

44. A. MOTION TO APPROVE only one reasonable source designation of AT&T Corp. as provider of physical infrastructure that directly connects to the County's network infrastructure "last mile" of services for all telephony telecommunication systems and subsystems for Broward County, Libraries E-Rate Metro Ethernet services and Management services for Office of Regional Communications and Technology. **(All Commission Districts)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

- B. MOTION TO APPROVE Agreement between Broward County and AT&T

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Corp. to provide services, maintenance, and support for all telephony telecommunication systems and subsystems for Broward County, including all Constitutional Offices, for an initial ten-year term, in the estimated annual amount of \$5,030,000 annually for the first two years (inclusive of Data Circuit Services), and thereafter \$3,200,000 annually; and authorize the Director of Purchasing to renew the Agreement for up to five one-year periods, and authorize the Mayor and Clerk to execute same. **(All Commission Districts)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

45. MOTION TO APPROVE Fifth Amendment to the Deliberately Phased Agreement between Broward County and Plante & Moran, PLLC, for Third Party Assurance and Procurement Assistance to extend the term of the Agreement to coincide with the implementation term of the ERP Master Services Agreement (RLI No. R0866301R2), and allow adjustment of services between current Scope of Services and additional Optional Services at no increase in cost to provide additional flexibility within the Agreement to support ERP implementation; and authorize the Director of Purchasing to execute Work Authorizations for Optional Services up to the not-to-exceed amount of

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Statement of Work No. 4 to the Agreement (\$4,025,000, as approved by the Board, Item No. 34 on June 10, 2014); and to authorize the Mayor and Clerk to execute same.

(Commissioner LaMarca pulled this item.)

ACTION: (T-2:55 PM) Approved. *The Board requested that information come back to the Board surrounding accounts and invoices related to contractors. In addition, the Board suggested that a manual process be in place. (Refer to minutes for full discussion.)*

VOTE: 6-0. Commissioner Furr was out of the room during the vote. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

PURCHASING DIVISION

For Aviation Department

46. MOTION TO APPROVE Agreement between Broward County and Convergent Technologies, LLC., for Request for Proposals (RFP) No. R1176102P1, for Aviation Credentialing Management System, in the total not-to-exceed amount of \$1,245,000 which includes \$1,000,000 for licenses, services, support and maintenance for the initial five-year term; \$20,000 for reimbursables; \$75,000 for optional services; and \$75,000 annually for two renewal years; and authorize the Mayor and Clerk to execute same. This Agreement will begin on the date of execution and end five years from final acceptance.

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ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

47. MOTION TO AWARD fixed contract to low bidder, Arazoza Brothers Corporation for South Runway Landscape Planting, Irrigation and Restoration of Former Ramp G, Bid No. Z1425002C1 for the Broward County Aviation Department, in the amount of \$820,850, plus optional items in the amount of \$870,571, plus allowances in the potential not-to-exceed amount of \$178,000 for a total estimated amount of \$1,869,421, to be substantially completed in 120 calendar days from the Project Initiation Date listed in the Second Notice to Proceed, contingent upon the receipt and approval of insurance/performance and payment guaranty, and authorize the Mayor and Clerk to execute the same.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

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For Greater Fort Lauderdale Convention and Visitors Bureau

48. MOTION TO APPROVE Agreement between Broward County and Ewize Marketing 4U, LLC DBA Van Dee Fulfillment for Request for Proposals (RFP) No. R1351601P1, Mailing Service and Marketing for Broward County's Greater Fort Lauderdale Convention & Visitors Bureau for a maximum not-to-exceed annual amount of \$300,000, which includes a not-to-exceed \$600 monthly fee for Basic Services, a not-to-exceed \$125,000 annual fee for At-Cost Services, and a not-to-exceed \$167,800 annual fee for General Services, for a five-year term in the total not-to-exceed amount of \$1,500,000, and authorize the Mayor and Clerk to execute same. The initial term of the Agreement will begin on July 1, 2016 and end on June 30, 2021.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

For Port Everglades Department

49. MOTION TO AWARD open-end contract to low responsive, responsible bidder, Pfeifer Wire Rope and Lifting Technology, Inc. for Wire Rope for Cranes, Bid No. X1424102B1, for the Broward County Port Everglades Department, in the

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estimated annual amount of \$165,278 and authorize the Director of Purchasing to renew the contract for two one-year periods, for a three-year potential estimated amount of \$495,834. The initial contract period begins on the date of award and terminates one year from that date.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

For Public Works Department

50. A. MOTION TO AWARD fixed contract to low bidder, Control Instruments, Inc., for Wastewater Supervisory Control and Data Acquisition (SCADA) System, Bid No. Y1294206C1 for Water and Wastewater Services (the SCADA Construction Agreement), in the total amount of \$4,544,628, including allowances in the amount of \$111,500, to be completed in 395 calendar days from Project Initiation Date specified in the Second Notice to Proceed, contingent upon the receipt and approval of insurance/performance and payment guaranty; and authorize the Mayor and Clerk to execute same. (Project No. 9184)
(Commission Districts 2, 3, 4 and 9)

ACTION: (T-10:32 AM) Approved.

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VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

B. MOTION TO APPROVE Agreement between Broward County and Control Instruments, Inc., for SCADA System Maintenance and Support for Water and Wastewater Services, in the total not-to-exceed amount of \$273,812 for the initial two-year term, including \$248,920 for maintenance and support services, equipment, training and new work flat fee and \$24,892 for optional services, and authorize the Director of Purchasing to renew the agreement for three optional one-year periods in the annual amount of \$124,460, for a potential five-year estimated amount of \$647,192; and authorize the Mayor and Clerk to execute the same. The initial term of the Agreement will begin on Final Acceptance of the SCADA Construction Agreement and will terminate two years from that date. (Project No. 9184) **(Commission Districts 2, 3, 4 and 9)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

C. MOTION TO AUTHORIZE Director of Purchasing to approve and execute

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the Agreement between Broward County and Gray Matter Systems, LLC, for SCADA Software License and Maintenance for Water and Wastewater Services, in the total not-to-exceed amount of \$189,617 for the initial five-year term, including \$144,868 for standard support and maintenance services, and \$44,749 for optional services, and authorize the Director of Purchasing to renew the Agreement for three optional one-year periods in the estimated annual amount of \$38,390, for a potential eight-year estimated amount of \$304,787. The initial term of the Agreement will begin on the date of execution and will terminate five years after Substantial Completion of the SCADA Construction Agreement. (Project No. 9184) **(Commission Districts 2, 3, 4 and 9)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

51. MOTION TO AWARD fixed contract to single bidder, Recreational Design & Construction, Inc., for Bid No. T1413305C1, Pool Filter Replacements at C.B. Smith Park, for the Highway Construction and Engineering Division, in the amount of \$540,753, which includes an allowance in the amount of \$30,000, to be substantially completed in 90 calendar days from the Project Initiation Date specified in the Second Notice to Proceed, contingent upon the receipt and approval of insurance/performance and payment guaranty, and authorize the Mayor and Clerk to execute the same. **(Commission District 5)**

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ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

52. MOTION TO AWARD open-end contract to single bidder, Atlantic Environmental Systems, Inc. for Bid No. Y1420104B1, Submersible Well Pump Motors, Pump Assemblies and Repair Service, for Water and Wastewater Services, in the annual estimated amount of \$156,035, and authorize the Director of Purchasing to renew the contract for two additional one-year periods, for a three-year potential estimated amount of \$468,105. The initial contract period shall begin on August 27, 2016 and will terminate one year from that date. **(All Commission Districts)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

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53. MOTION TO AWARD fixed contract to low bidder, Munilla Construction Management, LLC, for Port Everglades Slip 2 Extension, Bid No. X1377802C1, for the Seaport Engineering and Construction Division, in the amount of \$13,571,482, which includes allowance items in the amount of \$1,975,000, to be substantially completed within 240 calendar days from the Project Initiation Date specified in the Second Notice to Proceed, contingent upon the receipt and approval of insurance/performance and payment guaranty; and authorize the Mayor and Clerk to execute same.

(Commissioner Wexler pulled this item.)

ACTION: (T-3:16 PM) Approved. *The Board requested that information be shared with the Board relative to a C.O. (Refer to minutes for full discussion.)*

VOTE: 6-0. Commissioner Bogen was not present. Commissioner Furr was out of the room during the vote. District 3 is open.

54. A. MOTION TO APPROVE sole source, sole brand standardization of General Electric (GE) Jenbacher engine generator replacements, parts, repair, rebuild, exchange, and maintenance services (preventative and repair) from authorized GE Jenbacher distributor Nixon Power Services, LLC DBA Nixon Energy Solutions.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda

COMMISSION MINUTES

adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

B. MOTION TO APPROVE Agreement between Broward County and Nixon Energy Solutions, for Planned and Corrective Maintenance for GE Jenbacher engines in the waste-gas cogeneration facility at the North Regional Wastewater Treatment Plant, for a maximum not-to-exceed amount of \$2,931,350 for maintenance services, with \$300,000 for optional additional services, for a total of \$3,231,350, for eight years from the effective date of this agreement or after reaching 60,001 operating hours of the covered units, whichever occurs first; and authorize the Mayor and Clerk to execute same. **(Commission District 4)**

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

55. MOTION TO APPROVE Agreement between Broward County and Siemens Industry, Inc., for Request for Proposals (RFP) No. R1305709P1, Building Automation Systems Services for the Facilities Management Division, for an

COMMISSION MINUTES

initial three-year term in the not-to-exceed amount of \$1,853,941 and a not-to-exceed amount of \$1,500,000 for Optional Services, and authorize the Director of Purchasing to renew the Agreement for two additional one-year terms in the not-to-exceed amount of \$1,254,561 for a potential five year not-to-exceed amount of \$4,608,502, and authorize the Mayor and Clerk to execute same. The initial term of the Agreement will begin on July 1, 2016 and end on June 30, 2019.

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

ACTION: (T-3:20 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioner Bogen was not present. Commissioner Furr was out of the room during the vote. District 3 is open.

56. MOTION TO APPROVE Agreement between Broward County and Atkins North America, Inc. for Capital Project Manager Services, Request for Proposals (RFP) No. R1351804P1, for the Seaport Engineering and Construction Division, in the maximum not-to-exceed amount of \$2,923,500, which includes reimbursables for expenses associated with the scope of services in the maximum not-to-exceed amount of \$112,500, for a total contract period of seven years; and authorize the Mayor and Clerk to execute same. The Agreement will begin upon the date of execution and terminate seven years from that date.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda

COMMISSION MINUTES

adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

RECORDS, TAXES, AND TREASURY DIVISION

57. A. MOTION TO APPROVE cancellation of warrants from Central Account No. xxxxxxxxxx3785, Tax Refund Account No. xxxxxxxxxx9850, Tax Redemption Account No. xxxxxxxxxx0916, and Self Insurance Account No. xxxxxxxxxx0518, due to having a stale date, being unclaimed, or not being negotiated.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

- B. MOTION TO APPROVE cancellation of warrants from Central Account No. xxxxxxxxxx3785, and Tax Refund Account No. xxxxxxxxxx9850, due to being lost or stolen. Checks have been reissued.

ACTION: (T-10:32 AM) Approved.

COMMISSION MINUTES

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

RISK MANAGEMENT DIVISION

58. **MOTION TO APPROVE** settlement of Claim 062013 and to authorize County Administration and the Office of the County Attorney to prepare applicable settlement documents.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

COUNTY ADMINISTRATION

CULTURAL DIVISION

COMMISSION MINUTES

59. A. MOTION TO APPROVE Grant Agreement between Broward County and the State of Florida, Department of State, Division of Cultural Affairs in the amount of \$93,248 for the General Program Support to assist the Cultural Division with its on-going initiatives and to supplement funding for the position of Secretary; for the period July 1, 2016 through June 30, 2017; authorize the County Administrator to execute the Grant Agreement, and approve and execute amendments subject to prior approval of the Office of the County Attorney; and authorize the County Administrator to sign other documents related to the grant (State Grant amount \$93,248; County Match \$93,248).

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

B. MOTION TO ADOPT budget Resolution No. 2016-320 to appropriate within the Local Arts Agency Grant Fund in the amount of \$186,496 (includes \$93,248 of County's cash match) for the purpose of general program support; and authorize the County Administrator to take any necessary administrative and budgetary actions to implement the grant.

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

COMMISSION MINUTES

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

COUNTY AUDITOR

60. A. MOTION TO FILE County Auditor's Memorandum - Flexible Spending Account Forfeitures.

(Commissioners Holness, Furr, Wexler, and a member of the public pulled this item.)

ACTION: (T-3:21 PM) Approved. *The Board asked County Administration to provide a list of recommendations.* (Refer to minutes for full discussion.) (See Yellow-Sheeted Additional Material, dated June 7, 2016, submitted at the request of Finance and Administrative Services Department.)

VOTE: 6-0. Commissioner Bogen was not present. Commissioner Ryan was out of the room during the vote. District 3 is open.

ACTION: (T-4:20 PM) Commissioner Ryan requested being shown voting in the affirmative.

COMMISSION MINUTES

VOTE: 7-0.

B. MOTION TO ADOPT County Auditor's Recommendations.

(Commissioners Holness, Furr, Wexler, and a member of the public pulled this item.)

ACTION: (T-3:21 PM) Approved. *The Board asked County Administration to provide a list of recommendations. (Refer to minutes for full discussion.)*

VOTE: 6-0. Commissioner Bogen was not present. Commissioner Ryan was out of the room during the vote. District 3 is open.

ACTION: (T-4:00 PM) Commissioner Ryan requested being shown voting in the affirmative.

VOTE: 7-0.

61. A. MOTION TO FILE Performance Review Broward Addiction Recovery Center (Report No. 16-04).

(A member of the public pulled this item.)

ACTION: (T-3:21 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioner Bogen was not present. Commissioner Ryan was out of the room during the vote. District 3 is open.

COMMISSION MINUTES

ACTION: (T-4:20 PM) Commissioner Ryan requested being shown voting in the affirmative.

VOTE: 7-0.

B. MOTION TO ADOPT County Auditor's Recommendations.

(A member of the public pulled this item.)

ACTION: (T-3:21 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioner Bogen was not present. Commissioner Ryan was out of the room during the vote. District 3 is open.

ACTION: (T-4:00 PM) Commissioner Ryan requested being shown voting in the affirmative.

VOTE: 7-0.

REGULAR AGENDA

DELEGATION

62. DELEGATION: Father Bob Caudill

COMMISSION MINUTES

ACTION: (T-11:05 AM) The Board heard the Delegation Request by Father Bob Caudill as relates to civil and religious rights. (Refer to minutes for full discussion.)

63. DELEGATION: Christine Timmon

ACTION: (T-11:02 AM) The Board heard the Delegation Request by Christine Timmon as relates to a Broward County Judge's ruling. (Refer to minutes for full discussion.)

AVIATION DEPARTMENT

64. MOTION TO APPROVE First Amendment to the Addendum to the Signatory Terminal Building Lease Agreement between Broward County and Southwest Airlines Co., for additional scope to modernize additional areas in Concourses B and C, for the Terminal 1 Modernization Project at Broward County's Fort Lauderdale-Hollywood International Airport, for an increase in the amount of \$38,000,000, increasing the total Addendum amount from \$295,000,000 to \$333,000,000; and authorize the Mayor and Clerk to execute same.

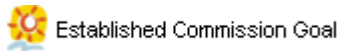
ACTION: (T-3:41 PM) Approved. The Board requested that Broward County Aviation Director Mark Gale provide a quarterly report to the Board relative to financial aspects of projects, as well as relative information as to scheduling and completion of projects. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioner Bogen was not present. Commissioner Ryan was out of the room during the vote. District 3 is open.

COMMISSION MINUTES

ACTION: (T-4:20 PM) Commissioner Ryan requested being shown voting in the affirmative.

VOTE: 7-0.



65. MOTION TO APPROVE Third Amendment to the Addendum to the Signatory Terminal Building Lease Agreement between Broward County and JetBlue Airways Corporation, for additional scope to modernize additional areas for the Terminal 3 Modernization Project at Broward County's Fort Lauderdale-Hollywood International Airport, for an increase in the amount of \$11,900,000, increasing the total Addendum amount from \$86,000,000 to \$97,900,000; and authorize the Mayor and Clerk to execute same.

ACTION: (T-3:41 PM) Approved. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioner Bogen was not present. Commissioner Ryan was out of the room during the vote. District 3 is open.

ACTION: (T-4:20 PM) Commissioner Ryan requested being shown voting in the affirmative.

VOTE: 7-0.



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66. MOTION TO APPROVE Settlement Agreement between Broward County and Tutor Perini Fort Lauderdale-Hollywood Venture to resolve all claims and matters that Broward County and Tutor Perini have raised arising out of, or relating to, work associated with the construction of U.S.1/FEC RR Structures for the Expansion of Runway 9R/27L, adjusting the contract price to \$239,000,000; and authorize Mayor and Clerk to execute same. **(Deferred from May 24, 2016 - Item No. 55)**

ACTION: (T-3:51 PM) Approved. (Refer to minutes for full discussion.) (See Yellow-Sheeted Additional Material, dated June 7, 2016, submitted at the request of the Aviation Department.)

VOTE: 5-1. Commissioner Bogen was not present. Commissioner Ryan was out of the room during the vote. Commissioner Wexler voted no. District 3 is open.

ACTION: (T-4:20 PM) Commissioner Ryan requested being shown voting in the affirmative.

VOTE: 6-1.

TRANSPORTATION DEPARTMENT

TRANSIT DIVISION

67. A. MOTION TO APPROVE Transit Transitional Employment Pilot Program which will provide supplemental transit bus cleaning services for the Broward County Transit (BCT) bus fleet and employment opportunities for Broward

COMMISSION MINUTES

County adults that are age 18 and above residing in targeted areas of low income, high unemployment or persons participating in a state or local re-entry program.

(Withdrawn for further staff review.)

B. MOTION TO AUTHORIZE County Administrator to enter into an agreement between the County and Opportunities Industrialization Center of South Florida (OIC-SFL) for the Transit Transitional Employment Pilot Program in the amount not to exceed \$500,000 to provide supplemental transit bus cleaning services for the Broward County Transit (BCT) bus fleet at BCT Depots and Transfer Sites in accordance with the established scope of services for a one year pilot program.

(Withdrawn for further staff review.)

OFFICE OF INTERGOVERNMENTAL AFFAIRS AND PROFESSIONAL STANDARDS

68. MOTION TO APPOINT one Commissioner to serve on the Value Adjustment Board (VAB).

ACTION: (T-4:18 PM) The Board nominated and appointed Commissioner Bogen to serve on the Value Adjustment Board, as well as nominated and appointed Commissioner Ryan to serve as alternate to the VAB. (Refer to minutes for full discussion.)

VOTE: 6-0. Commissioner Bogen was not present. Mayor Kiar abstained

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from voting. District 3 is open.

REQUEST TO SET FOR PUBLIC HEARING

69. A. MOTION TO ADOPT Resolution No. 2016-321 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 16, 2016, 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:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE ADDITIONAL HOMESTEAD EXEMPTION FOR PERSONS 65 AND OLDER; AMENDING SECTION 31½-1 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO INCREASE THE ADDITIONAL SENIOR EXEMPTION FROM \$25,000 TO \$50,000; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Dale V.C. Holness)

ACTION: (T-4:20 PM) Approved with Yellow-Sheeted Additional Material, dated June 7, 2016, submitted at the request of the County Attorney's Office. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

- B. MOTION TO ADOPT Resolution directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, August 16, 2016, 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:

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO AN ADDITIONAL HOMESTEAD EXEMPTION FOR PERSONS 65 AND OLDER; AMENDING SECTION 31½-1 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO AUTHORIZE AN ADDITIONAL HOMESTEAD EXEMPTION FOR QUALIFYING LONG-TERM RESIDENTS AGE 65 AND OLDER; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Dale V.C. Holness)

ACTION: (T-4:47 PM) Failed (Refer to minutes for full discussion.)

VOTE: 2-5. Commissioners Furr, LaMarca, Ryan, Wexler, Vice Mayor Sharief voted no. Commissioner Bogen was not present. District 3 is open.

70. MOTION TO ADOPT Resolution No. 2016-322 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, June 14, 2016, at 2:00 p.m., in Room 422 of the Governmental Center to consider adoption of a proposed Resolution Amending the Administrative Code, the title of which is as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO PROPERTY ASSESSED CLEAN ENERGY ("PACE") POLICY; CREATING CHAPTER 22, PART XXVIII OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); PROVIDING FOR POLICIES GOVERNING PACE FINANCING OF

COMMISSION MINUTES

AND ASSESSMENTS FOR QUALIFYING IMPROVEMENTS TO REAL PROPERTY; PROVIDING FOR DEFINITIONS, GENERAL REQUIREMENTS, AND ADDITIONAL REQUIREMENTS FOR CERTAIN RESIDENTIAL QUALIFYING IMPROVEMENTS; PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

ACTION: (T-4:48 pm) Approved. (Scrivener's Error - See County Administrator's Report: Motion Statement current reads: ...providing for severability..., and should read: and providing for severability. Exhibit 2, Line 13, Page 4, currently reads: ...owner-builders shall construction or install, only those improvements products...,and should read: owner-builders shall construct or install, only those improvements and products...) (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

PURCHASING DIVISION

For Environmental Protection and Growth Management Department

71. MOTION TO APPROVE Request for Proposals (RFP) No. N2111265P1, Real Estate Developer for the Development of 600 N. Andrews Avenue, Fort Lauderdale, Florida, to identify and engage the services of an experienced qualified, real estate developer for a mixed-use development project on said property.

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ACTION: (T-5:15 PM) Approved as amended *with the Board's request of providing more points for additional units, as well as having a workforce in place to support businesses.* (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.



Established Commission Goal

For Finance and Administrative Services Department

72. MOTION TO APPROVE Request for Proposals (RFP) No. R1423712P1 for fully-insured Group Vision Insurance for County benefits-eligible employees, Retirees, Consolidated Omnibus Budget Reconciliation Act (COBRA) participants, Domestic Partner Continuation of Coverage participants and their eligible dependents.

(Transferred to the Consent Agenda.)

ACTION: (T-10:32 AM) Approved. (Scrivener's Error - See County Administrator's Report: Exhibit 1, Page 15 of 183, delete Item #2 of "Additional Responsiveness Criteria," "Project Specific Vendor Questionnaire." Same information is included on Page 19 of 183 under "Evaluation Criteria.")

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

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VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

For Port Everglades Department

73. MOTION TO APPROVE Request for Proposals (RFP) No. X1424609P1 Security Systems and Infrastructure Project Management Services for the Broward County Port Everglades Department.

(Transferred to the Consent Agenda.)

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

For Public Works Department

74. MOTION TO REJECT all proposals for Request for Proposals (RFP) No. R1243101P1, Energy Audit and Performance Consultant Services and re-solicit the RFP.

ACTION: (T-6:01 PM) Following discussion, the Board deferred this item

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so as to allow a review by the County Auditor's Office, and the County Attorney's Office. (Refer to minutes for full discussion.) (See Yellow-Sheeted Additional Material, dated June 7, 2016, submitted at the request of Finance and Administrative Services Department.)

VOTE: 5-0. Commissioner Bogen was not present. Commissioners Holness and Ryan were not present during the vote. District 3 is open.

75. MOTION TO APPROVE Request for Proposals (RFP) No. R1418115P1, Continuing Professional Services for Subsurface Utility Locating and GIS Mapping.

(Transferred to the Consent Agenda.)

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

76. MOTION TO APPROVE final ranking of the qualified firms for Request for Proposals (RFP) No. R1362601P1 Comprehensive Professional Architectural and Engineering Services; the ranked firms are: 1 - CPZ Architects Inc.; 2 - Saltz Michelson Architects, Inc.; 3 - Cartaya and Associates Architects, PA.; 4 -

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Synalovski Romanik Saye, LLC.; 5 - Gallo Herbert Architects; 6 - BEA Architects Inc.; 7 - RE Chisholm Architects Inc., and authorize staff to proceed with negotiations with the two highest ranked firms.

(Transferred to the Consent Agenda.)

ACTION: (T-10:32 AM) Approved.

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

COUNTY ATTORNEY

77. MOTION TO ADOPT Resolution to place a proposed amendment to the Broward County Charter ("Charter") on the ballot for the November 8, 2016, General Election, amending Sections 6.01 and 6.02 of Article VI of the Charter to reconcile conflicting provisions, to clarify the terms of current Charter Review Commission ("CRC") members, to modify the terms of future CRC members, and to modify the interval between appointment of future CRCs.

ACTION: (T-7:00 PM) Following discussion, the Board deferred this item to Tuesday, June 14, 2016. (Refer to minutes for full discussion.) (See Yellow-Sheeted Additional Material, dated June 7, 2016, submitted at the request of the County Auditor's Office.)

COMMISSION MINUTES

VOTE: 5-0. Commissioner Bogen was not present. Commissioners Holness and Ryan were not present during the vote. District 3 is open.

78. MOTION TO ADOPT Resolution No. 2016-323 to place a proposed amendment to the Broward County Charter ("Charter") on the ballot for the November 8, 2016, General Election, eliminating Article X of the Charter which provides for a Management and Efficiency Study Committee ("Committee")

(Transferred to the Consent Agenda.)

ACTION: (T-10:32 AM) Approved. (See Yellow-Sheeted Additional Material, dated June 7, 2016, submitted at the request of the County Auditor's Office.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

ACTION: (T-10:33 AM) The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)

VOTE: 7-0. Commissioner Bogen was not present. District 3 is open.

COUNTY COMMISSION

79. MOTION TO APPOINT Ryann L. Greenberg to the Consumer Protection Board. (Commissioner Wexler)

COMMISSION MINUTES

(Transferred to the Consent Agenda.)

ACTION: (T-10:32 AM) *Approved.*

VOTE: 7-0. *Commissioner Bogen was not present. District 3 is open.*

ACTION: (T-10:33 AM) *The Board reconsidered the Consent Agenda adding Item 12 to the Consent Agenda. (Refer to minutes for full discussion.)*

VOTE: 7-0. *Commissioner Bogen was not present. District 3 is open.*

80. MOTION TO APPROVE allocation of up to \$50,000 in 2000 Safe Parks and Land Preservation Bond Program funds to partially fund a dog park within Holiday Park in the City of Fort Lauderdale; and to authorize the County Attorney to prepare, for execution by the County Administrator, a standard grant agreement between Broward County and the City of Fort Lauderdale for allocation and distribution of such funds. (Commissioner Ryan)

ACTION: (T-5:25 PM) *Approved. (Refer to minutes for full discussion.)*

VOTE: 7-0. *Commissioner Bogen was not present. District 3 is open.*

81.

MAYOR'S REPORT

(No report given.)

COMMISSION MINUTES

82. COUNTY ADMINISTRATOR'S REPORT

(No report given.)

SUPPLEMENTAL AGENDA

COUNTY COMMISSION

83. MOTION TO DISCUSS transportation and infrastructure surtax ballot proposals.
(Commissioner Ryan)

ACTION: (T-11:08 AM) Following discussion, Board consensus was reached as to Commissioner Ryan and City of Weston Mayor Daniel J. Stermer to continue negotiations. (Refer to minutes for full discussion.) (See Yellow-Sheeted Additional Material, dated June 7, 2016, submitted at the request of Commissioner Furr and County Administration.)

MEETING/WORKSHOP NOTICES

BUDGET WORKSHOP

Tuesday, June 7th, in Room 430 at 12:30 PM or immediately following the
Morning Meeting

COMMISSION MINUTES

NON-AGENDA

84. INFRASTRUCTURE DOLLARS FOR TRANSPORTATION - COMMISSIONER RYAN

ACTION: (T-5:35 PM Commissioner Ryan referenced earlier discussion this morning on Item 83, and expressed concern as to the needs for infrastructure related to transportation, as well as the need for a coastal link and rail stations. Commissioner Ryan suggested that the County control approximately 25 percent of infrastructure dollars for transportation and infrastructure needs. (Refer to minutes for full discussion.)

City of Weston Mayor Daniel J. Stermer participated telephonically, and expressed concern as to Commissioner Ryan's suggestion, and asked that the Board not take up a consensus at this time, as he has not been able vet Commissioner Ryan's suggestion with cities. (Refer to minutes for full discussion.)

Commissioner Wexler asked that the conversation between Commissioner Ryan and Mayor Stermer continue. (Refer to minutes for full discussion.)

COMMISSION MINUTES

THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS MEETING OF JUNE 7, 2016 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, June 7, 2016.

<u>COMMISSIONER</u>	<u>DISTRICT</u>	<u>ATTENDANCE</u>
Mark Bogen	2	Absent
Beam Furr	6	Present
Dale V.C. Holness	9	Present
Marty Kiar	1	Present
Chip LaMarca	4	Present
	3	
Timothy Ryan	7	Present
Barbara Sharief	8	Present
Lois Wexler	5	Present

CALL TO ORDER: Mayor Marty Kiar called the meeting to order.

MAYOR KIAR: Well, hello, everybody, and welcome to the Broward County Commission.

COMMISSION MINUTES

My name is Marty Kiar. I'm honored to be our County's Mayor, and we are thrilled to host you all today.

and the first thing that we're going to do is we're going to do the Pledge of Allegiance. and I'd like to ask both Ashley and Ariadne, the two young ladies that we're honoring today for our Good News, to lead us in the pledge.

(THE PLEDGE OF ALLEGIANCE WAS LED BY BROWARD GOOD NEWS PARTICIPANTS.)

MAYOR KIAR: It's customary before the beginning of each County Commission meeting for us to observe a moment of silence to honor people who have passed away from our community.

Colleagues, do you have anyone you'd like to remember during this moment of silence?

Commissioner Holness.

COMMISSIONER HOLNESS: The greatest, Mohammed Ali. He basically taught us to be courageous, how to take on issues that you believe in regardless of the cost to you personally. And he triumphed through many trials, many tribulations.

He was, indeed, the greatest fighter that ever lived to date. But beyond just the ring, he was a role model for so many. So many were inspired by his tenacity, his truthfulness.

Yes, he was a braggadocious at time, but I think that was part of the game, and he played it very well to the end.

COMMISSION MINUTES

MAYOR KIAR: Thank you.

Commissioner LaMarca, do you have anybody today?

COMMISSIONER LAMARCA: I'm -- I am certain that other folks up here will mention this person that made so much of a difference in our -- our community, but I -- I knew her not as a Commissioner or in her political capacity, but I knew her as a judge who was very invested and concerned with drug court and -- and mental health issues.

Judge and Commissioner Marcia -- Marcia Beach passed away this past week.

And also the other person from my district, the -- the widow of the late Stewart Kester, who was one of the original Pompano Beach developers and a long time Exchange Club member with me in Pompano Beach and Lighthouse Point, his wife passed away this week and she was 82.

MAYOR KIAR: Commissioner Ryan.

COMMISSIONER RYAN: I'd like to echo the comments of Commissioner LaMarca.

Marcia Beach was a Broward County Commissioner in the 1980s and was elected to the circuit court in the year 2000.

She, along with Judge Melanie May, were pioneers in developing drug court in Broward County, which has been a -- a great success in turning around the lives of so many people.

I wish to also recognize that today, June 7th, is the 72nd Anniversary of D-Day, and we should all recognize the thousands of brave Americans that gave their lives on that day to bring freedom to Europe and around the world.

COMMISSION MINUTES

MAYOR KIAR: Commissioner Furr.

COMMISSIONER FURR: Thanks.

I also want to acknowledge and -- and pass my condolences to the -- to Cecil.

And the -- the stuff that Marcia had done for -- on behalf of disabilities is unparalleled, and I think all of us owe a huge debt of gratitude for her work.

MAYOR KIAR: Absolutely.

Oh, Commissioner LaMarca.

COMMISSIONER LAMARCA: You know, when I read the -- the article about Judge Beach, I think the coolest thing that she did was not run for re-election on the County Commission because she knew that finishing law school and taking care of her daughter was more important than being in -- in politics. So it -- it is possible.

COMMISSIONER RYAN: Is that a hint?

(Laughter.)

MAYOR KIAR: I think he'd be a great lawyer.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Let's also keep the brave women and men who serve us valiantly both at home and overseas in our thoughts as well.

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(Moment of silence.)

MAYOR KIAR: Thank you.

So this morning there was a slight hiccup in the music. I had intended that "Holiday Road" just because I'm a huge Chevy Chase fan and I love -- love that movie, be played. That wasn't played.

So it was the song "Then He Kissed Me" was played, but I'm a good -- Good Fellas fan, too, so that's why that was played.

And also, of course, "Born to Run" by Bruce Springstein. And I kind of felt that was appropriate since everybody up here, we like to run for things.

(Laughter.)

BROWARD GOOD NEWS MOMENT

MAYOR KIAR: This year, I designated this year as the Year of Good News, and at each Commissioner meeting, we bring good news to the public by highlighting the successes of our County, the economic engines of small businesses, residents who are good Samaritans, and other positive happenings.

This -- this week the awesome Vice Mayor Sharief will be providing good news to the public, and she is going to be celebrating two wonderful students who are also her constituents in Miramar.

So, Vice Mayor Sharief, take it away.

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VICE MAYOR SHARIEF: All right. Morning, Mayor.

MAYOR KIAR: Good morning.

VICE MAYOR SHARIEF: Morning, Commissioners. And morning to our audience out here.

This is the Year of Good News, but before I begin, I want to recognize two very special individuals that have joined us here today. From Everglades High School, I have the Principal, Ms. Holly Darber, would you please stand and Mr. Daniel Mosty, Assistant Principal.

We've been giving out our Good News awards for District 8 to our high school seniors, the high school seniors that excel at community service and academics.

And so today I have two such high school seniors that I would like to recognize.

The first Proclamation is going to be given to Ms. Ashley Laughlin. Could you please come forward? And, Ashley, if you'd like to bring your parents if they're here, they can come forward as well.

First of all, you must be very proud --

UNIDENTIFIED SPEAKER: Yes.

VICE MAYOR SHARIEF: -- because without you, Ashley would not be where she is today. And so we thank you for contributing and aiding her in her success.

Whereas the Mayor has designated this year as the Year of Good News, and at

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each Commission meeting the Commission will bring good news to the public by highlighting the successes of our County, the economic engines of small businesses, residents who are good Samaritans and positive other happenings; and

Whereas Ashley Laughlin is a senior at Everglades High School. Ashley has the most service hours of -- totaling 1,095 hours; and

Whereas Ashley was a teacher's aide at Everglades High School over multiple summers and is a member of the beach cleaning team. She was also a member of the Powder Puff and volunteered at Lawrence Factor. I love that cartoon.

Whereas Ashley maintains a rigorous academic schedule and is also an active member of several clubs. As the senior class president, Ashley has organized fund raisers, class meetings, volunteer programs, and events such as grad night and prom. She is also the president of the Heartbeat Dance Program and a member of the National Honor Society, the Student Government Association, and the Best Buddies; and

Whereas Ashley has also enjoyed being a dancer, she -- she -- since she was five years old. Wow. She is not only a competitive dancer but she also teaches and coaches dancers on a volunteer basis. She performs at events held by the farmers market, Pembroke Pines, elderly shelter, and the Haitian Doctors of America Association.

UNIDENTIFIED SPEAKER: Wow.

VICE MAYOR SHARIEF: Her dream is to become a professional dancer as well as a crime scene investigator; and

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Whereas Ashley has received many awards including the President's Education Award, the National Society of High School Scholars Award, and the Everglades High School Award for achieving a weighted GPA of 4.50. Hey.

UNIDENTIFIED SPEAKER: Yay.

VICE MAYOR SHARIEF: Yay?

MAYOR KIAR: Absolutely. It's awesome.

(Applause.)

VICE MAYOR SHARIEF: And whereas some of the awards she has received at dance competitions include the first Overall World Championship winner, the True Performers scholarship, and the Broadway Dance Center scholarship; and

Whereas Ashley stands out among her peers as a driven, enthusiastic, well mannered young lady with many talents;

Now, therefore, be it proclaimed by the Board of County Commissioners of Broward County, Florida, the Board hereby recognizes as part of the Year of Good News Ashley Laughlin for her hard work and dedication in Broward County, Florida.

MAYOR KIAR: Very nice.

(Applause.)

MAYOR KIAR: Congratulations, Ashley.

MS. LAUGHLIN: Thank you.

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UNIDENTIFIED SPEAKERS: (Inaudible.)

(Picture taken.)

MAYOR KIAR: That was nice. Congratulations, Ashley.

MS. LAUGHLIN: Thank you.

(Applause.)

VICE MAYOR SHARIEF: Our next Proclamation for the Good News goes to another outstanding scholar in our district, Aride -- wait -- Ariadne Moreno. Got it. Come on down --

(Applause.)

VICE MAYOR SHARIEF: -- and bring your parents.

As I stated before, we in District 8, we're recognizing seniors with academic excellence and outstanding leadership capabilities. I want you to know that these are our future political leaders and our future leaders of our community. We are so very proud of her and we want to say thank you for supporting her, because without her -- without you she wouldn't be here.

Whereas Ariadne Moreno is a senior at Everglades High School; and

Whereas Ms. Moreno is dually enrolled in both high school and Broward County Community College, has a 5.3 GPA.

MAYOR KIAR: Wow, nice. You've got to clap for that, clap for that.

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(Applause.)

MAYOR KIAR: You know what's sad about that is mine wasn't even reversed, so --

(Laughter.)

MAYOR KIAR: -- so --

VICE MAYOR SHARIEF: Wait a minute. For a 5.3 GPA, I think you guys can wake up and act like you had your morning coffee. Can you guys give Ariadne a round of applause?

(Applause.)

VICE MAYOR SHARIEF: That's huge. That's huge.

UNIDENTIFIED SPEAKER: It's huge.

VICE MAYOR SHARIEF: That's huge.

MAYOR KIAR: Huge.

VICE MAYOR SHARIEF: And I don't mean in the -- in the Republican way.

MAYOR KIAR: No, it's (inaudible) Sanders' way.

VICE MAYOR SHARIEF: And you are number -- she is number one in her class of 550 students; and

Whereas some of Ariadne's remarkable academic achievements have included the principal's honor role, the Yale Book Award, which is really hard to get, the

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National AP Scholar and top biology student.

Ariadne is very involved in the community with over 300 community service hours. While serving as a member of the Relay for Life, the City of Miramar's Youth Advisory Council, the National Honor Society, the Culinary Club, Project Brain, the Chemistry Club, and the Presidential Youth Council, Ariadne is also a member of the Science National Honor Society where she has tutored other students in various science subjects. And Ariadne has showcased her abilities in public speaking by participating in youth delegate forums where delegates have to defend specific political positions -- I told you -- in front of other peers as well as elected officials from throughout the United States.

Ariadne's tremendous self-discipline is evidenced by her ability to fulfill her duties of her many activities in which she's involved while maintaining her excellent academic status.

And let me tell you, guys, I know that's hard, because my daughter has all AP honors classes, and I can tell you that putting in 300 community service hours is very difficult for them.

So I want to say on behalf of the Board of County Commissioners be it proclaimed that the Board hereby recognizes as the Year of Good News Ariadne Moreno for her hard work and dedication in Broward County, Florida.

MAYOR KIAR: Great job.

(Applause.)

UNIDENTIFIED SPEAKERS: (Inaudible.)

(Picture taken.)

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VICE MAYOR SHARIEF: All right. Thank you.

(Applause.)

MAYOR KIAR: And --

UNIDENTIFIED SPEAKER: (Inaudible.)

VICE MAYOR SHARIEF: -- I have to say, Vice Mayor Sharief, I -- I -- I want to say how much I appreciate that you've been honoring high school kids that have really excelled, you know. And I -- I actually love -- I'm a -- you know, a parent of two little girls, six and three, and -- and I see how proud the parents are of their kids each time they come up. And my dream in this world is that some time from now, a long time from now, that I can look at my kids with the same pride and admiration that you all look at your children.

So congratulations and thank you so much for this, the great good news you brought to us.

VICE MAYOR SHARIEF: Thank you.

MAYOR KIAR: Thank you.

CONSENT AGENDA

MAYOR KIAR: Now, for those of you in the audience, please turn off and silence your cell phones.

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Any member of the audience who wishes to address the County Commission on an item on today's agenda, please come forward and fill out a speaker form located on the dais and furnish it to staff.

Once an item is called, further speaker sign-ups will not be allowed and you may not be permitted to speak.

When you are called upon, you will have three minutes to speak.

Please keep your comments to the subject being discussed.

We ask that you address the Commission in a polite manner that and you refrain from making impertinent remarks or personal attacks.

If you fail to do so, you will not be permitted to continue speaking.

Please be respectful of those who are speaking today.

We do not allow any applause, cheering, or booing during -- during the meeting.

Any person disrupting the proceeding will be asked to leave the chamber.

Now before I move into the Monday night memo, there is something that I think we need to discuss -- and before -- Commissioner Wexler, are you on the phone?

COMMISSIONER WEXLER: I am, yes.

MAYOR KIAR: Great. There's something --

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COMMISSIONER WEXLER: Hello.

MAYOR KIAR: Oh, great. So Commissioner Wexler is on the phone.

And before we move into the --

COMMISSIONER WEXLER: I am.

MAYOR KIAR: -- the -- the meeting and before we go into the Monday night memo and our pulls, I do this is something we discuss.

As you noticed, our last few -- our last agenda, this agenda, and our next agenda have been very heavy, especially the next agenda, and so I wanted to discuss whether or not the County Commission would like to add an additional meeting to the -- our -- our calendar so that we can help alleviate some of the -- of next week's agenda in particular.

And so I know that Ms. Henry has sent out an e-mail, and what she said in the e-mail first was -- I had asked, we -- we're having a workshop today and I asked that the workshop be -- be trimmed down significantly and so we're only actually going to have one item on the workshop agenda.

And then I've -- she also asked that -- that the folks here, if you're interested in this, bring your calendars. I brought my calendar.

And first, before we look through the calendar, I first wanted to ask my colleagues if you all would like to add an additional meeting to lighten up the agenda or if you'd like to power through the next -- the next meeting after this.

Is there anybody that -- that would like to chime in?

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UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Oh, could you put on -- on the mic, Commissioner Furr?

COMMISSIONER FURR: I'm fine with doing another meeting.

MAYOR KIAR: Great. Is there anybody that -- oh, Commissioner LaMarca.

COMMISSIONER LAMARCA: I am fine with staying Uber late or, if that is not acceptable for us to be able to get it done, doing it the day after our budget workshop, which is the 22nd, because on the 23rd --

MAYOR KIAR: Uh-huh.

COMMISSIONER LAMARCA: -- we've got some things in Orlando. So if it was a half a day or something, that's fine, but --

MAYOR KIAR: Sure.

COMMISSIONER LAMARCA: -- I could go all -- all day, all night on the 14th or the 22nd.

MAYOR KIAR: What I'm -- if -- if you all have your calendar, would anybody object to adding a meeting on June 22nd?

VICE MAYOR SHARIEF: I object.

MAYOR KIAR: You do?

VICE MAYOR SHARIEF: I have plans, I have work plans already.

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MAYOR KIAR: You do --

VICE MAYOR SHARIEF: And the --

MAYOR KIAR: -- on the 22nd.

VICE MAYOR SHARIEF: Yeah, I do on the 22nd and I sent that back --

MAYOR KIAR: Okay.

VICE MAYOR SHARIEF: -- to your office. Okay?

MAYOR KIAR: Oh, okay. Is -- well, I only, you know, want to add a meeting if there is no objection to a day, because I don't want a County Commissioner to have to miss a meeting if there is -- if there an objection.

So the 23rd, you couldn't do it? Is that --

COMMISSIONER LAMARCA: The question is what kind of workload do we think we're going to have for it that we couldn't add it on the 14th?

MAYOR KIAR: Ms. Henry, do you anticipate that the next agenda will also be very large as well?

MS. HENRY: To date, there are about 60 items for next -- for next week.

MAYOR KIAR: Some of them are pretty big, though, because we have the tax issues that'll potentially be there --

MS. HENRY: In the afternoon.

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MAYOR KIAR: -- in the afternoon. I mean, it's -- you know, I think it would -- we'd probably be better served adding another meeting, but if there is -- but, I mean, if anybody objects, if -- even if there's one person that's concerned about it and if we can't pick a day, then --

COMMISSIONER LAMARCA: Why don't we see what we can get done on the 14th and keep the first half of the day on the 23rd open then? I'm fine with that.

VICE MAYOR SHARIEF: (Inaudible) but that's fine.

MAYOR KIAR: Okay.

VICE MAYOR SHARIEF: If you all want to have a meeting absent me, I'm okay with that. I'm just not going to be here.

MAYOR KIAR: Right. Okay. I mean, are we permitted to do that? Can we -- Commissioner LaMarca suggested that we -- we see what we can power through on the 22nd, and -- or on the 21st, and then keep half the day open on the 23rd --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: -- or -- or the 14th, I'm sorry.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: The 14th, and keep half the day open on the 23rd to -- if -- if we need to have an additional meeting, we'll know on the 14th. That's what he had recommended.

I mean is there anybody else -- I mean, I'm -- I'm happy to do it either way, but I

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was trying to -- some of these items are very --

VICE MAYOR SHARIEF: There's a Board workshop on the 21st.

COMMISSIONER LAMARCA: Is that going to be a full day?

VICE MAYOR SHARIEF: Yeah, that's a full Board -- Board workshop.

MS. HENRY: It is a full day.

MAYOR KIAR: It is a full -- and it was one that we -- we have to have.

The 22nd couldn't happen. How about --

VICE MAYOR SHARIEF: Why couldn't the 22nd happen?

MAYOR KIAR: I thought --

COMMISSIONER LAMARCA: That's what I just asked you.

VICE MAYOR SHARIEF: No --

VICE MAYOR SHARIEF: -- you said --

VICE MAYOR SHARIEF: -- I said the 23rd.

MAYOR KIAR: Oh, okay.

UNIDENTIFIED SPEAKER: (Inaudible.)

VICE MAYOR SHARIEF: I can't do the 23rd.

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MAYOR KIAR: Oh, no, the 22nd.

COMMISSIONER LAMARCA: 22nd was (inaudible).

MAYOR KIAR: I'm good on the -- if you're okay on the 22nd, let's add it for the 22nd.

VICE MAYOR SHARIEF: I'll miss the Homeless Initiative Partnership meeting, but I'll be okay.

MAYOR KIAR: Let's add -- if there's no objection, let's add a meeting for June 22nd so that next week's agenda can be split up.

COMMISSIONER LAMARCA: How about we also make an effort to get through it next week if we -- we can.

VICE MAYOR SHARIEF: I think we should make an effort to get through it --

UNIDENTIFIED SPEAKER: Right.

VICE MAYOR SHARIEF: -- on the 14th.

MAYOR KIAR: So how about has --

COMMISSIONER LAMARCA: Have this as a backup.

MAYOR KIAR: -- I mean, it's -- well, it's completely up to you all. If that's what you all would prefer.

VICE MAYOR SHARIEF: We've got a Board workshop on the 21st --

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MAYOR KIAR: Okay.

VICE MAYOR SHARIEF: -- and you want to have a back-to-back meeting (inaudible).

MAYOR KIAR: Look, I mean, it appears, then, if there -- if there is objection to it, I was only putting it out there for folks to consider. If -- if --

VICE MAYOR SHARIEF: (Inaudible.)

MAYOR KIAR: -- if you want to go through it, I'm fine powering through -- through it as well, so --

VICE MAYOR SHARIEF: Let's just push through it.

MAYOR KIAR: -- if you all just want to push through it?

COMMISSIONER HOLNESS: Would it be much of an -- an -- a big agenda for the 22nd? Because if it's only a small amount that we need to cover because we need to wrap up some stuff, I think we can probably (inaudible). I don't think it would be an all-day meeting (inaudible) half the day --

MAYOR KIAR: Okay.

COMMISSIONER HOLNESS: -- on the 21st, so I have no objection to having another meeting.

MAYOR KIAR: On the 22nd?

UNIDENTIFIED SPEAKER: (Inaudible.)

VICE MAYOR SHARIEF: Well, what I was thinking is we go ahead and we -- we

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tentatively say that if we don't finish items on the 14th we can schedule a -- a meeting for the 22nd, but --

COMMISSIONER HOLNESS: We'd probably have to have the schedule (inaudible).

VICE MAYOR SHARIEF: -- you need to schedule items.

MAYOR KIAR: We'd also have to vote on it next week to amend the calendar, I would think.

MS. HENRY: We -- we can have an item ready for the 14th that you can withhold until the end of the day to pass or not.

MAYOR KIAR: Okay. And we -- and we can also see the agenda beforehand --

MS. HENRY: Right.

MAYOR KIAR: -- as well. So you know what we can do? Actually, let's -- let's do that. Let's have an item ready. We'll see what -- what -- what staff puts on the agenda for the 14th so we can see all the items, and then what we can do is we can make a determination at that meeting, the first thing if we want to add that additional meeting and defer some of the items to that or if we just want to power through it on the 14th.

Is that -- if there's nobody that objects to it, is that okay? Excellent. So we're good.

(COMMISSIONER WEXLER ENTERED TO THE ROOM.)

VICE MAYOR SHARIEF: Yeah.

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MAYOR KIAR: Good.

VICE MAYOR SHARIEF: Fine.

COMMISSIONER WEXLER: So you're not going to add another meeting until the 14th and then you'll make that determination, is that what you're saying?

MAYOR KIAR: That's what appears to be the consensus.

COMMISSIONER WEXLER: I missed most of it because --

MAYOR KIAR: Oh, definitely.

COMMISSIONER WEXLER: -- I couldn't hear you on the phone.

MAYOR KIAR: Oh. Oh.

COMMISSIONER HOLNESS: Does that allow us time (inaudible).

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: Yes, you are. Yes, you are.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: So are we -- we good to move on?

MS. HENRY: Yes.

MAYOR KIAR: Great.

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UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: All right. So now I'm going to read the Tuesday night memo.

Consent Items are numbers 1 through 61.

I request the following withdrawals and scrivener error corrections and inclusion of additional information

Item Number 30 is withdrawn for further staff review.

Item 67, withdrawn for further staff review.

Scrivener's errors.

Item 38, motion statement currently reads extending the term for two years. Should read extending the term for one additional year.

Item Number 39, motion statement currently reads extending the term for two years. Should read extending the term for one additional year.

Item 70, motion statement currently reads providing for severability. Should read and providing for severability.

Item 70, Exhibit 2, line 13, page 4, currently reads owner builder shall construction -- shall construction or install only those improvement projects. Should read owner builder shall construct or install only those improvements and products.

Item 72, Exhibit 1, page 15 of 183, delete Item Number 2 of additional

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responsiveness criteria, project specific vendor questionnaire. Same information is included on page 19 of 183 under evaluation criteria.

I request without objection that Items Number 65, 72, 73, 75, 76, 77, 78, and 79 be moved to Consent.

Please note Item 83 is time certain at 11:00 a.m.

Additional material for 10:00 a.m.

Item Number 1A, Board appointment.

Item Number 1B, Board appointment.

Item Number 17, comparison document Career Source Broward SYEP agreement submitted by Human Services Department.

Item Number 60, memo to the Board submitted by Finance and Administrative Services Department.

Item Number 66, memo to the Board submitted by Aviation Department.

Item Number 69, additional language submitted by the County Attorney's Office.

Item Number 74, memo to the Board submitted by the Finance and Administrative Services Department.

Item Number 77, memo to the Board submitted by the County Auditor's Office.

Item Number 78, memo to the Board submitted by County Auditor's Office.

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Item Number 83, press release submitted by Commissioner Beam Furr.

Item Number 83 (2) Tri-Rail Aventura link submitted by Commissioner Beam Furr.

Item Number 83, proposed surtax related issues submitted by County administration.

I'm now going to ask if my colleagues would like to pull any of the items from the Consent Agenda.

And we're going to start with Commissioner Holness.

COMMISSIONER HOLNESS: Item 60.

MAYOR KIAR: Item 60? 60.

Commissioner LaMarca?

COMMISSIONER LAMARCA: Was that 60 or 16?

COMMISSIONER HOLNESS: Six zero.

COMMISSIONER LAMARCA: Six zero.

Items 5, 33, and 45.

MAYOR KIAR: 5, 33, and 45?

COMMISSIONER LAMARCA: Yes, sir, and also leave 77 on.

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MAYOR KIAR: Leave 77 on. Okay.

Vice Mayor Sharief?

VICE MAYOR SHARIEF: Item 28.

MAYOR KIAR: 28.

Commissioner Ryan?

COMMISSIONER RYAN: None.

MAYOR KIAR: None.

I was going to say Commissioner Ritter. Nope.

Commissioner Wexler?

COMMISSIONER WEXLER: 5, 53, and 60.

MAYOR KIAR: Commissioner Furr?

COMMISSIONER FURR: 60.

MAYOR KIAR: 60.

COMMISSIONER FURR: What did you say? 5 --

COMMISSIONER WEXLER: 5, 53, and 60.

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MAYOR KIAR: And then, County Administrator?

COMMISSIONER FURR: And 53?

COMMISSIONER WEXLER: Uh-huh.

MS. HENRY: It's my understanding that one of the items for the public was asked to be pulled. Did we confirm?

UNIDENTIFIED SPEAKER: Yes, it was pulled.

MAYOR KIAR: Is that Item Number --

MS. HENRY: Never mind. Thank you. He pulled it -- she pulled it.

MAYOR KIAR: She did.

MS. HENRY: No issues.

MAYOR KIAR: Oh, okay. We have -- we have --

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: -- we have --

MS. HENRY: Hold on.

MAYOR KIAR: -- yeah, we have a number of pulls from the --

MS. HENRY: Wait a minute.

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MAYOR KIAR: Yeah. Oh, Mr. Lukic?

MR. LUKIC: Mayor, I'd like Item 65 to stay on the Regular. I have some comments and recommendations.

MAYOR KIAR: Okay.

And then in audience pulls, we have --

UNIDENTIFIED SPEAKER: These are all the Consent pulls from the audience.

MAYOR KIAR: -- all Consent pulls, so we have 5, 8 --

UNIDENTIFIED SPEAKER: 12 --

MAYOR KIAR: -- 12 --

UNIDENTIFIED SPEAKER: -- 15 --

MAYOR KIAR: -- 15 --

UNIDENTIFIED SPEAKER: -- 16 --

MAYOR KIAR: -- 16 --

UNIDENTIFIED SPEAKER: -- 28 --

MAYOR KIAR: -- 28 --

UNIDENTIFIED SPEAKER: -- and 34 --

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MAYOR KIAR: -- 34 --

UNIDENTIFIED SPEAKER: -- 35 --

MAYOR KIAR: -- 35 --

UNIDENTIFIED SPEAKER: -- 55 --

MAYOR KIAR: -- 55 --

UNIDENTIFIED SPEAKER: -- and 61.

MAYOR KIAR: -- and 61. Okay. So I am going to do my best to read this.

COMMISSIONER WEXLER: Do you think you're ever going to get to the workshop today?

MAYOR KIAR: I think that there is a possibility that the workshop may -- if it --

COMMISSIONER WEXLER: This is just a precursor for next week.

MAYOR KIAR: It is.

COMMISSIONER WEXLER: You know that?

MAYOR KIAR: I know that.

COMMISSIONER WEXLER: Okay.

MAYOR KIAR: I do. I know. I -- I agree.

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COMMISSIONER WEXLER: All righty.

MAYOR KIAR: You know? So Consent items are Items 1 to 61.

And I'll -- I'll go through what the pulls were.

Moved to Consent previously were 65, 70 to 73, 75 to 79.

Regular items were 62 to 83.

And withdrawals were 30 and 67.

Now, the Commission has pulled and asked to stay on 65, 33, 45, 77, 28, 65 --

UNIDENTIFIED SPEAKER: Audience.

MAYOR KIAR: -- 8 -- audience has been 5, 8, 12, 15, 16, 28, 34, 35, 55, and 61.

Is there a motion to approve the very limited --

VICE MAYOR SHARIEF: So moved.

MAYOR KIAR: -- Consent Agenda?

COMMISSIONER HOLNESS: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

UNIDENTIFIED SPEAKER: (Inaudible.)

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MAYOR KIAR: All opposed?

Okay. Show the item passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: I will.

And just to let the audience know that we are going to give each speaker two minutes, because we have a very long agenda and we have to get through it.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: Let me just -- how do it get to -- there we go.

AGENDA ITEM 5

MAYOR KIAR: Okay. The first item on today's agenda --

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: We -- we'll let -- as you all are leaving, if you could please keep the

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voices down, I'd very much appreciate it.

The first item on today's agenda is Item Number 5, and it was pulled first by Commissioner Wexler,

And Item Number --

COMMISSIONER WEXLER: Actually, Commissioner LaMarca pulled it before I did, o believe.

MAYOR KIAR: Oh, he did.

COMMISSIONER WEXLER: Yeah, LaMarca pulled it --

MAYOR KIAR: Oh, he did, he did.

COMMISSIONER WEXLER: -- (inaudible).

MAYOR KIAR: And the audience, as well.

UNIDENTIFIED SPEAKER: (Inaudible) would like to withdraw, so (inaudible) can go back to --

MAYOR KIAR: Oh.

UNIDENTIFIED SPEAKER: -- reconsider that item.

MAYOR KIAR: Great. If -- if we can -- the -- one of the -- the member of the audience that asked to pull Item Number 12 has just decided that he does -- no longer would like to pull it.

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So if we -- can we have a motion to -- to reconsider the Consent Agenda?

VICE MAYOR SHARIEF: So moved.

COMMISSIONER WEXLER: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show the item passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3
COMMISSION SEAT WAS VACANT.)

MAYOR KIAR: Now to add Number 12 to the Consent Agenda.

VICE MAYOR SHARIEF: Motion to add 12 to the Consent Agenda.

COMMISSIONER LAMARCA: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

COMMISSION MINUTES

All opposed?

Show it passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 5

MAYOR KIAR: All right. Number 5 was pulled by two County Commissioners and the member of the public, and that is a motion to approve the first amendment to shared ride and limousine service concession agreement between Broward County and Yellow Airport Limousine Service.

Commissioner LaMarca.

COMMISSIONER LAMARCA: Thank you, Mayor.

So I just had -- had a couple of questions on this.

Clearly, this is staff's effort to follow our direction, which was a broad direction, and that was to level the playing field with regard to transportation.

Clearly, I don't think anyone thinks a van load of people going in -- in -- in multiple stops is the same thing as one car, whether it's a taxi, a limousine, or a -- or an Uber, or a TNC, or anything.

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However, I think this is a -- this is -- this is certainly a very generous step in the right direction from the Broward County Board of Commissioners and our airport staff and port staff to -- to look at this, and I -- so I just want to make sure everyone is clear, because I had some concerns about what the details were.

So the minimum annual guarantee of \$500,000 has been reduced, so for the remainder of this year, there will be a savings of I think it's 90,000 and next year, \$320,000.

The -- the question is the -- the -- the per -- the passenger or the per charge of \$4.50, Mayor, if you could ask the County Administrator possibly just to clear this up. That is -- is that per --

MAYOR KIAR: Actually --

COMMISSIONER LAMARCA: -- vehicle?

MAYOR KIAR: -- if it's okay, Commissioner LaMarca, and I apologize about this. I forgot there are three public speakers.

MAYOR KIAR: Okay.

MAYOR KIAR: May I bring them up to speak first and then may I come back --

COMMISSIONER LAMARCA: Sure.

MAYOR KIAR: -- right to you? I do, and that's -- that's my fault. I apologize.

The first speaker is Lorraine Wilde.

COMMISSION MINUTES

MS. WILDE: I'm here for questions.

MAYOR KIAR: For questions only.

MS. WILDE: If there are any questions.

MAYOR KIAR: Oh, okay. Thank you, Lorraine.

John Camillo.

MR. CAMILLO: Thank you, Mayor, Commissioners. John Camillo on behalf of Go Shuttle.

When the contract was initially entered into, it was anticipated that there would be a shift to a per trip charge once the AVI system was installed.

Right now, the MAG is based on deplaning passengers, and with the impact of the TNCs at the airport, clearly that's no longer a fair way of -- of approaching this. The TNCs have -- have taken a large number of the riders who might ride and share a ride out of the -- our of the taxis -- or out of the shared ride vehicles.

The other issue is -- and this was something we raised during negotiations but were told we couldn't change, was the amount of the security deposit.

Go Shuttle's been doing business with the County for over 30 years and has never missed a payment, never missed a payment, and yet Uber, which came in illegally, was able to operate here without any -- any requirement of payment, ended up, when you negotiated the contract or staff negotiated the contract, with a \$12,000 security deposit.

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And so I said, well, if that's what you're going to charge Uber, why are you going to charge Lorraine and our company multiples of the last month's worth of fees since this is a company that has not in 30-plus years missed a payment to the County, has always paid on time.

And the purpose of the security deposit is to secure payment, and we don't know what Uber has been paying the County because when the County negotiated the contract, apparently it agreed to let that be a secret. But I can guarantee you that it's a lot more than the amount that the multiples of 4.50 per trip are that Lorraine will have to pay.

And so I would ask the -- the Commission to amend the security deposit requirement to the \$12,000 the TNCs are paying.

Thank you very much.

MAYOR KIAR: Thank you.

And the last public speaker is George Platt.

MR. PLATT: Good morning. George Platt from LSN on behalf of Go Airport Shuttle, the official shared ride concessionaire at the airport.

And I'm not going to top what John just said relative to the -- to the security deposit except to say that, you know, we had a -- we had a good negotiation with staff. Your mandate was create an even playing field, and staff worked hard on that.

We asked -- John asked specifically about the security deposit and we were told that they had to keep it in and that what we ended up is what you see in front of you here today.

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It's still, obviously, we think, more than needs to be paid. And as John said, they have a great track record.

I want to mention one other thing. It's not in here today and it won't be in here today, but we'd like an opportunity to come back and discuss it, and that is that we did request that the pass-through fee be allowed to be added to the fare the same way as the TNCs have been allowed to add the pass-through fee, the privilege fee that you pay to the airport. It goes directly to the airport, so that, you know, technically, when you get in the car it should show up and -- just like the \$2.00 does now, it -- it could ring up on -- on -- on the meter or it could be shown on the -- on the receipt.

And so that's an issue that we would like an opportunity to come back and work with staff to -- to address that because we think it's only fair, if we're going to have an even playing field, is for us to be able to pass-through the privilege fee and to show it, what it stands for so that people in the -- in truth and advertising know exactly what they're paying for when they get in these vehicles.

So with that said, again, I thank the staff for all of their hard work and we look forward to continuing to serve you at the airport.

MAYOR KIAR: Thank you, Mr. Platt.

We're now coming back to the County Commission, and, Commissioner LaMarca.

COMMISSIONER LAMARCA: Thank you.

So my -- my question was to the County administration, the -- and -- and Mr. Platt brought up the \$4.50 charge. That's per vehicle, right?

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MS. HENRY: Correct.

COMMISSIONER LAMARCA: So whether there's one person in the van or 12.

MS. HENRY: That's my understanding.

Mr. Gale, if you can come to the podium and just confirm.

MR. GALE: Good morning, Commissioner, Mark Gale, Director of Aviation.

That is correct. It's a \$4.50 per trip fee that's currently assessed.

COMMISSIONER LAMARCA: Okay. And with regard to the -- Mr. Platt brought up that that -- that should go to the -- to the riders. That would just go -- that would just go to the one van, right, that \$4 -- I mean, if -- if we said we'll -- that would get added on, it wouldn't get added onto everybody who rides that shuttle.

MS. HENRY: No, it would go to the van.

COMMISSIONER LAMARCA: Okay. Okay.

MR. GALE: Currently, it's assessed to the operator. I think what Mr. Platt was asking for is that somehow be passed through. He can clarify for it, but I -- I don't know how you do that if there's --

COMMISSIONER LAMARCA: Yeah, you have to figure out if there's --

MR. GALE: -- two passengers versus eight passengers in a van --

COMMISSIONER LAMARCA: Yeah.

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MR. GALE: -- and what gets assessed to each passenger.

COMMISSIONER LAMARCA: I -- I -- look, I have no -- I have no issue, just like I have no issue that TNCs or taxis charge a pickup fee. I -- I don't know that there is not a pickup fee for shuttles now.

Part of -- part of the -- the reason I pulled this for questions is because we're talking about literally apples and oranges. We're talking about a van with as many as 12 or 15 people versus a car, be it a taxicab, a TNC, or a -- or a luxury sedan, or whatever it might be. So they're completely -- to me, they're different animals.

And I don't think anybody who is going to order a shuttle -- they may be a large family, it may be a group, a tour, but they're different riders than, say, a -- a TNC or a taxicab or a single ride.

So that was really my -- my issue of pulling it.

Mr. Gale, while you're here, I do have one question with regard to -- because the security deposit issue was brought up. What is -- what is -- and it may be your purview or it may be the administration. What is -- what is everyone's thought on that? I mean, you're -- you're here first and I can ask administration later.

MR. GALE: Commissioner, my understanding is upon the Board direction to try to provide that -- that fair and level playing field, based upon what was originally put in the contract, which required a \$250,000 security deposit, was reduced by some 73 percent, bringing it down to currently what is three months' worth of activity or \$67,000.

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The three months is -- is fairly consistent with the requirements that we have in other contracts at the airport for leases and whatnot. And that's the -- that's the direction and path that --

COMMISSIONER LAMARCA: Okay.

MR. GALE: -- (inaudible) followed with that.

COMMISSIONER LAMARCA: All right. Thank you.

So -- so I have two -- two comments on -- on the -- what was said here prior.

I would say that, with the judge's ruling about how -- how the information that is -- that is held by TNCs was ruled, it was ruled that this Commission looked at it the -- looked at it the same way that a person who sits on our bench and -- and -- and basically interprets our laws and -- and passes that judgment down.

The other issue we had discernment about was insurance, and that was gone through the State Insurance Regulatory Board, and what they have there is legal.

So what I would caution and -- look, I don't look for disagreements or debates with people, but what I -- when they -- when they come to this Board and when they come to me, I would caution Mr. Camillo, who I think is very good at what he does, and, clearly, they had the majority of the business. As a matter of fact, there was a board game made after what they probably had of this business for many, many years. But there is a new product in town, and you either, as Commissioner Ritter once said, evolve or die.

Coming up here and complaining about -- constantly complaining about Uber and Lyft and whatever the next mousetrap is that's out there, I supported that

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whole -- that whole issue because it was -- because of the options, because people said they wanted it.

I -- I was concerned with safety. Mr. Vialpando went through the process with us.

The bottom line is to come here and constantly have the same gripes about someone else is not going to get you win the race. What's going to get to you win the race is to innovate and have a better product.

That being said, Ms. -- Ms. Wilde has been a -- a -- other than a few comments that I could have -- myself in her situation would have made the same comments during that process, but has been an exemplary vendor of this County and partner of this County and I don't think we need to charge Go Shuttle anything anywhere near that type of security deposit. I don't think she's going anywhere. I believe she lives in my district. I know how to find her. She knows how to find us.

I don't think -- I think if we're going to really level the playing field, then the -- the fees and different things are fine, but -- but the impact to the -- the business so they can continue to provide a good business here in Broward County and have a -- have an opportunity to -- to do well.

So I -- I would move that we -- we address the security deposit.

Again, my only perspective is let's not look at what the other one has got. Let's just make sure we know what we're doing with you is -- is fair and equitable and I don't think continuing to -- to bring that kind of money from your business is fair and equitable. You're not -- you're not in danger of going anywhere. And that's -- with that being said, I -- you know, look, I don't know if we can come up with a number here today, but I'm not worried about the security

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deposit.

MAYOR KIAR: Great. The next speaker is going to be Commissioner Wexler, but I do want to mention to the folks that are coming in, if -- if you're here to speak on Item Number 83, please sign a -- up on a speaker card beforehand.

Commissioner Wexler.

COMMISSIONER WEXLER: Thank you.

I don't want to talk about TNCs. I don't want to talk about Go Shuttle. I don't want to talk about taxis.

I want to talk about a ground transportation system, which is what this Board is responsible for. A ground transportation system that is fair and equitable to all that participate, and accountable, in that through an AVI system, that we can actually see through vehicles what's going in and out of the airport.

We don't know if a TNC has multiple ride share opportunity, if people are sharing a cab. We don't -- we don't know that. And, you know what? I don't even want to know that at this point in time.

I just want to be able to have the data and recover the dollar amount to the County that's predetermined on that ground transportation system.

You can see I put out a PBMI question on this yesterday. I had some discussion with Administration and Legal yesterday morning and with -- with Mr. Gale yesterday afternoon. So my concern here is certainly not a surprise to anybody.

I -- what I didn't know was 30 years. That's what I didn't know, Lorraine, how

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many years you've been paying the bill.

When we had the TNC discussion many, many -- a long time -- it seems like 20 years ago, but about a year ago or so, maybe it wasn't even that long, one of the issues for me that I brought up was the \$12,000 security deposit, which seemed to be obscene, obscene.

And when I challenged Mr. Gale with that yesterday, it was a conversation of, well, that really needs to be addressed with TNCs.

And my response was, hell, I'm not going down that road again. Okay? I still have scars to -- so what do you do here as a County Commissioner? What do I do here today? Do I -- yeah, 250,000 -- a quarter of a million dollars is a heck of a lot of money. \$67,000 is a lot of money.

I'm prepared to move here today. I'm going to pull a number, the same number for Uber which was \$12,000 and I'm going to move that that's what their security deposit be.

Thank you.

COMMISSIONER LAMARCA: Second.

COMMISSIONER FURR: I'll second it.

MAYOR KIAR: Commissioner Ryan.

COMMISSIONER RYAN: A question -- a question to staff. The comments were made that there's not been a demand made upon the security deposit for over 30 years for non-payment.

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Has there been any demand on the security deposit for performance of the contract over those 30 years?

MS. HENRY: I don't know if we have that answer today. I don't believe there has been, but I -- I can't confirm that over a 30-year period.

Mr. Gale, I don't know if you -- you would have any information related to that or not.

(COMMISSIONER FURR LEFT THE ROOM.)

MR. GALE: In my lengthy nine weeks here, Commissioner, I don't know --

(Laughter.)

MR. GALE: -- but I will certainly look to staff to provide an answer.

COMMISSIONER RYAN: Well, we -- we have Lorraine Wilde. Ms. Wilde, can you come forward?

So the question posed is during the 30 years that you've had a contract with the airport, has there been any claim against the security deposit either for payment or for performance of the terms of the contract?

MS. WILDE: None whatsoever. I haven't been fined for not fulfilling any of my contractual obligations.

COMMISSIONER RYAN: Thank you.

MAYOR KIAR: Vice Mayor Sharief.

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VICE MAYOR SHARIEF: Okay. First of all, let me just say I was a no on Uber. I'm still a no.

(COMMISSIONER RYAN LEFT THE ROOM.)

(COMMISSIONER FURR RETURNED TO THE ROOM.)

VICE MAYOR SHARIEF: Secondly, whatever arrangements -- I mean, I'm -- I'm just saying, anybody that can take a trip for \$15 and get charged \$700 on the way home, that's ridiculous, but we made it okay, so I guess it's okay.

But every time I see one of these items on the agenda, I always feel like we continuously beat up on the little man here. You need to be raising the fee on Uber instead of on these individuals who have these small businesses and who have been just barely squeaking by because of the regulations and the things that this Board of County Commission has in effect.

And so, Commissioner Wexler, I am -- I'm -- I'm perfectly fine with being your fourth on the \$12,000. I know you had a second and a third. But I'd be the fourth on your \$12,000, because I just think this is getting to the point of asininity and being ridiculous in terms of these fees.

And these people provide a very decent and very, very valuable service. And whether it's a car or whether it's a Go Shuttle, whether the Go Shuttle has one passenger or two passengers or a full bus is -- is irrelevant for me.

I just feel like we need to start putting provisions in place that protect the small business owners here. And I'm all for changing things to make that -- make it work and to make it fair.

So thank you.

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MAYOR KIAR: Commissioner Holness.

(COMMISSIONER RYAN RETURNED TO THE ROOM.)

COMMISSIONER HOLNESS: Yes. As government, we set rules and regulations that affects people's lives and businesses. Therefore, we must ensure that there's fairness and equity.

What we have in place today is not fair. It's not equal for our businesses.

We've allowed a billion dollar corporation to do what it wants.

We cannot allow for that kind of disparity, disadvantage to some.

And, truly, if -- if -- if the deposit that we have for -- for Uber is 12,000, I -- and I'll say that, and then we have a small local business that's been here forever and we're charging them that kind of money, it doesn't make sense. We probably shouldn't charge them none --

VICE MAYOR SHARIEF: Uh-huh.

COMMISSIONER HOLNESS: -- for 30 years that they've been here making the payments on time.

So there's already a motion afoot to -- to put 12,000 forward.

UNIDENTIFIED SPEAKER: (Inaudible) six.

COMMISSIONER HOLNESS: I will -- I will support the 12,000, but, to be honest with you, I think if -- if they're -- if that major corporation making a whole lot of

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money only have to pay \$12,000, then our small business that's here, that's been here all these years, 30 years, should not pay anything at all in terms of a deposit.

VICE MAYOR SHARIEF: I'll second that motion.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Commissioner LaMarca.

VICE MAYOR SHARIEF: (Inaudible) motion?

COMMISSIONER LAMARCA: I'm going to -- it seems like we're all on the same page here with the -- with the reputation and the longevity of Ms. Wilde here.

But I want to close just to say that -- correct my friend, Commissioner Holness, it's not a billion dollar company. I think the latest market cap is about 70,000,000,000. But because -- but -- but before they were around, the monopoly that was in the taxicab industry was a big business, absolutely. Look at the little guy. Look at the -- look at the independent folks that came here and said they wanted to drive.

So you can't manipulate the free market when the conversation suits you the best.

The bottom line is the people who are driving a taxicab, or the people who are driving for -- for Ms. Wilde or the people who are driving a TNC, whichever one or one that hasn't even been created yet, are Broward County residents. I would venture to say, I'm -- I'm working on the numbers, the vast -- a large -- much larger percentage per district of the people who are driving TNCs are in district -- you 9?

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UNIDENTIFIED SPEAKER: Yeah.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: There -- there --

COMMISSIONER HOLNESS: I know that.

COMMISSIONER LAMARCA: Well, and I -- I hate to tell you, but 33311 and -12 has a lot of people driving for Uber and Lyft, my friend.

COMMISSIONER HOLNESS: (Inaudible.)

COMMISSIONER LAMARCA: I support whatever you want to do (inaudible).

COMMISSIONER HOLNESS: (Inaudible.)

MAYOR KIAR: Commissioner Holness, Commissioner Holness, you've got to put your mic on.

COMMISSIONER HOLNESS: I'll make a motion that we go for zero deposit. This company has proven itself over time.

MAYOR KIAR: There's -- there are two motions. First, you know, Commissioner Wexler had made a motion to bring it down to 12,000. There's been a second. Then Commissioner Holness has made a motion to make it zero.

Is there a second on Commissioner Holness's motion?

COMMISSIONER WEXLER: May I -- can I ask a question? If I move to defer this for

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next week and let staff come back, you -- I mean, I don't know if we're going to have five votes for anything here.

VICE MAYOR SHARIEF: Oh (inaudible).

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: We will.

COMMISSIONER WEXLER: All right.

MAYOR KIAR: I think -- is -- is there a -- so there has been a -- is it a -- are you making a substitute motion?

COMMISSIONER HOLNESS: Yes.

MAYOR KIAR: So there's been a --

COMMISSIONER HOLNESS: Yes.

MAYOR KIAR: -- substitute motion made by Commissioner Holness.

Is there a second on the substitute?

VICE MAYOR SHARIEF: I'll second the motion.

MAYOR KIAR: So there's been a substitute motion.

So all in favor of having zero, no fee whatsoever, signify by saying aye.

MS. ARMSTRONG COFFEY: Clarification, Mayor. Clarification.

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MAYOR KIAR: Yes.

MS. ARMSTRONG COFFEY: Is this just a proposed amendment or is it the item as amended?

MAYOR KIAR: It -- it is --

VICE MAYOR SHARIEF: Proposed amendment.

MAYOR KIAR: -- it's a proposed amendment.

MS. ARMSTRONG COFFEY: Thank you.

MAYOR KIAR: Proposed amendment.

So all in favor, signify by saying aye.

All opposed?

One, two, three -- show it -- show it fails.

VOTE FAILS 2 TO 5 WITH COMMISSIONERS FURR, LAMARCA, RYAN, WEXLER AND MAYOR KIAR VOTING NO .

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

MAYOR KIAR: We're now back on the main motion --

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COMMISSIONER WEXLER: My -- my --

MAYOR KIAR: -- which is --

COMMISSIONER WEXLER: -- my amendment.

COMMISSIONER HOLNESS: Second.

MAYOR KIAR: -- Commissioner Wexler's amendment, which is to have the fee at \$12,000.

There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show the amendment passes unanimously.

VOTE PASSES UNANIMOUSLY.

COMMISSIONER WEXLER: Now you want the item as amended.

MAYOR KIAR: Right. Now the item as amended.

Now do I have a motion to approve the item --

UNIDENTIFIED SPEAKER: (Inaudible.)

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MAYOR KIAR: -- as amended.

COMMISSIONER HOLNESS: Second.

VICE MAYOR SHARIEF: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show it passes unanimously.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM 8

MAYOR KIAR: It is -- we still have five minutes to our time certain.

I just want to remind the folks out there again, if you'd like to speak on our time certain item, please sign up with the -- with the clerk.

We're now moving on to Item Number 8, which is pulled by the public.

And this is a motion to authorize the County Administrator to take any and all necessary actions up to and during the Commission's 2016 summer recess.

And that would be Mr. Rand.

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Hi, Russell. Good to see you today.

MR. RAND: Good morning. The first time I met Mohammed Ali 32 years ago, I had this one. He walked out of the crowd, autograph seekers, we knew each other. He picked a fight. He won, of course. Shook my hand. I said I love you. Walked off in the night with his wife. The second time, Miami Beach Convention Center, greatest of all time book, Etta James sang "At Last." Beautiful. Nice pics of Will Smith, and Ali. There was a man, genius in the ring and genius out of the ring.

The item before you is the courthouse, of course. The ever -- never-ending courthouse.

I just pulled this to point to the fact that it's hard to bring in anything on time and under budget. And I understand the design flaws. And people are waiting and if you can't show you bring it on time under budget and you'll adjust the time and the budget. Supposed to be December of 2012. I don't think it's going to meet it. We're waiting. And since there is such issues of taxes and budgets on time and under budget.

Thank you.

(COMMISSIONER WEXLER LEFT THE ROOM.)

MAYOR KIAR: Thank you, Mr. Rand. Thank you, Mr. Rand.

Can I have a motion to move the item?

COMMISSIONER FURR: So moved.

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COMMISSIONER LAMARCA: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show Item Number 8 passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 15

(COMMISSIONER WEXLER RETURNED TO THE ROOM.)

MAYOR KIAR: We're now moving on to Item Number 15 -- oh, no, actually --

VICE MAYOR SHARIEF: 12.

MAYOR KIAR: -- no, 12 was approved back in the Consent Agenda. We did a -- we're now moving on to

VICE MAYOR SHARIEF: 12 was a audience pull. Yeah (inaudible) --

MAYOR KIAR: Yeah, and it was --

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VICE MAYOR SHARIEF: -- (inaudible) 15.

MAYOR KIAR: Item Number 15, which is also pulled by Mr. Rand.

Mr. Rand. Great.

Item Number 15 is a motion to approve the declaration of restrictive covenants between Broward County and the Florida Department of Environmental Protection.

Mr. Rand, when you are ready.

MR. RAND: Thank you.

I -- I pulled it in order to highlight the fact that there are probably four to 500 sites in the County that have contamination, and especially by the County. This is diesel fuel, benzo-alpha-pyrenes and all.

So there are lots of areas without drilling for oil or whatever. There are plenty of areas where there is oil and petroleum and other hazardous chemicals in our aquifer still, and they still persist, and that is going to be restricted, covered over and all these things, and time will dissipate it.

Thank you.

MAYOR KIAR: Thank you, Mr. Rand.

Is there a motion?

COMMISSIONER FURR: Move it.

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COMMISSIONER FURR: So moved.

VICE MAYOR SHARIEF: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show Item Number 15 passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 16

MAYOR KIAR: We have time for one more item before we move on, and that's going to be Item Number 16. And that was pulled by Christine Timmons [sic].

And it is a motion to retroactively approve a referral agreement between Broward County and the area -- the Areawide Council on Aging and Broward County.

Ms. Timmons [sic], it's good to see you again. And --

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MS. TIMMON: Long time, no see. I've been in D.C. worrying them.

MAYOR KIAR: Well, we're happy to have you back.

MS. TIMMON: Well, this morning, I've got to say, I've got to go back to D.C. because this really worries me. When I read about the veterans, now, all the veterans out here know me. I always got money. It depends on who you are. You might get a hundred, you might get 50, five, whatever you might need.

And I say to you, how can the leaders of the United States of America allow the veterans to be on the street corner? It's enough to make you want to cry, the things I've seen.

Yet they take our tax dollars that belong -- under Article I, Section 8, Clause 1, it says United States can only levy taxes for the welfare of America. So what they're basically doing, they're taking the taxes for the welfare of America, and Americans, like the veterans, they don't have any programs for them. But you let somebody come across their border, oh, six weeks later, six months later a debit card, thousands of dollars in food and -- and food stamps.

And I -- I just get real upset about that because a lot of these veterans were there when things like the nuclear power plants were being built. They built them, things like the (inaudible), everything you see, if it wasn't for the old people, you wouldn't have nothing, wouldn't nothing be out here.

Yet nobody respects the old people, especially the veteran old people. I think that that is one of the biggest sins and shame that ever happened to a nation, to not protect the people who helped this country.

And I will never get over this. I will be back in D.C., and that's going to be one of my major things I'm going to worry them about is this thing.

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And I do have B coming up as well, so I'll just close out with saying I thank you guys for looking out for the veterans, because I can't afford much more money.

MAYOR KIAR: Thank you, Ms. Timmon -- Ms. Timmons. And it's good to see you again.

MS. TIMMON: I've got B as well, so I'll just go continue. Here's what I'm looking at --

MAYOR KIAR: Oh --

MS. TIMMON: -- doing --

MAYOR KIAR: Ms. -- Ms. Timmons [sic] --

COMMISSIONER WEXLER: Move -- move approval.

MAYOR KIAR: -- oh, wait. Before we have that, Commissioner LaMarca. We -- yeah, you only had two minutes on that one --

MS. TIMMON: Oh.

MAYOR KIAR: -- but thank you. And thank you for coming.

MS. TIMMON: But I put A and B.

MAYOR KIAR: No, it's -- no, no, that was for the whole thing --

MS. TIMMON: Oh.

MAYOR KIAR: -- but thank you, though.

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MS. TIMMON: It's okay. You know what I'm talking about.

MAYOR KIAR: Yes. Commissioner LaMarca.

MS. TIMMON: Thank you.

COMMISSIONER LAMARCA: Just -- just so that everyone understands, we -- through Human Services, our Veterans Services Division does -- does a fantastic job here at the County. But there are a multiple, and one in particular, Operation Lift HOPE, organizations in Broward County that -- that -- that concentrate -- and every person who is without a home or -- or dealing with issues like that is just as valuable. But we -- there are multiple organizations and, again, Operation Lift HOPE comes to mind for the work that they're doing to take veterans off the street, as well as united -- Mission United.

Just to let everyone know, that's -- that's certainly a priority of mine and everyone up here that -- that no veteran finds a -- a life after the military service that's anything but respectful.

So with that, I move the item.

COMMISSIONER HOLNESS: Second.

COMMISSIONER FURR: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

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Show that item passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

REGULAR AGENDA

AGENDA ITEM 63

MAYOR KIAR: Now, I know we have a time certain, but before we do it, if there's no objection, I would like to let our two delegation requests proceed just quickly.

Each one is going to be given two minutes.

And the first is Father Bob Caudill, and the second is Christine Timmons [sic].

Father Caudill, are -- are you here?

UNIDENTIFIED SPEAKER: He was.

UNIDENTIFIED SPEAKER: He was here (inaudible).

MAYOR KIAR: Well, we'll let -- let's let Ms. Timmons [sic] go first, then, and then if -- if Father Caudill comes back in, I'll -- oh, hi, Ms. Timmons.

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MS. TIMMON: Hi. (Inaudible.)

MAYOR KIAR: Oh.

MS. TIMMON: (Inaudible.)

MAYOR KIAR: Of course.

VICE MAYOR SHARIEF: Oh, yeah.

MAYOR KIAR: Absolutely. We're all your fan, trust me. Come on up.

MS. TIMMON: Well, I -- first of all, I need to thank Gretchen. She did such a great job. I had an issue with the County courts. Fortunately, my Mayor and my Commissioner, they're both attorneys, didn't know what to do. See, what happened here, a judge made an unstatutory ruling in a Broward County Circuit Court, and I reported it to the Commission, and -- but Gretchen told me that under Article V of the Florida Constitution, the courts are really owned by the state. I was glad to hear it, you know, because I was talking about suing the County. The counties only have the duty for the staff and the IT. So I've got to seek a Writ of Actual Innocence on there for what that judge did.

What happened, a medical group, licensed by the State of Florida, filed a false complaint against me in Broward court to intimidate me. I'm a federal witness and victim of a medical malpractice, so they went to court to say I was mailing them too much and calling them too much. And -- and so the judge says, well okay, Christine, I'm going to restrain you from doing that. Don't mail them nothing. Don't -- don't send them. Don't call them.

All it was, was the information for Medicare that I had found out that they had

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overdosed me on a prednisone drug that caused -- it was a mess.

And so the agent from the -- the medical malpractice group, she used two false police reports and made allegations that's pure perjury and suborning perjury that can be proved.

The court ruled for them, though, because they said the excessive mails and calls, (inaudible) trying to notify them of Medicare, I shouldn't have did it. I -- and I explained that it was the overdose of the prednisone that I was really mad about. I was -- you know, anybody would get mad about that because it impaired my health, put me in the hospital about six days.

Then I filed a motion to have a legal licensed process server to deliver that. The judge (inaudible) about, well, no, you can't do that either. Not even a legal process server. Like who they supposed to be? Well, that violates FRCP 4 and FRCP 8(e), 42USC 198 3. That's a lack of due process on Amendment 14.

And so I asked Rick Scott and all of them to see about sanctioning their judge. So that was --

MAYOR KIAR: Oh.

MS. TIMMON: -- what happened to me.

MAYOR KIAR: Ms. Timmons [sic], thank you so much. And it is -- it's great to see you. Thank you for coming to address us.

MS. TIMMON: And thank God I won't have to sue you.

MAYOR KIAR: Oh, well --

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MS. TIMMON: It's the state.

MAYOR KIAR: -- thank you very -- we appreciate that, too.

AGENDA ITEM 62

MAYOR KIAR: The next is Father Bob Caudill. Father, thank you for being here.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: And since we let you --

FATHER CAUDILL: Thank you.

MAYOR KIAR: -- let you go before the other stuff, does that give me points with the big guy?

(Laughter.)

MAYOR KIAR: Does it? Maybe not.

FATHER CAUDILL: I don't know. I can't speak for him all the time, just sometimes.

I'm going to speak for myself today, Mayor. Thank you very much for allowing me this opportunity.

First of all, I just want to say how proud I am to live in Broward County and especially with people as yourself in -- in service to us, because I keep up with

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many things that go on in Broward County in government and I'm just impressed by the way that you -- you handle yourself with such respect and you're so civil with each other and -- and with the public. And I -- I thank you for that.

And I'm also very proud to live and -- and be a resident of Broward County for 25 years.

And I have a little parish in Oakland Park, and that's what I wish to speak to you about today.

I'm not a political person, only when politics infringes on our -- our civil rights or our religious rights.

I believe you know, Commissioners, that in the last few years, Fort Lauderdale, namely, has not been very kind to our homeless population or the poor, especially in my own city in Oakland Park.

And I believe, Commissioner Holness, you're my representative here, I would like to speak to you about this in a private matter some -- sometime in the future.

But Oakland Park and Fort Lauderdale are guilty, I believe, of infringing on the rights of citizens in that taking away their basic rights of places to sleep, eat, to survive, actually.

Now in the City of Oakland Park, they have made it even more strict on churches such as myself who have a parish that feeds the -- the poor for 25 years. We feed from a hundred to 238 people a day for dinner.

And we've received a cease and desist order from the City of Oakland Park,

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which the ACLU has trying -- or is in the process of defending us on that.

My issue with you here today is if something can be done on the County level. I know that funding is part of something that you do on the charities for the coalition and different organizations that help the poor in Broward County.

I'm wondering why we give cities, municipalities such as Oakland Park money to further the ends in the helping of the lower classes in place like Oakland Park where they're -- on the other side, they're not using the money to help people. They're using their funds to put down the homeless and the poor.

Broward County is -- is the most beautiful place, I believe, because I've lived in many counties in the United States. I just love Broward County.

However, I -- I really am embarrassed on this one issue that people will ask us in other places -- and I was just in Colombia last weekend, and someone at a church -- I was doing a wedding. I got it. I'm watching the time. Thank you --

MAYOR KIAR: Thank you.

FATHER CAUDILL: -- said what's going on with Broward County, Fort Lauderdale, namely, that they want to beat up on the homeless. And that's the way they put it.

So I'm asking today as a proud citizen of Broward County and my parish and All Saints, and we will continue to help the poor, if there's something that you can do to help the poor and the homeless of our -- our good County.

Thank you.

MAYOR KIAR: Thank you, Father.

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FATHER CAUDILL: Thank you for allowing me to speak this morning.

MAYOR KIAR: Thank you for taking the time to come down here.

FATHER CAUDILL: God bless you.

MAYOR KIAR: Thank you.

AGENDA ITEM 83

MAYOR KIAR: Now we're going to move on to our time certain item, which is Item Number 83.

We have a number of public speakers on it, but before I ask Commissioner Ryan to introduce the item, I just wanted to ask Ms. Coffey a few questions.

First, this is a motion to discuss, so, from my conversations with you previously, Ms. Coffey, we can give direction but we can't take a formal vote; isn't that correct?

MS. ARMSTRONG COFFEY: In large part, yes.

MAYOR KIAR: In large part. Right. So we can -- we can basically direct to move forward, but we can't formally to -- have a motion and vote on this because it wasn't --

COMMISSIONER WEXLER: (Inaudible.)

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MAYOR KIAR: It's a -- it's --

COMMISSIONER WEXLER: It's not a Board rule yet.

MAYOR KIAR: Well, it's -- this is what Ms. Coffey has opined.

MS. ARMSTRONG COFFEY: Well, let me --

COMMISSIONER WEXLER: Well, I (inaudible).

MS. ARMSTRONG COFFEY: -- let me clarify. I -- I do believe that you could give staff direction. You could take a vote on giving staff direction, for example. You could instruct staff to hold off, for example, not to do certain things. And I would accept a motion to direct if you had an ordinance, for example --

MAYOR KIAR: Okay.

MS. ARMSTRONG COFFEY: -- to give me. But, in large part, the motion to discuss is designed to air issues with subsequent action to follow.

(COMMISSIONER LAMARCA LEFT THE ROOM.)

MAYOR KIAR: Okay. Okay. And then the other thing, before we move on, I just kind of want to kind of set -- set the table and just ask Ms. Coffey, so just for the public and for everybody up here, and I'm going to let Commissioner Ryan open up, there are currently before this are three proposed tax items that will potentially be on the -- the ballot.

The first one is the one that we passed, which is the transportation surtax that's 100 percent of the -- you know, that goes there.

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Then you have the cities that they submitted to the Supervisor of Elections and you've been given word that the Supervisor of Elections has taken it and is putting it on the ballot.

And then we have the third one that we're going to potentially be taking up -- that we will be taking up on the 14th, where it's the County Attorney's opinion that it was our statutory duty to put the cities on there, so then what -- we have a ministerial, you know, duty to put it on there.

So right now there is three. And now there -- this one I believe is somewhat -- I'll let Commissioner Ryan discuss it, but it's going to be hopefully a compromise to all of that. But that's pretty much where we are. Is that right? This is -- this is a fourth?

MS. ARMSTRONG COFFEY: With one clarification. We do not have a written confirmation from the Supervisor with regard to her intended actions on the cities' proposal. She may have issued such a thing. I have not seen it.

MAYOR KIAR: Oh, okay. So with that said, now we've got that said, I'm going to let Commissioner Ryan kick it off.

Commissioner Ryan.

COMMISSIONER RYAN: I put Item 83 on the agenda to inform my colleagues about the status of negotiations and discussions that I have had with Weston Mayor Dan Stermer in relation to the three-quarter penny transportation surtax that was passed two weeks ago by the County Commission--

(COMMISSIONER LAMARCA RETURNED TO THE ROOM.)

COMMISSIONER RYAN: -- the infrastructure tax that had been adopted by a majority

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of the cities or the population in Broward County and has been submitted to the Supervisor of Elections, and also the third ordinance which we had on first reading agreed to publish with regard to a infrastructure tax of one penny with 15 percent being paid to the County for economic development.

I want to thank Mayor Stermer. He's been a -- a real gentleman. He's a very intelligent man, understands the issue very well.

And although we have not reached a point where there's something that I can bring back that I would recommend to the County Commission, I will say that he has a lot of excellent ideas and thinks through the process quite well. So I compliment you, Mayor Stermer.

So it was some time ago that we on the County Commission made a policy decision that we found transportation and improvements in transportation with regard to mobility and reducing traffic congestion to be a priority for Broward County for economic development, for betterment of the quality of life for the citizens of Broward County.

As you know, I have for the past year been working with the cities, primarily through the MPO, to try to come to a consensus position with regard to a penny sales tax for transportation.

We were at a point where there was a 30 percent direct allotment to the cities and the balance would be paid over to the County for regional transportation needs.

That proposal ended up being rejected at the MPO level, and the cities came forward with a proposal for a penny sales tax for infrastructure.

It does not have a sunset. It does not have oversight board. And it would be

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60 percent paid over to the -- to the cities, 40 percent to the County per the statutory requirement for the division of the proceeds.

So we -- we came back, as I said, two weeks ago, and we passed a transportation surtax ballot question.

All of these proposals for a surtax require a approval by a majority of the voters. They're scheduled for the general election in November of this year.

We're -- we're pretty far apart. The -- the cities' position, as provided to me by Mayor Stermer, is that the -- the cities would agree to the County moving forward with a half penny for transportation and a half penny that would go to infrastructure, and the half penny going to infrastructure would be paid 100 percent to the cities.

I had expressed my concerns that one-half penny would not be sufficient for the significant transportation challenges that we have today in Broward County and that we anticipate with a growing population over the next several decades. We have plans for rail in -- in portions of the County and for improving mass transit with our bus service, for traffic light synchronization, improvement of regional roads, and other roadway improvements that, as I said, would improve the movement of traffic and persons throughout Broward County.

So I'm willing to continue discussions, and I just wanted to bring it back to this Board to -- to let you know the position right now of -- of the cities is -- seems to be pretty firm of a half penny for infrastructure.

And it is a policy decision. I mean, it's -- it's a balance. I mean, you only have so much money to go around.

And so we can continue the discussions, but, you know, I -- I look at what the

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Florida Department of Transportation has in their roadway plans and in their vision statement, what the MPO's 2040 mobility plan is, what the United States Department of Transportation, and all of this is related to the expansion and improvement of multimodal transportation. And in order to accomplish that, it is the belief of staff in Broward County and, I believe, you members that we have a level of funding that is required in order to reach these objectives.

So with that, I know you have a number of speakers that wish to be recognized, and we can have further comment at the end of the discussion from the public.

Thank you, Mr. Mayor.

MAYOR KIAR: Thank you, Commissioner Ryan.

We now have a -- not a whole lot of members of the public, but a number of members that are asking to speak and it appears that even though you're not first on my thing you're walking up, so let me find you. You know, so --

(Laughter.)

MAYOR KIAR: -- so you've been moved. So the -- the --

COMMISSIONER RYAN: You're at the top.

MAYOR KIAR: You are. The first speaker would be Mayor Stermer of Weston.

MAYOR STERMER: Thank you, Mr. Mayor. Commissioners, good morning.

Thank you, Commissioner Ryan, for putting this agenda item on, and thank you for your time last Thursday afternoon, and for your conversations that started two weeks ago tomorrow after we were all last here.

COMMISSION MINUTES

Thank you to Ms. Coffey for arranging the meeting last Thursday.

I stand here before you, hopefully, on behalf of all the city elected and their staff that are here, as the only speaker on this item on behalf of the cities.

We want to thank you and work collaboratively with you.

Last Thursday evening at 11:15, I sent you all an e-mail that further clarified the proposal that Commissioner Ryan just said.

Some of the issues that I laid out in the e-mail, and the cities are prepared to stand by today, include the insertion of a sunset provision 25 years out, prepared to have the creation of an oversight board that would have the five members as proposed by Commissioner Ryan. We'd figure out the dynamic of where your three would come from, but two would come from the city side, one from the BCCMA and one from the Broward League of Cities, none of them elected officials.

We also agreed that somewhere between 10 and 25 percent of the infrastructure dollars would be spent by cities on average on transit, transportation, or mobility-related projects.

All of this supplements and benefits your transportation needs, roadway systems, congestion, things that go on in cities.

Infrastructure is a pretty broad subject, yes, but the infrastructure that would be contemplated in good measure would supplement what you're contemplating.

You know what? The first plan that came out from Broward County was a penny. It's now been reduced to three-quarters of a penny.

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We stand here today and ask you to join arms with us to present a unified front to the voters in Broward County.

You know, we can dicker all we want. It's going to be up to the people that vote in November.

And on behalf of the city elected officials and staff, and I'd ask you all to please rise, we stand here on behalf of 94 percent of the population and ask you to move forward with the proposal that would give half a penny to transportation to Broward County, half a penny of infrastructure to the cities, which would include the unincorporated portion of Broward County. You'd administer it between your -- your municipal services district, but it would come out of our portion. We'd agree to a sunset. We'd agree to an oversight. And we would agree to commit between 15 -- between ten and 25 percent toward transit, transportation, and mobility projects.

Thank you for your positive consideration.

Thank you very much.

MAYOR KIAR: Thank you, Mayor Stermer.

The next person on the queue is Mr. Russell Rand. Russell? Hey, Russell.

MR. RAND: The smell of money.

That being said, government's a necessary evil. It's absolutely necessary and inherently evil and I stand here because of that. And if you start to build a simple mousetrap you end up with a Rube Goldberg contraption that defies logic and has nothing to do with the original mousetrap.

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I wonder what happened to the money that should have gone to the infrastructure and transportation over the 42 years that I've been here and why you need to jack up the taxes to make up for it. It's -- when you play a shell game, you end up somebody not sitting down at the table.

I would like to think that this went to a useful purpose, but, as has been pointed out, this is a regressive tax against people of poorness and people of color in particular, such as myself. I used to have a home, but I no longer have a home because of this. So you could jack my taxes up on my home, that's what you should do. And you're doing micro skimming of the property millage rate and taxes today, but yet you're trying to jack up the sales tax that's going to tax the person behind the tree, always, which is somebody else.

But, as has been shown here, the little people are not really heard in these processes well enough, and there are people who are salivating for that money, I'm sure. I don't want to name any names.

Thank you.

MAYOR KIAR: Thank you, Mr. Rand.

The next person on the queue is Dan Lindblade -- Dan Lindblade, the president of the Fort Lauderdale Chamber of Commerce.

Hi, Dan. Welcome.

MR. LINDBLADE: Morning. Mayor, thank you. Commissioners, staff, County Administrator.

The Chamber of Commerce, we have 1300 members representing about a half

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a million employees throughout the County. We're just one of 17 Chambers in the County.

And we have not come out with a position on the surtax to date because we don't know what it is. We see all these different proposals. Every time I come to a meeting, it seems to change, and the players seem to change.

I'm -- I was very pleased with Mayor Stermer's testimony here today.

And -- and -- and what we're asking you guys to do is come together, because this is us. This is Broward County. This is the cities. This is the business community. This is our churches. We live here together. And we need you, as a County leadership, to build this consensus and common ground.

If you don't, I don't think that at least our Chamber is going to be able to support a multifaceted competing interest type of voting mechanism in November.

So what we're looking for is clear oversight, clear items that are going to be pushed forward, whether it's transit or infrastructure.

What we're looking for is for us as a community, elected officials, business leaders, and citizens to come together and say we recognize we have problems, we recognize we have shortcomings.

Not everybody's going to get everything and some people are not -- most people are not going to be happy with the final end product. As you all know, as elected officials, that's usually the sign of something good when you don't get everything that you wanted to begin with but that you drive something that is going to be for good, that's going to keep our economic prosperity moving forward.

COMMISSION MINUTES

And so I encourage you, Mayor and Commissioners, to come up with that solution in short order.

Thank you.

MAYOR KIAR: Thank you, Dan.

The next person on queue is Mayor Mike Ryan of Sunrise.

MAYOR RYAN: I stand in support of my learned colleague from Weston, Mayor Stermer, and waive my time.

Thank you.

MAYOR KIAR: Thank you.

And the final person on is Charles Caulkins.

Charlie, you should have been a doctor, not a lawyer, because this is the worst handwriting I've ever seen. No, just kidding. I'm just kidding.

(Laughter.)

MAYOR KIAR: Just kidding.

MR. CAULKINS: Don't tell --

MAYOR KIAR: Just kidding.

MR. CAULKINS: -- don't tell my secretary that.

COMMISSION MINUTES

Mayor, Commissioners, thank you for the opportunity this morning to talk with you for a few minutes about the transportation and -- and infrastructure surtaxes.

The Workshop understands the importance for the ability of business people, visitors, our employees to move around from one location to the next. It's really important in Broward County, and we owe it to the people in Broward County for the quality of life that we have to have an effective way to transport ourselves, move around the -- the County.

We've been on this issue for a long time, and there's no dispute from Mayor Stermer and the cities that there's infrastructure needs, but we think there's really transportation needs, and those needs are pretty imminent and they are the ones that we're focused on.

We're a growing community. We want to maintain the vibrancy of Broward County. And it's an integrated metropolitan area. We want to attract new businesses. We want to retain new businesses. To do that, we've got to have an effective transportation system that works.

Now, that being said, the Workshop has looked at the two issues, the two surtaxes, and we've got some concerns about them and we've expressed them in writing, and I think you've all received our position on this.

Two one-half cent proposals to the ballot is going to be confusing. Like Dan just said, having two half cent proposals on the ballot is going to be confusing and I think will probably doom both of them. I don't think the taxpayers are going to understand them and I they're going to look at it as two different tax grabs that are not going to necessarily make sense to them. So what happens if one passes and one loses and those kind of complications?

COMMISSION MINUTES

Another concern we have is we're 13 days before the Supervisor of Elections says you've got to get the ballot language to her. 13 days to put all this together and have something that would be effective and work? I don't think it'll work.

We need -- we need to actually focus on that sacred penny and how it's going to be used, how it's going to get agreed to by the voters.

The Broward Workshop has previously recommended that, rather than rush into the situation, please take the time to work with the cities, work together. 2018 is the time to put this on. Give yourselves a couple years to get this together, get everybody on the same page, and figure out what's the best solution for Broward County.

Thank you.

MAYOR KIAR: Thank you, Charlie.

Now with -- that was our last public speaker, so now we're moving back to the County Commission. I'm sure there's a number of folks that want to speak.

The first person on my queue is Commissioner Wexler.

COMMISSIONER WEXLER: Look where we find ourselves again.

I don't want to wait until 2018. I want to take a chance.

And I'm very proud of every city leader and everybody that has been coming to our meetings, reaching out to me, reaching out to our colleagues to keep the conversation going.

COMMISSION MINUTES

I'm a realist. You all know I'm not pie-in-the-sky Cinderella kind of gal. But if you want to pull this off and if we want to pull this off, I know that we can do this. I know we can. Yes, it's a short window, but we've got to at least try.

Having three items on the ballot is absolutely a recipe for disaster.

Mayor Stermer and I communicate a lot. I represent half of the City on -- of Weston, but he's also a friend of mine, and we talk a lot.

And one of the things that I would like to compliment him on, and you, many mayors that are here today on, is your desire to find a solution here, and consensus, coming to consensus.

I mean, if we all don't feel good about moving something forward, then we're probably moving in the right direction. And let's keep reminding ourselves of that, because that's what consensus really is, that we agree that it's in the best interest of, but I may not be the happiest person and the cities may not be the happiest, but it's still we need this.

Who knows what the Legislature is going to do to us the next time they meet. Who knows if the -- if the bar will be raised to 60 percent or the requirement will be put out there for only a presidential race.

Personally, I like a gubernatorial go around. If you were going to ask me my druthers, I just think that more dedicated voters come out for a governor's race than a presidential race.

But here we are in 2016. We have in front of us a document that absolutely shows compromise.

And I'm supporting it. Everybody that has been in contact with me from cities, I

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have answered them that I am supporting this item moving forward, and I hope that we can continue this conversation going.

My fear -- and this is what I don't understand, my fear is is how do we do this, how do you and we do this so that we have one item on the ballot, not two items? Not two, because the public will absolutely be confused. How do we -- how do we get there?

So I -- I need your help. We need your help. And -- and Mr. Goren and Mr. -- Mr. Cole and all of those brilliant minds, legal minds that have been working with everybody to try to find how we get there, because the plan, we're going to have that plan. The cities have their plan. You have a five-year plan. You're required by law to have a five-year capital plan. Can you add another five years to it and another five and -- of course you can. I have no doubt about that. But at least you have a starting point.

So to hear that there's no plan and it's confusing troubles me. They just need to look or ask.

The second thing, we certainly have a plan. What makes it -- what makes it encouraging for me isn't necessarily the 50/50, because we recognize, as a Board of County Commissioners, the O and M opportunity of a regional transportation system. And in an infrastructure tax, I cannot use those dollars, but in a transit tax, I can.

So if the cities can take some of the burden, the financial burden of the -- the transit tax off of the County through the proposed language of a required between 10 and 25 percent, that puts a minimum of ten percent in my column. And so now what it's done is it's -- it's made it -- it's made it much more palatable to me as a County Commissioner to be able to sell it and get out there and defend that.

COMMISSION MINUTES

I think that it is absolutely an opportunity that we must continue to take advantage of, work on. If cities have to do an emergency meeting, then call an emergency meeting. You have the authority to do that. We have the authority to do that.

I recognize the clock is ticking, but it starts here today by five of us telling our legal -- telling Joni Coffey, we want to move forward on this.

I heard Commissioner Ryan say keep the conversation going, but I think that it's got to be much more determined than that. It can't be just keep the conversation going. It's got to be I like this, and I support where we're going with this, and let's keep that conversation going so that next week I have an item before we in which to vote on.

MAYOR KIAR: The next person is going to be Commissioner Holness, but I have a quick procedural question, if it's okay, for Ms. Coffey.

Our last Commission meeting, we actually voted specifically to put an item on the ballot. That's there. If we decide to move forward to the 14th -- and I know this is under Robert Rules of Order, this is the day -- it has to be the next meeting that you can repeal it. Will we have the authority if we come to a compromise to take -- to repeal that action even though it's not the next meeting? Or is that automatically going on the ballot no matter what if we don't take action on that today?

MS. ARMSTRONG COFFEY: I want to be sure that I understand your question.

MAYOR KIAR: Yes.

MS. ARMSTRONG COFFEY: Do you have to take action on the 14th in order to

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remove the transportation surtax? Yes --

MAYOR KIAR: Yes.

MS. ARMSTRONG COFFEY: -- you do.

MAYOR KIAR: Okay.

MS. ARMSTRONG COFFEY: Now, there is a possibility that something can be -- any further potential for removing something from the ballot would need to confer with the Supervisor and her counsel.

MAYOR KIAR: Oh, okay. Okay. My -- the only -- my just -- thing was I always thought if you do a motion for reconsideration, because somebody on the prevailing would have -- have to reconsider it, I always thought that had to be the direct meeting afterwards under Roberts Rules of Order.

MS. ARMSTRONG COFFEY: It's not reconsideration. There's a way to get it done.

MAYOR KIAR: There is a way to get it done. Okay. Great. That's all I wanted to know.

Commissioner Holness.

COMMISSIONER HOLNESS: Yes. Ms. Coffey, we're required to have two separate items. Can we have -- we can't have one item, can we? Is there a way to get there?

MS. ARMSTRONG COFFEY: My preliminary reading of the statute says that you must have two separate ballot items.

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Now, there are sometimes ways to phrase the independent items so that they refer to one another, but I believe that the statute plainly requires -- in fact, it has specific wording for the separate kinds of surtaxes that must appear on the ballot, yes for the tax, no against the tax, and in another one it's just yes and no.

So I would be troubled by trying to create a single ballot item, but there may be a way two have the two items refer to other --

COMMISSIONER HOLNESS: And -- and in terms --

MS. ARMSTRONG COFFEY: -- and be contingent on each other.

COMMISSIONER HOLNESS: -- in terms of our time line, we have to have this to the Supervisor of Elections by what date?

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. ARMSTRONG COFFEY: The Supervisor has indicated June 20th. On another occasion --

COMMISSIONER HOLNESS: I'm sorry?

MS. ARMSTRONG COFFEY: -- I thought I heard her say the week of June 20th.

I believe that by June 24th, we would be all right.

COMMISSIONER HOLNESS: By June 24th. So we have a very short window in order to make this happen if we're going to put it in front of the voters for them to decide whether or not they want to put this thing in place.

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It is heartening to see that we have not dug our heels in on either side to figure out how we find common ground for the good of the people we serve, at least to give them the opportunity to make a decision as to whether or not they would like to pay an extra one cent or whichever -- whatever we come up with here.

And -- and -- and, for me, it's always been how do we find balance to ensure that this tax, that is regressive, benefits those who are going to be most greatly impacted, the people who are lower income. That's -- that's -- that's been a major issue for me.

Now, many lower income people depend on transportation. And you can do the studies and you'll find that. So there's a benefit there to them.

I think there's a great benefit to Broward County on the transportation side, particularly.

And we send more money to Tallahassee and to Washington, D.C. than we get back, by far too much.

If we have the operation and maintenance money for a transit system we will be able to draw down, in my estimation, probably hundreds of millions of dollars. And -- and I see our Director of Transportation, Mr. Walton, nodding his head.

It's possible for us to do this. If we don't have these dollars in place, then Broward County is losing and will continue to lose the opportunity to get more of our taxpayers' dollars back from Tallahassee and from Washington, D.C.

So it -- it is heartening to see us here.

In our conversation previously based on the definitive plan that was put together by our staff, actually allocation of where the dollars would go, the

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amount of dollars, what affect it would have on our system, I thought that we needed more than a mere half a penny.

This gets us a little bit closer, because if you're willing to make the commitment for at least 25 percent to go towards infrastructure that accommodates transportation, then I think we move a little bit closer. Not exactly where I believe we ought to be, but it move us a bit there.

And -- and -- and in the essence of compromise, that's something that I'd be willing to support for us to get this item in front of the voters so that they can make a decision as to whether or not the cost and benefit analysis benefit them enough for them to support it going forward.

So what I'm thinking we're going to have to do if we're going to do this, we're going to have to work double time, overtime. We're -- we're going to have to put a lot of effort in on both sides to make this happen if we're -- if we're to move it forward.

But it's a big compromise on our part, I believe, to -- to get to this so that the cities can get some of the dollars they're looking for. And I understand, I was a City Commissioner also. I know that many cities have needs to -- to do things within the cities.

If we are able to get it through and get it in front of voters, then there's a huge educational process that has to be undertaken for them to understand clearly what the pluses and minuses and -- and how it benefits or not benefits them going forward for them to make an informed decision as to what's in -- is in the best interest of all of us here in Broward County.

MAYOR KIAR: Thank you.

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Commissioner Furr.

COMMISSIONER FURR: Thank you, Mayor.

First of all, my first inclination is to lock the doors and not let anybody out of here until -- until we come up -- until we figure out the -- the answer.

MAYOR KIAR: Fire hazard.

COMMISSIONER FURR: That's what I think we've got to do.

UNIDENTIFIED SPEAKER: (Inaudible.)

(Laughter.)

COMMISSIONER FURR: Just let them go and -- and we figure them out together, because I think this is a unique -- a unique opportunity. We -- and we need to seize this opportunity.

We've got everybody here. We've got some good proposals on -- on -- you know, in front of us.

I want to thank the conversations between Commissioner Ryan and Commissioner Stermer and all the other --

UNIDENTIFIED SPEAKER: Mayor Stermer.

COMMISSIONER FURR: -- Mayor -- Mayor Stermer, I'm sorry -- on -- because I think that is -- that has allowed for lots -- lots of -- the focus that was needed. I think we had -- I think we had lost focus. I -- I think the MPO actually lost focus as well, when they -- when they -- when it went only to infrastructure and

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started to forget some of the transportation part. I think we didn't have as -- as good a focus and as good a plan as I think we should. I mean, I -- and I look at that, and I sent you all the stuff on the FEC, when I saw in our plan that that wasn't there, I'm like how can that not be there?

Because yesterday I was at the South Florida Planning Council, and passed their smart plan. Their smart plan talks about the regionalization of transportation through Miami-Dade, up to Broward, up to -- up to Palm Beach. What was number one on theirs? FEC.

And I don't -- why ours wasn't on there, I -- what I heard was that we didn't have certain permits. Well, last month they didn't, either, but now they are -- they are tagging on with what All Aboard is doing.

So that's number one on their -- on their entire project. The numbers are there, how much it costs.

What's interesting about it is it talks about not -- not only, you know, the -- you know, the capital costs, but station after station after station.

And this is where I think we need to be develop -- be developing a plan together. If that comes through every downtown in Broward County, what's -- who's -- who is going to build the station in Hallandale, Hollywood, Fort Lauderdale, Pompano?

Those -- those are the kind of things we -- we should be talking about, because that's part of the infrastructure that's -- that's going to be -- need to be considered.

We should actually be asking ourselves how are we going to be negotiating with FEC, not only how -- Miami-Dade's about to be negotiating with FEC. We

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should be doing this, all three counties, together. And I know that there's a -- there's an entity to do that, but we should be thinking how do we do this together so we're not negotiating against each other? And those are the kind of things that I want us to -- to begin.

That said, I can -- I would -- I would like to support what I've seen be proposed. My -- I would actually like to see the number -- I see the number is ten to 25 percent. I honestly think it needs to be a minimum of 25 percent, because when I look at those ways of connecting between all three counties, I -- I -- you know, the -- the -- not only the FEC part but the part they are talking about going up to the northern corridor, up 27, up University, all those things connect all of us. Every -- whether you're in a city that has an older infrastructure and that is going to need this -- and I absolutely understand the needs, particularly on the coastal cities, for infrastructure. When I look at Hollywood or Fort Lauderdale and I see what they're going to need for climate change, mitigation, sea walls, I think Fort Lauderdale had 125 miles of -- of sea walls that needed looking at. That's -- that's more -- they'll never get enough money on that.

But I do think 25 percent -- I -- I would be more comfortable with 25 percent minimum, I'll be honest. And I -- and I know some cities are not maybe comfortable with that, but I think that looks -- that -- that can -- that would allow for -- I think that's a good place for us to go. It also gets us to -- and -- and -- to the seven -- to the .75 percent that we were talking about in terms of -- that compromise right there gets us to that number in terms of the 50 percent that -- totally transportation and 25 percent. It almost gets us there.

COMMISSIONER HOLNESS: That amount --

COMMISSIONER FURR: It's close. It's close.

COMMISSIONER HOLNESS: -- that amount is 62 (inaudible).

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COMMISSIONER FURR: Right. You're right. I just realized that. I just did the math in my head and it was -- it's closer, though. It's closer.

So I would -- I -- I could actually support this.

I don't know how it gets on the ballot. You bring up a good question, and that's something I'd like to see.

But last week, I -- I absolutely do not think we can put three proposals on there. It needs to be -- we need to be unified on this. And -- and I actually -- I actually think the cities are in a -- in a better position to sell this to the public than the County, because you can go step by step, street by street what's going to be done. And -- and I know that -- I'd like to -- you know, I know that, as citizens, they look at the things that are right around them, and what's going to be -- what's going to be made better, whether it's their street, whether it's their sidewalk, whether it's greenways that connect all of us. All those things.

I think we've seen what the School Board did and was able to see in terms of, you know, every -- every single thing in their neighborhood. I think it makes a huge difference.

We're able -- we're able to put forth the bigger picture in terms of transportation. I think we can sell that, because when I look at the most recent statistics talking about bus, what's working bus-wise, we've actually seen a drop on -- on bus ridership on local but we've seen a major increase on the regionalization buses, the Breeze bus -- the -- I'm not sure what you call them, Breezeway --

COMMISSIONER WEXLER: Express -- express buses.

COMMISSIONER FURR: -- express buses. There's actually I think it's a 200 percent

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increase on that.

So any of us that are going -- you know, if we start to think regional, that's our job to -- to promote that, and we can promote that in conjunction with the infrastructure and the -- and the -- the independent needs of -- that the cities have.

I want to see that. I want to see us go forth together on this. If we don't, it is not going to -- it is not going to pass.

So I'm in support of the proposal that's been put forth. I would like to see the 25 percent minimum. I think that's important, because we're going to need that, like I said, to build those stations and to -- and to complement the -- the transportation infrastructure.

So that's -- that's where I'm coming from. I'd like to see us, like I said, lock the doors until we get out of here, and hopefully we can get here today.

Thank you.

MAYOR KIAR: Thank you.

Commissioner Sharief -- Vice Mayor Sharief.

VICE MAYOR SHARIEF: I'm glad to see that there is some sign of compromise here, because, you know, for a while there, I was beginning to lose faith in the fact that the cities and the County could not come to a compromise.

My concern was the fact that we still had to have two ballot questions, because I think that when you're asking the public to -- for taxes of any sort that they're not going to vote for two. And I felt like the -- the chances of both passing at

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the same time was slim to none unless we could connect them.

(COMMISSIONER HOLNESS LEFT THE ROOM.)

VICE MAYOR SHARIEF: And so how -- how do we bridge the gap? Because I think in every meeting that I've been to, transportation, transportation has always been brought up. As recently as this week with the ULI Committee, right, the first thing that came up was transportation, how do we get people to and from major areas in our County and how do we make it easier to access those areas?

And so, while I understand that the cities want the infrastructure surtax, and I understand we're a regional body and we have to think regionally, we have to also think about every one of the municipalities, I just -- with -- without being able to combine these two taxes, I could sit here all day long and vote yes to this, but I think that one or both will probably fail.

And so, at this point in time, I'm -- I'm willing to listen and I'm willing to compromise, but I think that we all need to look at what's really important and that is our transportation infrastructure.

And so that's where I'm at right now, Mayor.

MAYOR KIAR: Thank you.

Commissioner LaMarca.

COMMISSIONER LAMARCA: Thank you, Mayor.

I want to be relatively brief on this. I -- I -- I have to say that, you know, the -- the -- what led us up to this, and I'm a -- I am a -- I'm a person that tries to always be positive. And I -- I guess what concerns me is a little bit of -- of what

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happened is it's sad that there are these great people that are here and good policies, and no one, like every single person in the first three rows -- and Dan, that's the last time they're all going to stand up for you and sit and stay and whatever you want them to do, but everybody does a great job. I came from a city where I served two terms, and, you know, I understand that -- that there is subdivisions and subdivisions of the subdivisions, so it becomes, well, what's the County do, what do the cities do, and that type of thing.

And, trust me, when you're running for the City Commission or the County Commission, you answer that door -- you answer that question when you're knocking on people's doors. They think we do duplicative things, they -- things like that.

(COMMISSIONER HOLNESS RETURNED TO THE ROOM.)

COMMISSIONER LAMARCA: So my concern is that we -- we didn't start from this point, but we're here now.

And to Dan Lindblade and Charlie Caulkin's point, we have to have a really good plan to sell people, because ultimately we're running a plan, much like the School Board did. And I don't think folks had a lot of confidence they would get that done, but they came together and they had a ground game and they -- they treated it like a candidate, and they -- and they ran that plan.

Each school and each district and each community had -- had something that was going to be done for them. Sadly, Northeast High School is still not done, and it's probably going to remain like it is for the next hundred years, but that's beside the point.

Looking back on these type of things, and -- and I said this to Cindy Arenberg Seltzer when she was here with -- with CSC and this upset and disdain for the

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Legislature and the Senate President with regard to having to -- having the gall to ask them to go ask the taxpayers to re-authorize a plan that helped -- helped distribute additional funds to children. The numbers were staggering. And the Broward Workshop got behind this, the Chambers, the -- the organizations, the economic organizations here in -- in the County, and it was that if we handled these services for children, we would deliver about \$12,000,000, 12 to 15. If the CSC delivers it, it's 65,000,000-plus. And they're needed -- well-needed services and that's how they're being delivered and that's why they won with an overwhelming number of almost three-quarters of the vote.

To get me there, and I -- I've had this conversation with numerous folks, I'm not so much concerned about the sunset date where it goes away unless people vote it back in. I am concerned about the re-authorization date. And nobody has had that conversation.

And all of the financial geniuses in this room can come up and tell me you can't bond something unless you've got 20, 25, 30 years. You've been running your cities for, you know, the -- the newest at, you know, 40, 50 years, up to a hundred -- up to a hundred years. You have the financial backing within the city.

If we can come up with a plan that we have a ten-year re-authorization of these plans, I'm on board. If we can't, I'm not, because what's been said here is -- when -- when Mayor Stermer stood up he said he represents 94 percent of the people. Well, I happen to know that the very city I live is not represented -- not physically, but in this concept is not supportive of this. I happen to know from the Mayor of Deerfield Beach that she -- that -- that they weren't supportive. That's -- right there, that's 11 and 70,000 people.

MAYOR STERMER: That's not true. (Inaudible.)

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COMMISSIONER LAMARCA: Well, I'm going on -- listen, I'm going --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: If it's okay --

VICE MAYOR SHARIEF: (Inaudible.)

COMMISSIONER LAMARCA: -- I'm going on the --

MAYOR KIAR: -- Mayor Stermer, if it's okay, please (inaudible).

COMMISSIONER LAMARCA: -- if there's a resolution, I didn't get it and the Mayor reached out to me directly.

With respect to what we have, to me, it was mentioned by one of my colleagues here that if we don't have -- if we don't have these dollars in play, Broward County loses. These aren't out dollars to start with. These are the taxpayer dollars. These are our visitors, these are our residents.

We need to show a little bit more -- in my -- my view, we need to show a little bit more respect for what is owned by someone else and earned by someone else and not have plans for it before we encourage them and sell them on the idea that this is a great product, you should invest in this.

You know, we're -- we're talking about transportation. Barbara brought it up, Commissioner Sharief brought it up with regard to the big issue when we were in Sunrise last night and the night before is transportation, is getting around, choke points, it's getting to whatever we're going to do in redevelopment at the -- at the arena site, whatever, you know, the other projects that -- Wisteria and Metropica are doing, a lot of density, a lot of things out there to do. I mean,

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there may be sports entertainment and other things with regard to our site. How do people get there?

Well, I did a -- I -- I can tell you from -- from northeast Broward, you can either go up to the 10th Street and dream of it connecting to the Sawgrass, but once you get on the Sawgrass, you're there in two seconds, or you can go around 595 -- 95 to 595 and 136th. It's -- it's the east/west. It's all the people in between that -- that box that are having a really hard time getting around.

So you need -- we need to have a plan that's going to be able to get them around, as -- as was mentioned by Commissioner Furr.

If you live in the eastern corridor, which I was told the other night is only ten percent of the population, which I haven't done the math yet, but there's a hell of a lot of people over there for ten percent, we -- we need to figure out how that commuter rail, whether it is hybrid Tri-Rail or separate commuter rail, can start and stop in Deerfield, Pompano Beach, Oakland Park, Fort Lauderdale, Wilton Manors, Oakland Park, however that gets decided, all the way down to Hallandale Beach.

People will get out of their cars if they can leave them in a corridor where there's parking. In my case, I have an office at City of Pompano Beach City Hall. I'll drop my car there and come down here and not have to worry about the -- the transportation.

When they get down here, we're going to have to do something, Mr. Walton, with our -- our -- our transit center. We're going to have to get -- I've had conversations with -- with folks. We're going to have to -- whether they use the bus or the train or the All Aboard, when they get to that -- that area, we're going to have to figure out a way that that transit center isn't someplace that you would never, ever, ever let your mother or your sister or your grandmother or

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even yourself go sometimes.

It is -- and it's -- it's -- it's not us, but it -- it is -- it is what is convening there, and that's not what we want to have here in the -- in the -- in the -- the epicenter of Broward County still is Broward and Andrews, whether there are more people north or -- or west of here or not.

You know, Dan mentioned a -- a clear -- clear plan to move forward. We've got to figure out a way that there's one thing -- one decision for people to make and it's not whether it's deciding between ballfields, fire stations, and -- and public buildings and city infrastructure versus city transportation or transit or -- or infrastructure like bridges and -- and road projects or a complete transportation plan with -- with rail, light rail, and -- and transit.

We've got to have one plan that they can look at.

And I'll -- I'll wrap with this, unless I can get to a point where -- where we can look at this in ten years and the voters can, in essence, rate their -- you know, rate their government, rate their system -- because the bottom line is you get out of a -- you get out of a -- whether it's taxi cab or an Uber or, you know, maybe -- maybe the shuttles do the same thing at some point, but you rate -- you rate the service. It's as simple as saying one through five stars. You leave a restaurant, if you use Open Table, the next e-mail you get is how was your -- how was your food at the Mayor's café. So you rate it and -- and then how they're doing.

UNIDENTIFIED SPEAKER: Good.

COMMISSIONER LAMARCA: So I have to --

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(Laughter.)

COMMISSIONER LAMARCA: -- five stars.

So we have to know -- we have to know that -- that that can be done. That shouldn't -- and if someone can tell me differently, then -- then I'll understand -- that shouldn't affect the ability to bond something, and so I'm not saying to change the sunset date, but we should be able to go back and decide whether we want to continue forward with this plan or not in -- in that period of time.

Save for that, I'm with Mr. Caulkins when -- when he says that we need to spend 18 months putting this together and then another six months selling it, because we haven't done that. We -- we said we would do that and I was -- you know, whether it's the TMA or the M -- MPO, I've been in those meetings and we've -- we've all said we want to do this, and we're -- we're -- we're hitting up against the -- the -- the edge of the window. I mean, we're at the -- you know, we're -- we're -- we're half out the window, and, you know, we're -- we're at the point where we've got to tell Dr. Snipes what's going to go on here.

And we -- we -- we just don't -- I don't -- I don't see that we have a plan of one. I see that you all have a plan for 31 cities, and I see that we have our -- our transportation plan.

If we can figure out a way to meld those together and look at it with a ten-year look back, I would be supportive.

MAYOR KIAR: Thank you.

Well, I'm going to speak, and if nobody else is going to speak, then I'm going to ask Commissioner Ryan to close.

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But -- all right. So if you think about it, a whole lot has gone on on this issue. And I think all of us have a lot of concerns. And the concerns are, I think, right now where we are. And where we are right now is we're actually headed for three different initiatives, possibly a fourth being put on the ballot.

So let's talk about that. The first one is the one the County has already voted to put on the ballot. That's the transportation tax.

Then you have the cities' infrastructure tax where I think it -- last time I checked, it was 94 -- cities representing 94 percent of the population voted to pass resolutions to put an item on the ballot. That's been given to the Supervisor of Elections, and it's my understanding that she's going to put that on the ballot.

And then we have the third item that we're actually going to be dealing with on the 14th, where the County Attorney's Office has opined that, pursuant to statute, we're basically transmitting -- we changed the language but transmitting what the cities passed to put on the ballot as well, but it's slightly different than what the cities have done, so that could potentially be a third one.

And then we have what's before us today, which is compromised language that I know that Commissioner Ryan and Commissioner Wexler and Mayor Stermer and Mayor Ryan and just about everybody else out there have been working very closely on to try to get through.

So I also look at our dais and I've listened to what everybody had to say. There are eight County Commissioners. We don't have a ninth County Commission. And we need five votes to do anything, so this is going to be, at the end of the day, pretty close.

There have been, I believe, five people that have spoke positively about a

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compromise. And I think there should be a compromise, as well.

And so I think one of two things needs to happen. This is just my opinion and I'm just one County Commissioner. I think either the cities and the County figure out some compromised language for one ballot initiative, one proposal, put that on the ballot, or scrap the whole thing and wait until 2018. Because having more than one proposal on the ballot is not healthy and not fair to our residents, and it's not what we need to be doing. And having the cities and the County fight so much is not healthy, either.

So I have a few questions. And, actually, Mayor Stermer, would you come up to the -- the -- the mic?

Mayor Stermer, as always, it's very good to see you. And --

MAYOR STERMER: Good to see you, Mr. Mayor.

MAYOR KIAR: -- I guess -- you know, you -- we've had a lot of conversations as well. You're -- you're a very busy guy.

MAYOR STERMER: Yes, we have.

MAYOR KIAR: So here are my concerns.

Yeah, I -- most of the folks know that I have been opposed to voting to put something on the ballot to increase the sales tax. I have concerns with that.

But I'm willing possibly to change my position if there's compromise language, but I'm unwilling to vote for something if there is going to be other items on the ballot at the same time.

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And I'm looking at the timetable. Right now, 94 -- cities representing 94 percent of the population have passed a resolution to put something on the ballot. So if cities representing 45 percent of the population do not repeal those --

MAYOR STERMER: Uh-huh.

MAYOR KIAR: -- it's going on the ballot no matter what.

And I know you can only speak for Weston, but you've been kind of working with everything. So I'm wondering will -- if this goes forward, will cities pass resolutions to repeal the infrastructure tax?

MAYOR STERMER: Mr. Mayor, I can commit to you that once we lock Ms. Coffey, Mr. Meyers, Mr. Horowitz, Mr. Goren, and Mr. Cole and his team in a room, we will get a clear answer, one, on whether one ballot question is possible, more than everybody's understanding.

I think when we put the minds together to legally research whether or not that can happen, we may come to a clear answer.

We may come to the answer that, after the research, there need to be two correlated questions.

I understand your hesitancy. It's our hesitancy as well.

But I think if we craft the language in a way that's correlated and related and we sell it as one package, it'll be viewed as one package.

To your question, would the cities rescind their resolutions, I believe that, without speaking on behalf of every city that has, should we get to that, the answer would enough cities would rescind their resolutions by way of

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emergency meeting, whatever is necessary to move that compromise forward, yes.

MAYOR KIAR: Would -- and I -- I understand. And I -- and I definitely -- you know what? The problem with this, and this is what I understand, I definitely trust what you're saying, but it's very hard, of course for you to speak on behalf of cities because everyone is their own independent body, so you just don't --

MAYOR STERMER: You -- you all -- you as well would have to do the same thing.

MAYOR KIAR: Right. No, I agree.

What I would like to see is -- this -- I'm just suggesting this.

MAYOR STERMER: Uh-huh.

MAYOR KIAR: You know --

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: Yeah, I know. There's a lot of folks here. So I know they can. You know, absolutely.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: That, to me, is helpful.

MAYOR STERMER: The jazz hands are --

MAYOR KIAR: That's good.

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MAYOR STERMER: -- saying yes.

MAYOR KIAR: That's good. That, to me, is helpful. And, actually, those are some very large cities, and I bet that's a significant amount of population here in Broward County. So --

MAYOR STERMER: Funny how that happens.

MAYOR KIAR: -- absolutely. So I'm okay with that.

So with that commitment, that -- you know, this is something I'm willing to consider.

But -- and so I guess, Ms. Coffey, is what Mayor -- do you agree with Mayor Stermer was assessment about having possibly one ballot? Or can you explain that all to me? What -- what's the issue, what's the deal?

MS. ARMSTRONG COFFEY: They're two different taxes under the statute and that's the core problem. There are two different permissions from the Legislature to impose taxes.

I think that the Mayor's suggestion that they could be correlated, I think language could be drafted to correlate the two, and you could have a mutual destruct clause, I believe, in each of them as well. If one doesn't pass, the other one doesn't pass.

But I think you're going to need two ballot items.

MAYOR KIAR: Okay.

MS. ARMSTRONG COFFEY: I can be -- you know, I can continue to talk with the cities'

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lawyers and we'll continue to look but I -- I'm pretty sure that's where we're going to come out.

MAYOR KIAR: Okay. So --

MAYOR STERMER: Let -- let me -- Mr. Mayor, let me also suggest this. As I said to Commissioner Ryan when we started before Memorial Day weekend, and he took me up on the offer, we are prepared to work 24 hours a day, seven days a week to get to whatever date, whether it's June 20th, June 21st -- except for Frank, he's got to take a nap -- June 22nd, 23rd, or the 24th to get this done.

MAYOR KIAR: Okay.

MAYOR STERMER: The cities are committed to do that. We look for a partner through you and the County Commission.

MAYOR KIAR: I -- I appreciate it. And thank -- thank you, Mayor Stermer.

So with that said, that gives me -- that gives me more comfort.

And I'm glad that the cities and the counties are finally moving forward to a mutually understandable position or agreeable position that also is very -- that's more fair to our voters.

And -- and, as you know, at the end of the day, for anything to pass, everybody's got to be on the same page.

And, like I said, my commitment, at least, and I'm just one vote, as opposed to I am as to increasing the sales tax, if a -- if compromise language comes before us, I would support it.

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I know I had -- and I thank you all once again for your hard work and also, of course, with yourself. I bet you don't want to pay one more cent in sales tax for the rest of your life, you know, so.

But before we go to Commissioner Ryan, a few County Commissioners wanted to chime in again, so it would be Commissioner Holness, then Commissioner LaMarca, and then to Commissioner Ryan.

COMMISSIONER HOLNESS: In terms of passing a resolution rescinding what the city's done, I think we also need to add support for whatever we come up with. So it's not just about pulling back what you did, but also supporting what we are going to -- if we are able to come up with a compromise that -- that that is supported in your resolution going forward.

MAYOR STERMER: Whatever the language needs to be to pull back one and throw 100 percent in favor of the correlated related questions, that will be done.

COMMISSIONER HOLNESS: Okay. And -- and I, like Commissioner Beam Furr, cannot support something that doesn't give us at least 25 percent of that half a penny, because, again, it -- it -- it -- it won't work for what we need to do. Miami-Dade County did a half a penny and -- and you can see the congestion that exists downtown. They have a fragmented system. It's not working.

We don't need to put ourself in that place here in Broward County and -- and then be locked in for another 25 years to that.

MAYOR KIAR: Commissioner LaMarca.

COMMISSIONER LAMARCA: Thank you, Mayor.

I -- I want to correct something that I said. The City of Deerfield did, indeed,

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pass a resolution. The Mayor of Deerfield Beach is opposed.

Second issue, the -- one of the things that I wanted to make sure that was clarified and -- and I asked staff, but this is up to -- up to a \$5,000 purchase, at any one purchase, and then the additional penny would not be anything further by state statute, because I know that wasn't necessarily spelled out in the municipal version, but I wanted to make sure, because that was a big issue if somebody buys a large investment -- large investment in -- in one item.

The third thing is I didn't get any answers necessarily from anybody here, which -- which isn't -- isn't uncommon for me, but I also didn't get any nods or head shakes there about being willing to look at a ten-year look back. So I would ask the question --

COMMISSIONER WEXLER: (Inaudible.)

COMMISSIONER LAMARCA: -- so yeah.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: Yes and no, those are both acceptable answers, but not knowing isn't really good for me.

(Laughter.)

MAYOR KIAR: You might have to say no into -- that's fine.

Before -- before we go to Commissioner Ryan, I just wanted to add something I didn't add before.

One reason for the -- you know, that it's very important -- and I just want to ask,

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so, Ms. Coffey -- so if there is a compromise and there's a correlation between the two, that means the most that we could have is a one cent sales tax increase, not two cents, not three cents? One cent; is that correct?

MS. ARMSTRONG COFFEY: That's what I'm understanding from the compromise proffer that I've heard here.

MAYOR KIAR: Right We cannot have anything on the ballot that is more than one cent.

Commissioner Ryan.

UNIDENTIFIED SPEAKER: Right.

UNIDENTIFIED SPEAKER: Right.

COMMISSIONER RYAN: Legally, we could have for the infrastructure either a half a penny or a penny. That's what the statute allows. And for -- for the transportation, you can have a penny or any percentage less than a penny.

The discussion really has gotten kind of drilled down on where the dilemma is.

The cities have a -- a real desire for flexibility in the allotment of funds to the cities, and that's why the movement went towards the infrastructure tax.

When we were going to do the 70/30 split with 30 percent directly allocated to the cities, the western cities said we -- you know, we've got a great transportation system. We can't spend that 30 percent, but we certainly have infrastructure needs.

So I appreciated that, and Mayor Stermer and I, I think, two weeks ago were moving in the direction of -- of a recognition that, because of the needs of the

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city for that flexibility, we have to have two separate ballot questions, as -- as Ms. Coffey said. And I think that the learned counsels that have been representing the cities will agree we have to have two separate questions.

It's interesting on how we can correlate. I mean, the mutual destruction provision has to be in there. They have to both pass or neither pass. We can get there.

You know, an interesting discussion was initiated by Commissioner Furr with regard to the coastal link, the FEC rail line, and that is -- is critical to relieving congestion on I-95 and our -- US-1 and our other eastern, north/south expressways.

But I'm a member of the SFRTA. We -- at our last month's meeting, we approved in concept, subject to further negotiation, an agreement between Tri-Rail and All Aboard Florida to connect Tri-Rail in Miami to the Miami Central, which is the downtown southern terminus of the All Aboard Florida line.

The only access that Tri-Rail has is from the Tri-Rail line to Miami Central, and we do not have north/south access. We don't have north/south access through Miami-Dade County, much less into Broward County.

So that is going to be, in my view, when we do get there and the discussion -- although I asked that perhaps could we put together something with the -- the deal with All Aboard Florida and get some conceptual agreement to allow for Tri-Rail access on the coastal link. And no-go. Right now, the FEC is not interested in that discussion. Hopefully, they will be in -- in the future.

It's going to be driven, as my colleague, Commissioner LaMarca often says, by market forces. So when it's profitable for the FEC to run commuter rail on the -- on the coastal link, that's when it's going to happen.

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For Tri-Rail or Broward County or some -- some consortium of Palm Beach, Miami-Dade, and Broward County to have access along the coastal link, the -- those fees, which I perceive to be operating expense, could be very, very large. That's why I continue to express concerns about the operating and maintenance expenses for the expansion of rail in Broward County.

So with that in mind, I want to continue these discussions.

I want to just remind my municipal colleagues that any expansion that we do, or improvement of transportation by the Broward County Commission is going to be more than 95 percent of those improvements are going to be in the 31 cities. So let's not lose sight of that.

Let's continue to try to work together and see if we can come up with a compromise.

And I -- I thank you, all the mayors, for spending as much time here with the County Commission, and I hope it was as interesting as one of your city Commission meetings.

MAYOR KIAR: And so I guess that would mean -- I mean, I guess six of us, from my understanding, have asked that the County continuously work with the cities in a -- in a quick fashion to try to come up with something that is reasonable and fair and a good compromise --

COMMISSIONER HOLNESS: Mayor.

MAYOR KIAR: -- and that -- I believe that was the --

COMMISSIONER HOLNESS: Mayor.

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MAYOR KIAR: -- consensus up here.

COMMISSIONER HOLNESS: Mayor.

MAYOR KIAR: Yes.

COMMISSIONER HOLNESS: I hope we're not leaving it like that hanging here. I hope we -- we -- we -- we offer some --

COMMISSIONER RYAN: We're going to negotiate.

COMMISSIONER HOLNESS: -- direction.

COMMISSIONER RYAN: We're going to negotiate.

COMMISSIONER HOLNESS: I -- I -- I would say that --

MAYOR KIAR: (Inaudible.)

COMMISSIONER HOLNESS: -- from here, I believe we ought to be offering some direction as to where we go.

We're -- we don't have a scheduled meeting again until the 14th. I know --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER HOLNESS: -- I know we can do that, but it would be good if we can have a clear pathway, direction as to where we go from today in terms of a time line, what we're expected to do here, so that the cities knows where we are, and -- and whether or not we -- we direct staff or however we do this to ensure

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that they know we are willing to go for a half a penny with -- two of us stated 25 percent. I don't know what the rest of the Commission take is on that.

And I -- and I think we probably ought to try to send as clear a signal as we can from here so they go back knowing exactly what they have to work with.

MAYOR KIAR: And before we -- you know, I -- if -- Mayor Stermer, would you like to say something? I have -- also I have --

MAYOR STERMER: I would.

MAYOR KIAR: -- Commissioner Furr on the --

MAYOR STERMER: I just want --

MAYOR KIAR: -- dais -- the queue as well.

MAYOR STERMER: -- I just want to say the following.

One, thank you for the discussion this morning. The cities that are here and those that couldn't be here thank you.

We thank you for the collegiality of trying to get to a final resolution where we put forth a one penny surtax that benefits your needs and benefits the cities' needs.

We believe collaboratively -- we're prepared, like I said, to walk into a conference room next door, somebody'll order in the pizza, and we won't leave until we're done.

UNIDENTIFIED SPEAKER: (Inaudible.)

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MAYOR STERMER: We commit that to you, and we thank you in advance for giving the County Attorney's Office and the rest of staff direction to move forward with this.

Thank you.

COMMISSIONER WEXLER: (Inaudible.)

MAYOR KIAR: Commissioner Furr.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: Commissioner Furr, did you want to --

COMMISSIONER FURR: I just wanted to know if we need to provide direction.

MAYOR KIAR: And I think --

COMMISSIONER FURR: And I --

MAYOR KIAR: -- yes.

COMMISSIONER FURR: -- understand Dale -- what Commissioner Holness is saying, so that it's very clear.

MAYOR KIAR: I think we should.

COMMISSIONER WEXLER: I don't.

MAYOR KIAR: You don't think so, Lois?

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COMMISSIONER WEXLER: No. I -- I -- I honestly -- first of all, you've got all size cities with all kinds of needs. To -- I -- I -- I -- that's why they're a range in there between ten and 25 percent. Maybe through negotiation that can be condensed, but to lock the city in at a given number for transit when their need may not be anything near that amount, let him negotiate. Let Mayor Stermer negotiate.

(Applause.)

COMMISSIONER WEXLER: I think they get it.

MAYOR KIAR: Hey, guys, jazz hands, please. Jazz hands. Or else we're coming to your Commission meeting and clapping.

(Laughter.)

COMMISSIONER WEXLER: I -- I -- they -- they let --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER WEXLER: -- they allow clapping.

MAYOR KIAR: Oh, they do. Oh.

COMMISSIONER WEXLER: Exuberance is allowed at city meetings. So I -- I just --

MAYOR KIAR: Okay.

COMMISSIONER WEXLER: -- I honestly believe that -- and I -- I've heard the two of you. I'm not ready to say this is it.

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MAYOR KIAR: Okay.

COMMISSIONER WEXLER: That's not how you negotiate.

MAYOR KIAR: Then -- you know, and -- you know, Commissioner Holness, did you want to -- did you want to add anything?

COMMISSIONER HOLNESS: Well, I -- I -- I think that I've basically made myself clear where I stand on the issue, and -- and -- and hopefully our staff --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER HOLNESS: -- will --

MAYOR KIAR: Of course.

COMMISSIONER HOLNESS: -- go forward --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER HOLNESS: -- with working on something.

But for me, again, there -- there's a minimum where I am. I -- I'm -- and I -- and I can tell you, I'm not moving. I've moved enough already --

MAYOR KIAR: And --

COMMISSIONER HOLNESS: -- to be honest with you. I've -- I think that we have made a lot of compromises.

I -- I believe that we have to ensure that we're looking at the totality of Broward

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County. And I know cities have needs, and I -- and -- and I support you in ensuring that you fulfill those needs.

But at the end of the day, we're one county, one people, and -- and -- and sitting here looking at this from a regional standpoint, there are certain things that we need to have.

It's -- it's -- we're coming from a long way from where we started to where we are at this point in time. I think that where we are is -- is -- is a good place. It's -- it's a place where I believe both sides can benefit. You will have funding to do infrastructure at your control, how you want it, where you want it.

On the other side of it, we don't get all that we need for ensuring that we have a robust regional transportation system that benefits you wherever you are, whether in Weston, Parkland, or in Fort Lauderdale, wherever you are.

If we are able to put more people in mass transit and create a better roadway system, better synchronization of our traffic signals, and all those things, everybody who gets on the road in Broward County is going to benefit from it, and we all have to get on the road to get somewhere.

MAYOR KIAR: And I -- before I go to Commissioner Ryan, you know, for -- for me, you know, procedurally, just moving forward, I'm glad there -- you know, the County and the cities are going to attempt to work it out.

After hearing Commissioner Wexler, I do think it should be somewhat open-ended, but, at the same time, everybody needs to keep in mind that to get anything done, we need five votes and we only have eight County Commissioners.

So just as you all are negotiating, please keep in mind the comments that were

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made by each member of the County Commission, because -- you know, which I think will be very important to see what we can get through.

With that said, Commissioner Ryan.

COMMISSIONER RYAN: I've listened very carefully to call of my colleagues on what your concerns are. And we've had this discussion for the past six months, even more, so I understand where all of you are at and what the concerns are.

It's been refreshing to -- to have this type of an open dialogue so that the municipal officials, the mayors can also hear what the concerns are of this Commission.

So, with that in mind, I -- I have to have the flexibility to -- to work out something that allows Mayor Stermer to speak to 31 other cities and come to something that we need to deliver next week.

Next Tuesday is -- is pretty much getting near a deadline, so we'll work on it. Let me have the flexibility. We'll see what we can come back with on Tuesday.

MAYOR KIAR: Thank you. And thank you all very much for coming down here today. I very much appreciate it. I think this -- I think this was very productive for the residents of Broward County. And so -- and thank you all for your service.

UNIDENTIFIED SPEAKER: Thank you very much.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Thanks. Have a wonderful day, everybody.

COMMISSIONER FURR: Should we talk garbage while everybody's here?

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UNIDENTIFIED SPEAKER: No.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: We do, we --

UNIDENTIFIED SPEAKERS: (Inaudible.)

CONSENT AGENDA

AGENDA ITEM 28

MAYOR KIAR: The -- there are still a number of items that we have before us, and the next item is item Number 28.

(COMMISSIONERS RYAN AND FURR LEFT THE ROOM.)

MAYOR KIAR: It was -- it's actually Commissioner Wexler's item. It was pulled by Commissioner Sharief.

And what the item is, it's a -- a resolution of the Board of County Commissioners of Broward County, Florida, pertaining to the Tourist Development Council and the expenditure of funds.

Now, the way I'm -- I think I'm -- and there's also been the -- the public has pulled it as well.

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So I think what I'm going to do here, it's Commissioner Wexler's item, so I'm going to let her open it. Then we'll go to the public and then we'll come right back to Commissioner Sharief since she pulled it.

So I know we've --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: -- we -- actually, we have -- we have five people here, so we can -- we can keep on going. We have a quorum. So --

COMMISSIONER WEXLER: Do you want me to leave?

MAYOR KIAR: I mean, I wish --

COMMISSIONER WEXLER: (Inaudible.)

MAYOR KIAR: -- it's true. This is an important item. I wish --

UNIDENTIFIED SPEAKER: One, two, (inaudible).

MAYOR KIAR: -- folks would come back, but --

VICE MAYOR SHARIEF: Just keep going.

MAYOR KIAR: -- Commissioner Wexler, would you like to explain it?

COMMISSIONER WEXLER: I -- I -- yes. Yes. At -- at the last -- the last time that a TDC item was brought forward, it was three different items and it was in a motion to direct and it addressed the ordinance.

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This does not address the ordinance. This addresses the Administrative Code and it is one direction.

It is only about extraordinary asks, and that's up and beyond the budget process.

It was unanimous by members of the Tourist Development Council that this come back before the Board of County Commissioners.

(COMMISSIONER FURR RETURNED TO THE ROOM.)

COMMISSIONER WEXLER: I know that they met individually with or spoke to a couple of Commissioners. Who they met or spoke to is unknown to me.

And this is before us to set for Public Hearing for I guess it's next week, right?

MAYOR KIAR: Yeah, it is --

COMMISSIONER WEXLER: Yeah.

MAYOR KIAR: -- for next week.

COMMISSIONER WEXLER: June 14th. That's it. That's -- that is the story.

So it's one item, and it's the Administrative Code, and it only addresses extraordinary asks --

MAYOR KIAR: And it --

COMMISSIONER WEXLER: -- that it comes before the Tourist Development Council, and that whatever -- it comes back to this body that is the decision-making

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body, as a recommendation only.

MAYOR KIAR: Excellent. Thank --

COMMISSIONER WEXLER: That's the extent of it.

MAYOR KIAR: -- thank you.

And so now there has been a member of the public that has also pulled this.
And it is Russell Rand.

(COMMISSIONER RYAN RETURNED TO THE ROOM.)

MAYOR KIAR: Mr. Rand, are you still here? Oh, there you are. Hey, Russell. Thanks for hanging out with us.

MR. RAND: What else have I got to do?

(Laughter.)

MR. RAND: You're (inaudible). I'm unemployable. I picked this --

COMMISSIONER WEXLER: (Inaudible.)

MR. RAND: We're going to hang out. Culture. Culture.

Yeah, this piqued my interest because having been a longstanding member of the arts, cultural, musician, science, et cetera community, I know about the TDC monies and whatnot.

And it's like the whole is greater than the sum of the parts, but always the sum

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of the parts here is greater than the whole to begin with, and everybody wants a piece of that tourist pie, and whether it's sand on the beach that keeps washing away or cultural items or the Panthers or whatever.

You know, if you had given that \$86,000,000 to the Broward Art Guild I think we would have brought home that Stanley Cup, the artists.

But -- and I'm just curious what extraordinary circumstances are. Since all the money's encumbered, there's no extraordinary money extra. And then what the extraordinary circumstances are.

So this is kind of a -- I'm confused a little bit and even more so by the elephants leaving the room here that I didn't quite hear everything you said and all.

But I hope -- I hope it's for a worthy purpose or whatever.

And I know there's talk to increase the tourist taxes, which is always to tax that person behind the tree, you know, and whether to grow the pie. And so there's a lot of -- you know, what's this about. And I won't be in town next week, so I just wanted to say.

MAYOR KIAR: Thank you. Thank you -- thank you, Mr. Rand.

Commissioner -- Vice Mayor Sharief pulled this item, so I'll let her kind of kick it off.

VICE MAYOR SHARIEF: Okay. Thanks, Mayor.

So the -- the reason why I pulled the item is because in the language of the item where it says to provide for input from the TDC, it also says in the proposed draft, in Section 12.4 C, what made we uncomfortable with it is it says

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here under -- in the underline including reviewing and providing input into requests for extraordinary non-budgeted expenditures in advance of the consideration of any such request by the Board of County Commissions -- Commissioners, and then it says to ensure that they meet the tourist development plan and shall receive at least quarterly expenditure reports from the Board of County Commissioners or a designee.

I don't -- I don't like that particular part in there, and I think that when you say that it wants to provide for, I want a -- I want a clear definition of what that means.

In -- in addition to that --

COMMISSIONER WEXLER: I'm not adding that. That's there. I'm not adding that.

VICE MAYOR SHARIEF: Well, it says here, underlined, including the underscored are additions, but when you add that to the other, including reviewing and providing input into requests, right, to ensure that they meet the tourist development plan and shall receive at least quarterly expenditures, I think that that changes it.

So if the request is out of the box and it's out of the ordinary and it doesn't fit the opinion of what it should be, and -- I want to know does it block us from making a decision to move forward with that?

And I -- and that's the question that I'm going to ask the attorney.

MAYOR KIAR: I think -- Ms. Coffey.

MS. ARMSTRONG COFFEY: The Administrative Code is a statement of your policy. On any given occasion, you could waive it, but it would necessitate a waiver.

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The idea of the policy is to have prior input by the TDC before the Board considers --

VICE MAYOR SHARIEF: But we're already doing that, so why do we need to write it in there?

COMMISSIONER WEXLER: No, we're not.

VICE MAYOR SHARIEF: We did it last time. We started doing it.

I just don't feel like this is language that I want to support to give up our authority on -- over making decisions about the TDC funding.

In addition to that, Section 3, I'm not -- I think if we're going to do this, I guess Section 3 where it says that you can change the code and it can be re-numbered and re-lettered and the word resolution can be changed to section, article, et cetera, I just don't want it to be any more stringent than what it is.

If -- if -- if we are going to treat them just like any other board, which is we listen to their opinion, we value it, if we agree with it or if we -- if we want to go back and forth with them, we can, but I don't want them to be able to block this Board from making any decisions to move forward.

And so my question is about clarification and making sure that whatever we pass says and means exactly what it's supposed to mean.

And I don't want any kind of additional restrictions on the Board of County Commission. And that's -- that's where I'm at with it.

So, Attorney Coffey, what I'm asking you is that by adding the underlined portion to 12.4, Section C, would that in any way restrict this Board's ability to

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go against the TDC if we felt it necessary?

MS. ARMSTRONG COFFEY: No, it's purely advisory.

VICE MAYOR SHARIEF: Okay. And so they will stay in purely a advisory capacity.

COMMISSIONER WEXLER: Of course.

VICE MAYOR SHARIEF: Well, I -- I don't -- I mean, there's plenty of stuff that's been presented up here that's not an of course, Commissioner Wexler --

COMMISSIONER WEXLER: I would never do that to this (inaudible).

VICE MAYOR SHARIEF: -- so I just want to make sure that if we go forward with it, that -- that that's not the case, because we have all -- we have already expressed ourselves in the last item that was brought forward, and I want to make sure we're not doing that. Okay?

UNIDENTIFIED SPEAKER: Bless you.

MAYOR KIAR: Oh, thank you.

VICE MAYOR SHARIEF: All right. Thank you, Mayor.

MAYOR KIAR: Thank you.

Commissioner Holness.

COMMISSIONER HOLNESS: Yes, and -- and my concern is similar in -- in that I serve a district that could certainly use some investments to bring tourism into the area. And we're -- we're working towards that, especially with the destination

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Sistrunk plan that we have to utilize the rich history and culture of the area to bring tourists in.

And -- and, unfortunately, I don't know that those on the Tourist Development Council really understand the need -- needs that exist within that community. So there's -- there's big concerns for me with that, to be honest with you. It's -- it's really hard for me, because I've seen over time where neglect has occurred, where the area is overlooked. And -- and -- and in terms of bringing something forward that could benefit the community, those that don't understand the community seems not to get it.

And -- and understanding it's an advisory role is probably the only reason why I would, but sometimes some boards believe that they ought to dictate what happens, and I hope we don't get to that point.

My other question on this is if we have a situation where there's a short window to capitalize on an opportunity -- and -- and -- and what's happening right now is we have the potential to have international cricket here in July 28th through August. They've already sold, to my understanding, about 10,000 tickets, with more than 60 percent of those tickets coming from over -- outside of the -- of the State of Florida. That means we're going to put a lot of people in hotel rooms here, which will benefit the tax that we collect from our tourists in -- in Broward County, which goes into these funds.

But there's a conversation now that beyond those six games that will be held here July 28th through August 1st, that we could get the final games later in August. That hasn't been determined yet. They're -- they're trying to decide if they're going to do that.

If these folks can't meet, what do we do? Are we going to wait for them or -- or what have you? And -- and there have been times when they've had meetings

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where they don't have -- they don't have a quorum, so what -- what -- what -- what happens then?

MS. HENRY: If I might?

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. HENRY: If I might?

MAYOR KIAR: Yes, Ms. Henry.

MS. HENRY: I think the circumstance that you just referenced falls within the day-to-day activity of supporting events that come to the community, and I wouldn't see that as an extraordinary item, unless I'm -- I'm misunderstanding what they're looking for.

So when we start to talk about extraordinary, it would be those items like the contributions that we have made to help major cultural institutions like the Museum of Science, PACA, any decisions related to like the arena.

But the day-to-day activity whereby the CVB incentivize activity to come to the community, I don't consider that an extraordinary ask.

COMMISSIONER HOLNESS: Well --

MS. HENRY: So --

COMMISSIONER HOLNESS: -- well, let me say this, the ask that they have come up with is a large ask. I told them we're not going to be able to get them the kind of money they're looking for, because I believe that, demonstrated from the 2012 games that were here where we had a 4.8 million dollar impact because

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of those events, we -- they believe that they -- they need the support of a million dollars. You know, I kind of tell them --

COMMISSIONER WEXLER: Don't you think that's an extraordinary ask?

COMMISSIONER HOLNESS: -- that's not going to happen. So --

MS. HENRY: I'm sorry --

COMMISSIONER HOLNESS: -- so -- so -- so that, you know -- but --

MS. HENRY: -- I didn't understand.

COMMISSIONER HOLNESS: -- where does the compromise come down to? What is it that the amount's going to end up at that benefits us and -- and makes sense for us? That's something that's going to be nuance for us to work through. Will we -- how are we going to back -- go back and forth to -- to -- to the TDC to -- to -- while we're negotiating, trying to make something happen that's going to benefit the economy of Broward County?

This -- this time around, I -- I believe with the games already slated and the number of tickets that's sold, we'll probably have triple the economic impact as to what we had in 2012 when we had 20,000 tickets sold. We're looking probably selling 40 to 50,000 tickets to these games. And it's a longer period of time.

So I'm thinking we'll probably have 12, \$14,000,000 economic impact on Broward County as a result of this.

So that's --

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UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER HOLNESS: -- that's -- that's the nuance of it as to where we go, my concern there.

And -- and let me ask about the grant money that we give to entities to develop -- like we've got that five -- what is it, five -- a million dollar a year. Does that play into this, too, or no?

MAYOR KIAR: Ms. Henry, did you want to --

MS. HENRY: Again, and I'll -- I will -- I will defer --

COMMISSIONER WEXLER: I'll be happen to speak to it --

MS. HENRY: Yeah.

COMMISSIONER WEXLER: -- (inaudible).

MS. HENRY: Yeah. Again --

MAYOR KIAR: (Inaudible) still got the floor. It's a procedural (inaudible).

MS. HENRY: -- the million dollars for the cultural institutions has now been embedded as part of the budget process. They still will go through the -- the vetting process -- I mean, the vetting of the asks for those dollars, but unless we're talking about increasing it from a million dollars, I would consider that's -- and I'm not sure that that's what's being asked, is that we're looking at that being now part of the programs that we've had in place for the last three or four years.

MAYOR KIAR: Commissioner Ryan.

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COMMISSIONER RYAN: You know, the sponsor has stated, Commissioner Wexler has stated that it's not her intention that the TDC would be able to hold up any extraordinary expenditures, simply that they would have input.

But I do share the concerns that have been expressed by Commissioner Sharief and also by Commissioner Holness, because, you know, it does say -- the way I could read it is that the Tourist Development Council shall review and provide input in advance of consideration of an extraordinary expenditure by the County Commission.

So if you can just -- between now when you publish, if you could just have something in here to the effect that the TDC must provide its review and input, say, within -- within 60 days after the -- within, you know, 60 days after the County Administrator submits an extraordinary expenditure to the TDC for consideration, something that -- that gives them a time frame that they have to provide their input. And -- and I think that means that it can't be held up.

UNIDENTIFIED SPEAKER: (Inaudible.)

MOTION TO EXTEND THE MEETING

COMMISSIONER HOLNESS: That's too long. Do we need to have a motion to extend the meeting to the end of this item?

MAYOR KIAR: Do we have -- do I need a motion to extend?

UNIDENTIFIED SPEAKER: Sure.

MS. ARMSTRONG COFFEY: Sure.

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MAYOR KIAR: Sure. If there's --

COMMISSIONER HOLNESS: Motion to extend to the end of the item.

COMMISSIONER WEXLER: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show the motion has been extended -- the meeting's been extended.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONERS BOGEN AND RYAN WERE NOT PRESENT FOR THE VOTE
AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 28 CONT'D

COMMISSIONER RYAN: So it -- and it doesn't have to be 60 days. I mean, some time frame so that it -- it's just -- it clarifies that an extraordinary expenditure, you know, is -- is not in violation of the code. I just -- I feel like you ought to have something there.

COMMISSIONER WEXLER: That's not my intention. That's --

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COMMISSIONER RYAN: I know it's not your intention, but it's the way several of us, I believe, are reading this language.

MAYOR KIAR: Well, I guess if it's -- Commissioner Wexler, the good thing is this is a motion to set it for -- for hearing, so, you know, we're going to move it forward today, and during that time until we have it, I know, Commissioner Wexler, would you sit down with the County Attorney's Office just to clarify your intent so it's stated specifically within there?

COMMISSIONER WEXLER: That's who wrote it.

MAYOR KIAR: Oh, okay.

COMMISSIONER WEXLER: I didn't write this.

MAYOR KIAR: Oh, okay.

COMMISSIONER WEXLER: May I?

MAYOR KIAR: Of course, Commissioner Wexler.

COMMISSIONER WEXLER: I -- I -- I didn't write this language. Jim Rowlee wrote it. He's the attorney for the TDC.

MAYOR KIAR: Okay.

COMMISSIONER WEXLER: He's heard the conversation. He heard the motion that was -- to direct that that be brought forward by -- unanimously by the members of the TDC. And this is --

MAYOR KIAR: Uh-huh.

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COMMISSIONER WEXLER: -- what we believed --

MAYOR KIAR: Okay.

COMMISSIONER WEXLER: -- they said. So if --

MAYOR KIAR: I understand.

COMMISSIONER WEXLER: -- let -- let me -- let me be clear though. What I hear Commissioner Holness and Vice Mayor Sharief saying is they recognize that it's advisory, however, if they still want to bring forward an item to give a million dollars to XYZ organization, don't go before the TDC, just bring it right before the Board of County Commissioners and go forward with it.

That's what this item is saying, don't do that. Don't do that. Let them at least have the -- this is bed tax. This is not -- excuse me, they're looking at it is is -- is it a slush fund, because it's not a slush fund. It is -- every penny of it, every penny of it is -- is identified and spent and -- and -- and they would like to at least make a recommendation to this body.

Could they do an emergency meeting? Absolutely, Commissioner Holness. Within a week or ten days, they can have a quorum together and do a meeting. We -- we've already had an extra meeting this year, and I've got two more to go, and, depending on the hotel, there may be another emergency meeting put in place. When we had the Panther item before us, we did an emergency meeting.

So there are many opportunities. It's a minimum of four meetings a year, but there is nothing prohibiting them from doing (inaudible) a meeting to consider an -- an extraordinary ask beyond the budget process or the -- the ordinary

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day-to-day operation that Ms. Henry made reference to.

It is about Commissioners just bringing forward an agenda item for dollars and -
- and -- and moving on it.

And that's the part -- yes, that's -- that's what made --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER WEXLER: -- you haven't seen that?

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER WEXLER: ATA is one of those items that we had -- that we had a \$500,000 ask come forward, and they have still yet to bring any information forward that was requested, that was requested by our Auditor and by our Attorney. So we're still waiting for that to be provided. And that's months and months and months ago.

So that's just one example of an extraordinary ask.

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER WEXLER: Another one was the scoreboard for the Panthers. That came right to the Board of County Commissioners. They lobbied the Board of County Commissioners. That was \$9,000,000.

Another one was MODS, the Museum of Discovery and Science for a million dollars. You want me to go on? It's --

UNIDENTIFIED SPEAKER: (Inaudible) we know that.

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COMMISSIONER WEXLER: -- I could go -- so we know that. That's the only thing they wanted to do.

And it is, it is a very unique board. It is not like other boards that we have in this Commission that have dollars associated with it, that there are recommendations that actually come out for the Convention and Visitors Bureau budget for spending on advertising and promoting the venue.

So it's very, very unique in its role and responsibility, and they just wanted to be able to be acknowledged for having input to this Board of County Commissioners.

That's what the item is asking for.

MAYOR KIAR: And -- and that makes sense.

I think -- Commissioner Wexler, I was listening to what Commissioner Ryan was saying. I think that -- that, you know, from my -- what -- I listened to what he had to say, I think he definitely agrees with you and so do I.

I think his only concern was on that subparagraph C. He was just concerned that it would -- you know, there are four meetings a year. It could be -- he wants there -- to basically put in a -- a time, a specific time for them to be able to review it.

COMMISSIONER WEXLER: (Inaudible) --

MAYOR KIAR: Right.

COMMISSIONER WEXLER: -- (inaudible.)

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MAYOR KIAR: Jim, is that okay? Would you be willing to -- to look at that? That would be great.

MS. ARMSTRONG COFFEY: What -- what we would need, Mayor --

MAYOR KIAR: Basically just so it's something that can't be held up for a long time, but --

MS. ARMSTRONG COFFEY: -- is -- is an indication of how long you would like the TDC to have. That's -- that's --

COMMISSIONER RYAN: I think 30 --

MAYOR KIAR: Yeah, that's it.

COMMISSIONER WEXLER: (Inaudible.)

MAYOR KIAR: Right. And then it kind of -- then it won't hold things up.

COMMISSIONER RYAN: If they have the ability to hold a special meeting, I think 30 days, because if it's an extraordinary expenditure, they're going to get a quorum and they're going to provide their input. But it --

MAYOR KIAR: Yeah.

COMMISSIONER RYAN: -- it --

COMMISSIONER WEXLER: (Inaudible.)

COMMISSIONER RYAN: -- it seems to be that this --

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MAYOR KIAR: Right.

COMMISSIONER RYAN: -- this review and input is a prerequisite to us as County Commissioners considering an extraordinary expenditure, so we just don't want it held up.

MAYOR KIAR: Right. And -- and that, to me, sounds reasonable.

COMMISSIONER WEXLER: (Inaudible.)

COMMISSIONER RYAN: All right.

MAYOR KIAR: Thank you.

And Vice Mayor Sharief.

VICE MAYOR SHARIEF: First of all, Commissioner Wexler, I take pause with the fact that you used my item as a slush fund, saying that it was a slush fund.

Let me tell you why I was put in the position to have to ask for that item from this dais, is because the tourist development assistant to you, Nicki Grossman, called me to put that item on, along with Al Tucker, and they were the ones that were pushing me to put this item on this -- on this Board. And the original source for that item was supposed to be Nicki's CVB budget. That's what they put that forth as. When she came to my office with that, when Al came to my office, I made a phone call in front of Al and asked Nicki if she was willing to support that and Nicki said she was. By the time the item made it over to Bertha Henry's office, oh, it was a different story.

So don't -- don't put me in a bad position to have to ask for something. The

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item is already going forward. It's already being presented and then turn around and say, okay, well, I want to change the funding source. So then the funding source because the TDT. Okay?

And -- and as a -- as a Commissioner, I have a right to ask for that.

And they shouldn't have brought a half-baked item, first of all, to me to put on the agenda. I deferred putting that item on the agenda for all of six to eight months and they kept pushing me to put it on.

And then once I put it on, then everybody ran out the back door screaming, oh, I didn't have anything to do with that, or, oh, I'm changing it. So I don't think that that's really -- and I hate putting people out there. I'm not one to throw people under the bus, but if you want to throw me under the bus --

UNIDENTIFIED SPEAKER: (Inaudible.)

VICE MAYOR SHARIEF: -- I'm going to put it right out there back where it belongs --

MAYOR KIAR: (Inaudible.)

COMMISSIONER WEXLER: (Inaudible.)

VICE MAYOR SHARIEF: -- because that was Nicki Grossman, Al Tucker's problem, and they laid it in my lap --

COMMISSIONER WEXLER: My intent --

VICE MAYOR SHARIEF: -- and because I was the --

COMMISSIONER WEXLER: I agree.

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VICE MAYOR SHARIEF: -- I was the District Commissioner for that item --

COMMISSIONER WEXLER: You're right.

VICE MAYOR SHARIEF: -- I had to carry that item.

COMMISSIONER WEXLER: You're right.

VICE MAYOR SHARIEF: And so let's use proper examples.

COMMISSIONER WEXLER: You -- you were used --

VICE MAYOR SHARIEF: And I don't do slush up here.

COMMISSIONER WEXLER: -- you were used, in my opinion, and I want to protect this Board --

VICE MAYOR SHARIEF: And -- and I -- I was abused, in my opinion.

COMMISSIONER WEXLER: Okay.

VICE MAYOR SHARIEF: And -- and I think it was inappropriate for them to be pushing for an item that they knew was not half -- was half baked and was not properly put together.

UNIDENTIFIED SPEAKER: (Inaudible.)

VICE MAYOR SHARIEF: And so I -- I'm going to finish. You told me to wait. I'm finishing. I got --

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MAYOR KIAR: Okay.

VICE MAYOR SHARIEF: -- the floor.

MAYOR KIAR: Okay.

VICE MAYOR SHARIEF: So what I'm saying is I don't want my item, I don't want my name to be used in no slush fund, because I don't do slush up here. I asked for something. If this Board agrees to it and they voted.

Now, out of deference to you, in this particular ask, Commissioner Wexler, I deferred that item and went back to the TDC. In addition to that, I made Al Tucker and -- and Nicki Grossman accountable for bringing back what they should have brought back in the first place and what I was asking for in the first place.

So I would like to just put that on the record, since that is out there. I want to make sure that it is clear what my position is.

Thank you.

MAYOR KIAR: You know, with that said, Commissioner Wexler, would you make a motion to move the item?

COMMISSIONER WEXLER: I'll move it to the 14th with amendments that will be coming forward.

MAYOR KIAR: Thank you.

There's been a motion. Is there a second?

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COMMISSIONER RYAN: I second it.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

VICE MAYOR SHARIEF: No.

MAYOR KIAR: Show the item passes 7 to 1 -- 6 to 1, 6 to 1.

VOTE PASSES 6 TO 1 WITH VICE MAYOR SHARIEF VOTING NO.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3
COMMISSION SEAT WAS VACANT.)

MAYOR KIAR: With that said, we're going to break now and go to our workshop and then we'll come back and reconvene the morning meeting.

Thanks.

**(THE MEETING RECESSED AT 12:43 P.M. AND RECONVENED AT 2:47
P.M.)**

AGENDA ITEM 33

213

JR/LR/LG/DH/PL
06/07/16
10:00 A.M.

COMMISSION MINUTES

MAYOR KIAR: Hello, everybody. We are now going to reconvene the morning meeting. And we had just finished Item Number 28 in the morning.

We're now moving on to Item Number 33, which was pulled by Commissioner -- oh --

UNIDENTIFIED SPEAKER: Commissioner LaMarca.

MAYOR KIAR: -- hey, Chip, this is the item you -- you (inaudible) -- you pulled it.

COMMISSIONER LAMARCA: Yeah.

MAYOR KIAR: It's Item Number 33, which is a motion to approve the expenditure of \$108,507 from the Tree Preservation Trust Fund for a tree planting project at Quiet Waters Park.

Commissioner LaMarca.

COMMISSIONER LAMARCA: I -- I merely pulled the item. I think it's great that we're going to be building back the tree canopy in Quiet Waters. I'm just trying to figure out why it took us 11 years from Hurricane Wilma, because that -- that area was devastated. And I -- I know the -- I know the park very well.

I'm just -- possibly maybe Ms. Henry or someone can give me a little direction just to kind of figure out why it took us this type of time.

MAYOR KIAR: Ms. Henry, did you hear Commissioner LaMarca's inquiry?

MS. HENRY: I'm sorry, I apologize.

COMMISSIONER LAMARCA: The tree -- the Tree Preservation Trust Fund for planting

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at Quiet Waters Park, the damage was done 11 years ago. What was the -- and I don't know if you have the answer, but what was the delay, 11 years?

MS. HENRY: I don't know. I'll have to --

COMMISSIONER LAMARCA: Okay.

MS. HENRY: -- get an answer for you.

COMMISSIONER LAMARCA: Okay. With that, I'll move it. Just wanted to -- very curious.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: Two. It's in Bogen's --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: -- Bogen's -- Bogen's district.

COMMISSIONER LAMARCA: I'll show him where it is someday.

(Laughter.)

COMMISSIONER WEXLER: May -- may I?

MAYOR KIAR: Of course.

UNIDENTIFIED SPEAKER: It's been moved and seconded --

MAYOR KIAR: Commissioner Wexler.

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UNIDENTIFIED SPEAKER: -- (inaudible).

COMMISSIONER WEXLER: Yeah, I -- I just wonder if it has something to do with the dollars that are actually being used now, which is the tree preservation dollars, and that if somebody discovered that those dollars could be used --

COMMISSIONER LAMARCA: Like for parks?

COMMISSIONER WEXLER: -- for a -- for that, because usually it's cities --

COMMISSIONER LAMARCA: Uh-huh.

COMMISSIONER WEXLER: -- that tap into those dollars, as you see by the list of every city that has it. So it might have needed the -- is it in Deerfield? I don't know (inaudible).

COMMISSIONER LAMARCA: It's in Deerfield, but there's only five grand left in the Deerfield piece, or five or ten.

COMMISSIONER WEXLER: So --

COMMISSIONER LAMARCA: So a big part of that's out of the --

COMMISSIONER WEXLER: -- that's the only --

COMMISSIONER LAMARCA: -- County.

COMMISSIONER WEXLER: -- thing I can think of, because it -- wasn't it Kristin Jacobs's district?

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COMMISSIONER LAMARCA: Uh-huh.

COMMISSIONER WEXLER: And she was a tree hugger. Is a tree hugger. So --

(Laughter.)

COMMISSIONER LAMARCA: All right.

COMMISSIONER WEXLER: -- so wait a minute.

COMMISSIONER LAMARCA: Motion to approve.

COMMISSIONER RYAN: (Inaudible) didn't want to have too many friends.

(Laughter.)

COMMISSIONER WEXLER: So -- so there has to be a bigger story than that, Chip.

VICE MAYOR SHARIEF: Second.

COMMISSIONER HOLNESS: Yeah. May I? Could I --

MAYOR KIAR: Oh, of course.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: Commissioner Holness.

COMMISSIONER HOLNESS: You know, I -- I had asked to -- to -- through my pre-Board inquiry what the balances were for -- from these cities, and the numbers vary so much. But North Lauderdale, you have two hundred twenty-one

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thousand --

UNIDENTIFIED SPEAKER: Wow.

COMMISSIONER HOLNESS: -- one hundred and sixty-four dollars. You can plant a lot of trees. I'll come help you.

COMMISSIONER WEXLER: And you told them that two years ago.

MAYOR KIAR: There's been a -- a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show Item Number 33 passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 34

MAYOR KIAR: We're now on to item Number --

UNIDENTIFIED SPEAKER: 34 --

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MS. HENRY: 34.

MAYOR KIAR: -- 34, which was actually pulled by Mr. Rand.

And Item Number 34 is a motion to approve an interlocal agreement between Broward, Palm Beach, Miami-Dade, and Monroe counties for cost sharing support services for the Southeast Climate Change Compact.

Mr. Rand -- oh --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: -- he did. Mr. Rand, yes.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MR. RAND: As I spoke earlier, budget and raising taxes and all, back -- back over the years, I couldn't get a pair of safety gloves to work with triple ethyl death. I couldn't get fume hoods and I had cyanide poisoning. I couldn't get a 50 cent particle mask while I was sweeping the asbestos dust out of the boiler room 40 years ago.

If you've studied geology and earth science as I have for 61 years and I'm still studying, the planet's always been changing, the climate's always been changing. The dinosaurs realized it, the Phoenicians, Egyptians, Mayans. They just realized it too late. So it's always been changing.

And I'm rather appalled it would take up to seven years ago to figure out, gee, we've got to get an ad hoc committee to do something or whatever.

And I'm always opposed to this the sky falling scenario, you know. The sky is

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not falling. Water is rising, but we've got enough time to move to higher ground. Eventually, this whole area will be abandoned.

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. RAND: Anybody who says otherwise don't know anything.

I read through a bunch of these ideas or whatever that's going to really fix -- any idea that mankind is going to fix something and control or regiment, that gives me pause, and especially something that big as the climate itself. The planet will fix itself and it will survive us human beings as it survived the dinosaurs, Jurassic Park and everything else.

And, to me, who needed key work safety equipment, to spend this kind of money, which is anti-business, a lot of it, I'm just opposed to it.

Thank you.

MAYOR KIAR: Thank you.

Is there a motion?

VICE MAYOR SHARIEF: Second.

MAYOR KIAR: Well, I need a motion.

COMMISSIONER HOLNESS: So moved.

VICE MAYOR SHARIEF: Second.

MAYOR KIAR: Motion. There's been a motion and a second.

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VICE MAYOR SHARIEF: (Inaudible.)

MAYOR KIAR: All -- all in favor, signify by saying aye.

All opposed?

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Show the item passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3
COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 35

MAYOR KIAR: Mr. Rand, you're coming back up.

Item Number 35 was pulled by Mr. Rand, and it's a motion to approve Planning Assistance to States Agreement between the United States Army Corps of Engineers and the -- and Broward County.

Mr. Rand.

MR. RAND: This is about the sea level rise, Army Corps of Engineers, \$140,000. At the ice age 125,000 years ago, the sea level was 360-some feet lower and it will continue to rise until it's about 23 feet higher than it is today and then it'll go

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back down again. The planet's living and breathing, heating and cooling.

And when I moved here 42 years ago literally on South Rio Vista with the king tide, the water came within an inch and a half. We're out there measuring it because another inch and a half and it's in our living room and all.

MAYOR KIAR: Oh, thank you.

(COMMISSIONER RYAN LEFT THE ROOM.)

MR. RAND: So I can appreciate the effort to try to figure out the sea level and -- in absolute terms with the Army Corps of Engineers, who does a lot of great work, et cetera, but there's no way to have any exact measurement on these things or any exact idea of how it's going to progress over the years. And the projections are, you know, six inches to 16 feet over the next century or whatever. Nobody has an exact figure.

And any time you try to come up with an exact measurement, it's an asterisk.

(COMMISSIONER RYAN RETURNED TO THE ROOM.)

MR. RAND: It's just not exact, and the storm (inaudible), you know, throws storm surge and everybody thinks it's just nothing, you know. They'll get their feet wet or whatever. But I think it was a couple feet higher than what they could project even and all.

And storm surge is the real thing. And when Hurricane Godzilla comes in here and there's \$300,000,000,000 damage and 15,000 people killed, then people will move to higher ground and get out of here and abandon this place.

MAYOR KIAR: Thank you.

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Is there a motion?

COMMISSIONER HOLNESS: Move it.

COMMISSIONER LAMARCA: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show item Number 35 passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3
COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 45

MAYOR KIAR: The next item was pulled by Commissioner LaMarca, and that's a motion to approve the fifth amendment to the deliberately phased agreement between Broward County and Plante and Morgan to extend the term of an agreement to coincide with the ERP master services agreement.

Commissioner LaMarca.

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COMMISSIONER LAMARCA: Thank you, Mayor.

I have no issues with Plante -- with -- with the contractor. I don't have any issues with the technology. And I see Mr. Bruno here.

I -- for some reason, I have been the repository of a lot of very concerned and sometimes angry vendors of Broward County. It reminds me of the downturn in the construction industry and the phone calls I either had to make or take.

Unfortunately, we've got some vendors, some non-profits, and some folks out there that are telling us, in -- in addition to the ones that I spoke to you the other day about, Ms. Henry, that haven't -- that haven't been paid and the answer is because we've transitioned to the new system.

And I understand technology is not always the -- a -- a quick transition. My concern is -- and maybe Mr. Bruno can answer, give us a little bit of background on it, because there has to be a contingency, there has to be a -- a process where we cut checks out of, you know -- out of, you know, hand checks or computer checks out of the ERP until this is done.

If the money is in the bank and the contractors and vendors have done the work, then we absolutely must pay them. And I just -- I -- I need a little bit of background, if I could, Ms. Henry.

MS. HENRY: Mr. Bruno.

COMMISSIONER LAMARCA: Thank you.

MR. BRUNO: Good afternoon, Mayor, Vice Mayor, and Commissioners.

Yes, we have obviously had 60-plus days of transitioning from our old system

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to our new, and probably not anywhere close to where we need to be in -- in terms of having people trained and in the process of actually processing all these. And it doesn't start -- end with invoices. I mean, you have to have POs in the system. You have to have receivers.

So there's a whole integrated system, that, you know, we -- we didn't have this in the past, so part of it is education of our user base, so we're diligently moving into each of the agencies and trying to get them up to speed on how to use this information.

Part is also the vendors. I mean, we've sent communications to the vendors, but, again, you know, it's a learning for them as well.

In the cases where we have had invoices that we just could not get through the system, we have had several situations where we've actually done direct wires, you know, ACH, so that we have been paying them. And we're working through some as we speak.

The -- the issue is not one of system in itself. It's one of the complexities and all the reviews and all the approvals that have to take place and having people educated --

COMMISSIONER LAMARCA: Uh-huh.

MR. BRUNO: -- to do that. So we're working through that diligently.

But to date, we've paid about 12,000 invoices through the system, the new system. We probably have about another thousand, which is getting to the normal, you know, monthly stage that we had even in the old system.

So we're diligently working through these.

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In my experience in my 35 years in this business, these large transformative systems take a while to get to a place where people understand it, and then to continue to -- to learn and process.

And one thing we can say about this system is it's -- is it's really (inaudible) the best practices, which is driving a lot of changes that we had in our prior system.

So -- so we're working through those.

I know you had asked a question earlier in the week about we still don't know exactly where the invoices are for those, but we are looking through those as we speak as well.

COMMISSIONER LAMARCA: So -- so just my count, and I don't know if anybody else got phone calls, we've done a transformational beach renourishment project here, and it's my understanding that the -- that the prime contractor, who also is the owner of the aggregate mine, is -- is -- is covered, but the other folks at that job have not since January. And that -- to me, that's very disturbing.

The other two are non-profits. One is Operation Lift HOPE and, unfortunately, the other one is our Boys and Girls Club with -- with not just operation but also the capital investments that we asked them to do, pay for ahead of time, and then submit --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: -- almost in a reimbursement fashion. So if you could check on those. I -- again, you know --

MR. BRUNO: Yeah.

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COMMISSIONER LAMARCA: -- I don't -- I -- I just wanted -- you know, I know that we have these -- these issues, and your -- I mean, your -- look, I know your resume. I know that this -- this is not an easy thing to do. There are a lot of people parts as well as computer and -- and other processes to get used to.

MR. BRUNO: A lot of moving parts.

COMMISSIONER LAMARCA: On both sides --

MR. BRUNO: Yes.

COMMISSIONER LAMARCA: -- both the -- the receiver and the -- and the payer. So from a -- from a standpoint of at least getting us to where there's no vendors who are 60, 90, 120, it would be tremendously helpful, but that's --

MR. BRUNO: Yes. We have a -- a task force as we speak of about 18 individuals across most of the agencies --

COMMISSIONER LAMARCA: Uh-huh.

MR. BRUNO: -- where they're just put into a room and all they're doing is processing these. But, again --

COMMISSIONER LAMARCA: Okay.

UNIDENTIFIED SPEAKER: Yeah.

MR. BRUNO: -- you know, if things weren't moved in the proper accounts, the accounts don't go through and the checks won't go through.

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So it is a lot of complexities that we're working through.

COMMISSIONER LAMARCA: Okay.

MR. BRUNO: We're also aggressively chasing down the ones that we can't get through the system where payments are required for business critical reasons.

COMMISSIONER LAMARCA: Okay.

MR. BRUNO: So I'll -- I'll make note of that.

COMMISSIONER LAMARCA: Okay. I appreciate it. Thank you so much.

MR. BRUNO: Thank you.

COMMISSIONER LAMARCA: With that, I'm going to move it if no one has --

MAYOR KIAR: Oh, we have a few folks.

MS. HENRY: (Inaudible.)

MAYOR KIAR: Commissioner Wexler -- oh, I'm sorry, Ms. Henry, did you want to say something?

MS. HENRY: No, go ahead. I'll wait to hear from the Commissioners.

MAYOR KIAR: Okay. Commissioner Wexler.

COMMISSIONER WEXLER: I'm glad we've gotten as far as we've gotten with this. It's taken a very long time. But -- and my only traveler along with journey really has been Evan, who has been up here all this time, because I started on this when I

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became a County Commissioner, and went through this experience as a School Board member, and worked very closely with many former people in your position to make sure that everybody understood that the hardest lift is the training. The hardest lift to not have an implosion of the system and people around the block not getting paid, which is what the School Board had --

MR. BRUNO: Uh-huh.

COMMISSIONER WEXLER: -- and it was not a pretty sight, and let's not have that happen here.

And so we really, really, in the implementation planning, focused on that.

MR. BRUNO: Yes.

COMMISSIONER WEXLER: And where are we today? So what you I guess need to share with us is that it could be a lot worse. They're not --

MR. BRUNO: Yes.

COMMISSIONER WEXLER: -- lined up around the block. They're not.

MR. BRUNO: Absolutely.

COMMISSIONER WEXLER: So --

MR. BRUNO: I mean --

COMMISSIONER WEXLER: -- you know, I -- I -- I need to at least share that and say that, that the transition could have been far worse than what it is.

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I've gotten a number of heads up from the not-for-profit world, and everybody who -- everybody should get paid, and if -- and they shouldn't have to make their way to a County Commissioner in order for that to happen.

MR. BRUNO: Absolutely.

COMMISSIONER WEXLER: And I just think that it is imperative that there be the ability to access and have manually something written for them, because many of these not for profits and small companies, Ma/Pop operations, CBEs really operate from paycheck to paycheck, you know, or from whatever, month to month that -- that -- that a check may come in.

So it is imperative that we make sure that their needs are taken care of.

How long until you believe the glitches are -- are addressed?

MR. BRUNO: It's not just the glitches. I mean, the glitches --

COMMISSIONER WEXLER: Well, the training --

MR. BRUNO: -- right.

COMMISSIONER WEXLER: -- has been -- and I -- see, now, I don't want to -- I'd rather use my word, because when you use the word training and we screamed so loud and made so much racket, Mr. Lukic and Commissioner Wexler, regarding training, training, training, training, and the module that was -- that was developed here was that each one of the departments' divisions would release somebody from that department who was an expert in what they needed in order to help you deliver, and our -- and Plante Moran deliver what needed to be delivered so we wouldn't have this going on. But --

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MR. BRUNO: Yes.

COMMISSIONER WEXLER: -- here we be.

MR. BRUNO: Yeah, let me address a couple things.

So from a training perspective, I kind of like to think of a change management as a whole --

COMMISSIONER WEXLER: Uh-huh.

MR. BRUNO: -- and I think we've done a tremendous job with our change management program. I mean, there's been all kinds of information thrown out there. We've had all kinds of training initiatives. We've -- we've got all kinds of collateral, whether it's a webinar. They're helping the people through this.

Having said that, I mean, training has to be just on time, right? So if -- if you train somebody two months ago and then you put them on an application, it's going to be tough unless it's the day before.

And from -- from a project management perspective, in a county as large as we have, that's been difficult to do. It's not like we just chased down part of the County for this. We -- we were enterprise wide. So we've had our challenges.

But what we're doing lately is we're creating these ongoing webinars where people -- you know, and we've had hundreds of people on a -- on a call where they're actually going through how do you move things from -- from a PO to an invoice or requisition. And so that's available on demand and it's also recorded sessions.

So we are very cognizant of that and we're trying to make people come up to

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speed.

On top of that, we're trying to get to agencies, but, again, it's a lack of resources. We don't have, you know, enough to put in every agency. I'd love to put two people in every agency and work through until they're done. But we are doing that with the real business critical activities that are going on that are, you know, like Commissioner LaMarca had mentioned, they're -- they're ready to -- to walk away because they don't have the -- the funding to pay their own folks.

COMMISSIONER WEXLER: Do you need more money?

MR. BRUNO: I don't know if it's an issue of money. I -- I -- I -- it's definitely an issue of resources.

COMMISSIONER WEXLER: Well --

MR. BRUNO: Collateral, we -- we have. So -- so we -- we are working through the list as quickly and aggressively as we can.

COMMISSIONER WEXLER: So you have the money but you don't have the body power, the individuals to actually go out there and mentor, train, or do some hand holding.

MR. BRUNO: Right. I mean, we've also suffered from turn around. I mean, this has been a long two-year battle. People are working around the clock, and burnout sets in. So --

COMMISSIONER WEXLER: What's the prognosis, doctor?

MR. BRUNO: -- so we -- we are in the process of trying to replace several individuals,

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and we're going through the process. So I -- I believe that if we can handle the ones that are really time pressing, that we can get through this as long as we all kind of hug each other and get to the same end point between the functions, the technologies, and the businesses. I believe we can get there.

COMMISSIONER WEXLER: Thanks, John.

MR. BRUNO: You're welcome.

MS. HENRY: Mayor --

MAYOR KIAR: Of course.

MS. HENRY: -- if I might.

MAYOR KIAR: Commissioner -- Ms. Henry.

MS. HENRY: So there's no question that we had -- we had some issues, and for about a week or so, a couple of weeks, staff tried to work with it on its own, and that did not work. So we did impanel experts from each of the major departments, around 18 or so, maybe a little bit more, where we put them all in a room just so that we can get through all of these -- the backlog of -- of items that we had and starting to work on the current.

So I get a report, and I'm happy to share that with the Board every week, just to get us to the point where we could see -- I can see that there's been a -- a marked change in difference in how many bills -- how many things have we gotten out. We have some more, but we'll get -- we're on the mend of getting those out.

So we'll keep -- we'll keep you informed.

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And if you have -- and, like I said, if there's something that -- that -- underlying where there is something critical, we deal with it. We -- we have everything in the gamut. We've had people submit an invoice and the next day they say I haven't been paid. And -- and so we're having to sort through, well, we just got this invoice or, no, this hasn't been delivered so we can't pay. So you have everything in between.

So we're trying to work through first in, first out to make sure we don't inconvenience our -- our vendors anymore.

And if it looks like we're going to slow down, I'll put the resources to it.

So it's definitely on our radar screen to address.

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. BRUNO: Something as simple as, you know, we've changed the invoice format, so we worked with our -- with our clients and our vendors and they have to come to grips with what's on there. So we get invoices that are not complete, then they can't go into the system, so we have to send them back. So there's an inherited delay just in something as simple as that.

But then when the invoice eventually comes, if we haven't got the accounts in the right order -- so, again, a lot of moving parts. We're on top of all the moving parts, but I think it's going to take a bit of patience.

And, to Bertha's point, if there's any, you know, grouping of activities that we need to get to business critical, we will set up a task force to address that.

COMMISSIONER LAMARCA: Okay. And to -- just to that point on what -- what -- what

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Ms. Henry said --

MAYOR KIAR: Chip, I'll come back around. I -- we have a number of people --

COMMISSIONER LAMARCA: Okay.

MAYOR KIAR: -- on the queue.

COMMISSIONER LAMARCA: All right.

MAYOR KIAR: So -- so thank you.

Commissioner Ryan.

COMMISSIONER RYAN: I'll be very brief, Commissioner LaMarca.

I am often reminded by Commissioner Wexler that she's been around longer than me, but three and a half years ago when I came on board, we were getting ready to -- to implement this system.

And I think overall it's doing very well. Nobody has come to me and said my invoice hasn't been paid. I think they know they should go to Commissioner LaMarca --

(Laughter.)

UNIDENTIFIED SPEAKER: There you go.

COMMISSIONER LAMARCA: That is funny.

UNIDENTIFIED SPEAKER: So he's making the list, right?

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COMMISSIONER RYAN: -- and they do. They do --

COMMISSIONER LAMARCA: (Inaudible.)

COMMISSIONER RYAN: -- so you can stay busy all day.

And -- but -- but my question is, you know, you do this training, you -- you do periodic training, which is -- which is good and necessary, but if -- if somebody's stuck, I mean, how difficult is it to access the go-to guy or gal that can actually go there and -- and work it out?

MR. BRUNO: So -- so we have a couple of things. We have our -- our support center down by the garage, and so there's anywhere from six to eight people that take the initial call. So our -- our internal customers have a phone number, the 8600 help -- help line, and then that gets filtered to the right expert within the support center to address the particular need.

Now, again, if -- we try to resolve that call while we're on the phone, but it takes more time, then we, you know, obviously try to get with the agency as far as actually sitting in the agency for a few days to get through some of those bigger issues. But we have a whole, you know, strategy around how to address calls. And they're taking the calls, we have an extended time period during the day.

COMMISSIONER RYAN: All right. And -- and do we have a policy when an invoice is submitted, if it's not rejected for -- for any reason, that it must be processed and payment delivered within 20 days, 30 days?

MR. BRUNO: Yeah, we're still on the ordinance that we have, the 30-day pay ordinance.

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COMMISSIONER RYAN: All right. All right. Thank you.

MAYOR KIAR: Commissioner Holness.

COMMISSIONER HOLNESS: Yes. Commissioner Wexler, the -- the reason they come to us is because we're the face that they see in the community, in the churches, at some event --

COMMISSIONER WEXLER: (Inaudible.)

COMMISSIONER HOLNESS: -- or -- or -- or someplace, because I do get those calls, and -- and I do -- not -- not only the calls, but I'm out someplace and someone says, you know, the County hasn't paid me in X amount of time.

What's been good is that when I bring that in, staff has been quite responsive. Our -- our small business director has interfaced with me on some of those, because oftentimes it is the smaller businesses that -- that comes to me on -- on the need to get their -- their checks cut.

So I know we're making progress. My -- my question, though, is this. A thousand checks still left -- or a thousand invoices still left to be processed. Do we have a time line as to when we see that coming to an end that these folks, when they come to me and call -- or call me and says, you know what, yeah, I know, but by this date, we should be able to straighten this thing out?

MR. KELLEHER: Kevin Kelleher, Finance Department.

The -- the thousand checks that are still there, that's -- that's just our normal churn, our normal work flow during an everyday month. Even before the system, we were -- we were about 1200 invoices at any given month, 12 --

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1200 to 1500.

And I think the important thing to -- to realize here is since the system went live in -- in -- you know, two months ago, you know, there was 12,000 checks, you know, 12,000 invoices filled for about \$90,000,000.

So we are doing -- we have had some issues. And I would invite you if you have any issues like that, if you bring them to our attention, we do escalate that and get it taken care of.

COMMISSIONER HOLNESS: Okay. Now, the system is supposed to be quite more efficient and transparent. How soon will you be able to track your invoice online to see where it is? Do we know when -- what time line we're going to have that? Because that's a part of what we're looking to do here, correct?

MR. BRUNO: Absolutely. I mean, we do have the system in place that does tracking. I think what the issue has been in being able to address and paying the invoice because of all the pieces that haven't come together.

But once the system is in -- you know, has got the invoices in the system, we can totally track that.

COMMISSIONER HOLNESS: So I'm not just talking from internally. I'm talking externally. Will the vendors -- I mean, FDOT has a system in place that once you in -- send your invoice in, you can see whose desk it's on, where it's going, is it being cut, is it in the mail, where the process is, so that -- and if there's an issue with the invoice where something wasn't completed properly --

UNIDENTIFIED SPEAKER: Right.

COMMISSIONER HOLNESS: -- they can go on and see what needs to be taken care

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of and take care of it as a vendor so that they -- they know exactly what's -- what's happening without -- without anyone calling, they can go in and track the -- their -- their -- their -- their -- their invoice.

MR. BRUNO: I -- I'll have to check the requirements, but I don't believe that functionality for the external vendors to see in. Internally, we obviously have a work flow that goes from -- you know, from approver to approver, so at any given time we can see what's available in the system.

MS. HENRY: If I -- if I might, that's the system that I spoke to Glenn from Purchasing about, and he advises me that's in the next phase.

MR. BRUNO: Uh-huh, but not today.

COMMISSIONER HOLNESS: Okay. So we have any time line as to when that might happen?

MR. BRUNO: Our next phase is scheduled to start in the next couple months and it goes out through, I guess --

MR. KELLEHER: October, 2017.

MR. BRUNO: -- October, 2017. That's supplier management, supplier --

MS. HENRY: Correct.

MR. BRUNO: -- (inaudible).

MS. HENRY: Correct.

MR. BRUNO: And that's that end of it. Self service with that.

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COMMISSIONER HOLNESS: Okay. And -- and -- and, in the process, we're saving money in terms of reducing our cost, overhead, correct? Or at some point in time. I know we're going through this crazy time, but it will eventually make it more efficient and -- and -- and reduce costs.

MS. HENRY: That's correct. And it's -- it's -- it's -- a lot of the savings, we took already, just to remind you, during the downturn. We've not replaced all of those individuals and won't be replacing them, so we definitely need to make sure the system gets up and running --

COMMISSIONER HOLNESS: All right. Thank you.

MS. HENRY: -- quickly.

COMMISSIONER HOLNESS: Thank you.

MAYOR KIAR: Commissioner LaMarca.

COMMISSIONER LAMARCA: Thank you.

I know -- I know Barbara runs her -- her own business and, outside of law, I don't -- I don't know other folks here on -- on this dais who have been in the situation, but do you know who your best friend is when you're in a small business, like a really small business?

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: It's the mailman, the postal carrier, mail person. Do you know why that is? Because they're going to -- they're the ones who are going to deliver your hand -- your hand check.

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And I know a lot of things happen through the computer now, but I know that was the case for -- for me with my business. And I would tell you that a lot of folks that -- that -- that I take a phone call from, and -- and trust me, if it was a -- if it was a person who called all the time and -- and used a Commissioner to -- to -- to help run the operation of their business, I wouldn't be having this conversation with you.

And I wouldn't be having this conversation with you if it wasn't that the last check that someone received was January. So February, March, April, you start wondering what's going on.

And, in my case, I would really want to make sure that these subcontractors of the -- the prime for the beach renourishment project are there bright and shiny on November 1 to finish this amazing project that we took 19 years to permit.

So with regard to it, Mr. Bruno, I -- you can't -- I can't tell you how elated I was when you got here and your background and -- and I have no concerns with that whatsoever.

What I do have a concern with is that there -- if there's a task force and there is a hotline assessed to that task force, then those -- that is where I will direct anybody that calls me, and I'm sure Commissioner Holness and anybody else. And at that point, I understand it's important to have the process in place so that everything flows, invoice, PO numbers, that it goes to the right system. At the same time, I would -- I would like to be assured that if somebody can't process the check in the next 24 hours, they will process one manually and then put that in the system or something like that.

Again, one of those was -- was -- was our -- some -- some local non-profits.

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So I know that you'll get it cleaned up. I'm not concerned about that. I just wanted to bring it to your attention and -- and make sure that, to Lois's point, yes, it was a mammoth undertaking and everything didn't shut down. So there are some -- some hiccups, but they'll get fixed.

(COMMISSIONER FURR LEFT THE ROOM.)

COMMISSIONER LAMARCA: So, with that, I want to move the item.

COMMISSIONER WEXLER: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show item Number 45 passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONERS BOGEN AND FURR WERE NOT PRESENT FOR THE VOTE
AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 53

MAYOR KIAR: We're now moving on to item Number 53, which was pulled -- pulled by Commissioner Wexler, and that's a motion to award a fixed contractor to low bidder Munilla Construction Management for Port Everglades slip two

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extension.

Commissioner Wexler.

COMMISSIONER WEXLER: Yeah, thank you.

First, I'd like to understand, if it's a County requirement to have three references, why I had to ask the question and then get the third one under separate cover.

MS. HENRY: Ms. Billingsley.

COMMISSIONER WEXLER: Are you cold today, Ms. Billingsley?

MS. BILLINGSLEY: Yes.

COMMISSIONER WEXLER: Good.

MS. BILLINGSLEY: Good afternoon.

COMMISSIONER RYAN: Don't get too close to Russell Rand, he'll grab that.

UNIDENTIFIED SPEAKER: Yeah.

(Laughter.)

MS. BILLINGSLEY: It's -- it's -- it's an inside joke between the two of us, and I won't go there.

But to respond to your question, yes, it is the policy of the County to have three references --

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COMMISSIONER WEXLER: Right.

MS. BILLINGSLEY: -- and, unfortunately for this one, it did get through. We were trying to get it through to make sure that it met the agenda, but rest assured that we do get at least a minimum of three references.

COMMISSIONER WEXLER: And do we have any requirements that they be in the United States?

MS. BILLINGSLEY: No.

COMMISSIONER WEXLER: No. Okay. You know, this one is -- is from Panama.

MS. BILLINGSLEY: Absolutely.

COMMISSIONER WEXLER: Right. I -- and then the two that I had that I looked at over the weekend, of course, are split references. One isn't very happy. The other one is happy, happy.

And so I've had this conversation here at this, you know, podium and dais before as it relates to this particular company.

I -- you know, how far -- how delayed is Ravenswood?

MS. BILLINGSLEY: I -- I can't speak to the time frame of it.

COMMISSIONER WEXLER: Can somebody?

MS. BILLINGSLEY: Can someone --

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COMMISSIONER WEXLER: Is anyone prepared? Does anyone know how delayed Ravenswood is? And I'm not going to hold you to exact, but I -- I'm sure it's over a year.

MS. BILLINGSLEY: But I believe that's roughly a year. I don't know --

COMMISSIONER WEXLER: Yeah.

MS. BILLINGSLEY: -- the exact time frame, but that's what I'm to understand --

COMMISSIONER WEXLER: Yeah. I think it --

MS. BILLINGSLEY: -- is roughly a year.

COMMISSIONER WEXLER: -- referenced something like that in the -- in -- in the summary explanation or some of the backup material.

And I -- I guess -- and I know that there's enough blame to go around for everybody, so I don't want to get into that, but I think that is so imperative that the Mayor and myself have a ribbon cutting there as equal -- and it's a magnificent facility, by the way. I've passed it a number of times. It really, really is -- is beautiful, at least from the outside looking in, because that's as far as I can get.

MS. BILLINGSLEY: We can get you a hard hat.

COMMISSIONER WEXLER: No, no, no, no. I -- I -- and I feel the same way about the courthouse. I mean, there are -- there are certain facilities that, you know, you - you want it to move forward. So I thought this might be an opportunity here.

We're going to give another project to MCM, and it was a low bid, and they, you

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know, have come in and -- and -- and got it fair and square.

But by the same token, I also asked in my PBMI about past performance and the job they're doing for us. And that's kind of a split decision here, because their performance on Terminal 4 has been perfectly acceptable, and it's -- it's -- it's -- it's not -- it's not rave reviews at Ravenswood.

And I think that -- and whatever we can do up here to encourage and have an idea, Ms. Henry, of when we might have a CO there and be able to actually say it's done and move on, I think needs to be shared with this Commission --

MAYOR KIAR: Absolutely.

COMMISSIONER WEXLER: -- right?

MAYOR KIAR: Absolutely.

MS. HENRY: We will get you a time.

COMMISSIONER WEXLER: That was really what I was looking for here.

MS. BILLINGSLEY: Okay.

COMMISSIONER WEXLER: Okay?

MS. BILLINGSLEY: All right.

COMMISSIONER WEXLER: Thank you.

MS. BILLINGSLEY: Thank you.

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MAYOR KIAR: And I move that Lois and I get to participate in all ribbon cuttings for perpetuity. Come on, second that.

COMMISSIONER WEXLER: (Inaudible.)

MAYOR KIAR: Is there a motion?

COMMISSIONER HOLNESS: So moved.

COMMISSIONER LAMARCA: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show Item 53 passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONERS BOGEN AND FURR WERE NOT PRESENT FOR THE VOTE
AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 55

MAYOR KIAR: We're now on Item Number 55.

There was a speaker but he no longer wants to speak on the matter, so if I

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could have a motion on 55.

COMMISSIONER HOLNESS: So moved.

COMMISSIONER LAMARCA: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show Item Number 55 passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONERS BOGEN AND FURR WERE NOT PRESENT FOR THE VOTE
AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 60

MAYOR KIAR: We are now moving on to Item Number 60 --60, which was pulled by three Commissioners, Commissioner Furr, Commissioner Wexler, and Commissioner Holness.

And that is a motion to file the County Auditor's Memorandum of Flexible Spending Account Forfeitures, and also B is the motion to adopt the County Auditor's recommendations.

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Now, before we come to the County Commission, Mr. Auditor, would you like to set the stage for us?

(COMMISSIONER FURR RETURNED TO THE ROOM.)

MR. LUKIC: Sure, I'll -- I'll briefly discuss this item.

It's -- it's our follow-up review to our flexible spending accounts. Flexible spending accounts are accounts established through our insurance programs to allow employees to contribute pre-tax dollars to an account. When they incur a qualified expense, they can withdraw the money pre-tax and they benefit from it by the tax savings.

One of the provisions of an FSA is that if you do not spend the money for a qualified expense within three months of the end of the fiscal -- of the calendar year, you forfeit that money.

Over the years, we've advised the Board of the balances and asked for direction on what to do with the unspent monies.

IRS regulations allow the employer to retain the money or to spend it for the benefit of the employees.

Our latest venture on this -- this issue, our memorandum, indicates that there's \$715,000 available, and we recommend that the Board use this money to the benefit of the employees. And the reason for that is, indeed, this is the employees' money, forfeited dollars, but it's employee money, and we believe that we should use it for the benefit of employees, following IRS regulations.

And there could be a whole myriad of things that you could do with that. One

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that we've discussed is tuition reimbursement, perhaps having a gym, perhaps funding a reduction in insurance premiums in the future.

Today, we're simply saying decide whether you're going to retain it to pay administrative costs or to provide it for the employee benefit and -- and then decide which benefit you might find most appropriate.

So our recommendation is for the employees.

MAYOR KIAR: And before we go to the County Commission, Ms. Henry, did you want to -- your -- your mic's on. I didn't know if you wanted to add anything.

MS. HENRY: No, I didn't -- I didn't want to add anything.

MAYOR KIAR: Oh, okay.

MS. HENRY: He's summarized it.

MAYOR KIAR: Great. So there have been three folks that have pulled it. Let's start with Commissioner Furr --

COMMISSIONER FURR: Thanks.

MAYOR KIAR: -- and we'll kind of make our way down.

COMMISSIONER FURR: Thanks.

I just -- I just wondered if -- if it was be possible if the administration could come back with a list of possible recommendations with what to do with that --

MS. HENRY: Okay.

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COMMISSIONER FURR: -- with that money. That's really all I'm asking.

MAYOR KIAR: Great. And then Commissioner Wexler, and then Commissioner Holness, and then --

COMMISSIONER WEXLER: There was -- the answer to my PBMI question I found thoroughly confusing, so that's why I needed to pull this and understand it better.

It seems that I -- I'm under the impression there is 700-and-some-odd thousand dollars, \$715,000 in this FSA account.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER WEXLER: Yeah, you think? Okay. So the answer to my PBMI question is in October 12th of 2010, Item 35, the Board approved the use of \$513,000 of accumulated flexible spending, FSA, forfeitures through September 30th, 2009, to mitigate future healthcare costs for a premium reduction of, in two thousand and -- I'm not sure I actually remember doing that.

So, Evan, do you have that PBMI answer to my question? Because if that's the case, then there is not \$715,000 --

MS. HENRY: So if --

COMMISSIONER WEXLER: -- in this account.

MS. HENRY: -- if I might have Mr. --

MAYOR KIAR: Sure.

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MS. HENRY: -- Kelleher to explain. I think he was -- the -- the emphasis was to say that in the past we used the money to write down premiums, but it didn't specifically answer your question --

COMMISSIONER WEXLER: No, it didn't.

MS. HENRY: -- (inaudible).

MR. KELLEHER: Kevin Kelleher, Finance Department.

Yeah, the FSA forfeitures has been something that we've been tracking and, thanks to the County Auditor, have been tracking for a -- a number of years.

The last time this did come up was in 2010, and, if you recall, we were going through some hard economic times in 2010. And what we had at that point in time, based on their review, was about \$513,000, and at that time as part of the insurance, we had agreed to use that to offset future health insurance expenses. So the --

COMMISSIONER WEXLER: So did we?

MR. KELLEHER: Yes, because how it -- how it happens, and one of the -- one of the ways you can on use the money is the money can default to the County, to the employer, and, in this case, that that money, all these accounts go into the reserves. So that amount, while it was tracked, that money was in the reserves.

And then since -- since the -- that time period where it was 513,000 --

COMMISSIONER WEXLER: Right.

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MR. KELLEHER: -- the County has contributed -- had increases in healthcare costs in almost 4.9 million dollars. So, clearly, it was used to help offset those -- the health insurance increases.

COMMISSIONER WEXLER: But what was the balance when 500 -- because when I -- as additional information for Item Number 60 sent out by your -- you --

MR. KELLEHER: Yes.

COMMISSIONER WEXLER: -- it looks like in 2010, the FSA -- because you have FSA forfeiture expense history which is Attachment Number 1, it looks like it's \$30,000, almost \$31,000 is all that was in there. Or that's just that one year?

MR. KELLEHER: That was just that one year.

COMMISSIONER WEXLER: All right. Just that one --

MR. KELLEHER: So it was --

COMMISSIONER WEXLER: -- year, so --

MR. KELLEHER: -- there was an accumulation --

COMMISSIONER WEXLER: -- so then -- then in that -- all right. So if \$513,000 was spent in 2010 to be applied towards the 2011 year, then why isn't Mr. Lukic's number reflecting something about \$200,000?

MR. KELLEHER: Because this is an unbudgeted amount. It comes back to the County and it's -- it's part of the fund balance that gets swept into the reserve. So there's not an account out there that has this amount in it.

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COMMISSIONER WEXLER: Oh, my goodness. I don't understand a word you're telling me. I'm sorry. Could -- may I ask Mr. Lukic if -- I -- I --

MR. LUKIC: This is news to me. What Mr. Kelleher is suggesting doesn't make any sense to me.

COMMISSIONER WEXLER: Thank you. Because I'm really not that great in math. But can I get back -- I -- and I find this very disturbing, because it doesn't make sense to me, either.

What I need to know is -- no one answered my PBMI question. I really need that answered.

What Mr. Lukic provided for us as part of the backup for his question -- for his agenda item were the actual minutes from the 2010 meeting where the Commissioners -- and Mr. Keechl was the Mayor that particular year and the direction that was given by the Board of County Commissioners was to create a policy.

And I don't believe a policy was ever created, was it?

MR. KELLEHER: No, other than the -- on the October, whatever that date, that 513, whatever that action was --

COMMISSIONER WEXLER: Yeah, yeah, yeah. But that's (inaudible).

MR. KELLEHER: -- but there wasn't a policy.

COMMISSIONER WEXLER: But it was specifically requested by the Board that a spending policy for these forfeited dollars be created. And, you know, it's hard for us to continuously keep track of things. And, you know, if we say this

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and we do a motion and it's voted on and -- and that's direction that's given and then it falls in a black hole and we never see it again until an audit comes forward.

And -- and so within that, it triggered -- because I forgot all about it, that in 2010 we did that until I read the minutes. And when I read the minutes, there it was. And so, gee, logical question, was a policy ever submitted to the Board of County Commissioners for approval? And I think the answer is no.

MR. KELLEHER: Correct, there was no --

COMMISSIONER WEXLER: Right.

MR. KELLEHER: -- formal policy other than the October 12th action.

COMMISSIONER WEXLER: Right, right, right. Well, I would have appreciated the answer to that question.

MR. KELLEHER: Okay.

COMMISSIONER WEXLER: It wasn't there.

Then I would also appreciate, based on administration's latest response, what will be the required next steps?

And that kind of feeds to what Commissioner Furr just referred to, is the menu, but the menu of how things could be spent really also then needs to be driven by a number of things, federal guidelines. I mean, IRS guidelines are critical for something like this. And I think it's -- and the FSA accounts and that entire effort has been phased out or is being phased out and it's pretty much HRAs now because the FS -- FS --

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MR. KELLEHER: It -- it has -- it has --

COMMISSIONER WEXLER: -- right?

MR. KELLEHER: -- changed over the last couple of years. First, not this past year but the year previously, we changed the order. Before, you'd have an FSA and then you can have your HRA, your health reimbursement account, and it was -- it was burning your HRA account first, which rolled over --

COMMISSIONER WEXLER: Right.

MR. KELLEHER: -- then your FSA. So we changed the order of that. That was last year.

This year we had a change to the -- a big shift to the high deductible health plan, which has a health savings account, an HSA --

COMMISSIONER WEXLER: Right.

MR. KELLEHER: -- and that, you do not -- you cannot have an FSA under IRS rules.

COMMISSIONER WEXLER: Right.

MR. KELLEHER: So with that major shift to it, we are seeing a change.

So it has not -- so to answer your question, no, it has not been phased out, but, by virtue of this, it is --

COMMISSIONER WEXLER: It's shifting.

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MR. KELLEHER: -- it's shifting.

COMMISSIONER WEXLER: Yes.

MR. KELLEHER: Yes.

COMMISSIONER WEXLER: And I -- and I know that. I didn't say it as eloquently as you did, but it is shifting. And so the dollars that would be captured through forfeiture are going to be less and less going forward if we stick with the program that we currently have in place --

MR. KELLEHER: That is the --

COMMISSIONER WEXLER: -- because of --

MR. KELLEHER: -- presumption.

COMMISSIONER WEXLER: -- the movement of -- of our employees.

MR. KELLEHER: Correct.

COMMISSIONER WEXLER: Having said that, isn't there still a need for a policy?

MR. KELLEHER: Yes. And if -- if it wasn't clear, what we had recommended, both in the additional information and -- and the response there, is that one of the permissible uses of this money under the IRS code is to defray the administrative costs.

And so what staff was recommending was to use it for the administrative costs for the third-party administrator who administers these types of accounts.

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COMMISSIONER WEXLER: Forever going forward --

MR. KELLEHER: As -- as --

COMMISSIONER WEXLER: -- right?

MR. KELLEHER: -- the policy, yes.

COMMISSIONER WEXLER: As a policy.

MR. KELLEHER: Correct.

COMMISSIONER WEXLER: So how is that dealt with? Is it in the administrative --
how's that dealt with? You just do it --

MR. KELLEHER: That --

COMMISSIONER WEXLER: -- and tell the Auditor? I mean, how do we do this?

MR. KELLEHER: Well, the next steps -- well, we had said for -- because we're only
talking about -- we're only talking about the back period, because in 2015,
when we shifted to the new third-party administrator, that was part of the plan
document that was --

COMMISSIONER WEXLER: Right.

MR. KELLEHER: -- used for the administrative -- it be used for administrative costs.

COMMISSIONER WEXLER: Okay. So there's --

MR. KELLEHER: So we're -- we're only talking about the -- the 2000 -- 2010 to 2014

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period.

COMMISSIONER WEXLER: Okay. So there's a -- from 2010 to 2014, there also then needs to be determined between you and Mr. Auditor what the dollar amount actually is, because it sounds to me like it's around \$200,000 versus 725 -- \$715,000. That -- I'm just doing rough math here, and that's what it seems like.

MS. HENRY: So I think, if I might add, and you just correct me if I'm wrong, but what -- what is happening here is that you have -- there -- there are alternatives that you could use.

The Auditor is making a specific recommendation of how the money should be used.

Commissioner Furr asked that we -- just give us the list so that you can pick from that list. You can look at what we're recommending, but then look at some of the other alternatives, and then we can pick from the alternatives. So we would be bringing it back to give those alternatives.

COMMISSIONER WEXLER: (Inaudible) policy decision.

MS. HENRY: Exactly.

COMMISSIONER WEXLER: But at that point you'll also know -- you'll confer with the Auditor and be able to identify -- because you're a half a million apart in -- in what the number is that we're talking about. And I --

MS. HENRY: Well, I don't --

COMMISSIONER WEXLER: -- I find that a little disturbing.

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MS. HENRY: -- I -- I don't believe we're half a -- I don't believe we're --

COMMISSIONER WEXLER: You don't?

MS. HENRY: No, I think what is -- what -- that -- I don't think that we've artfully communicated is that the money was tracked as FSA dollars, but it just sat in a fund and it -- we didn't disburse it specifically for --

COMMISSIONER WEXLER: Even though --

UNIDENTIFIED SPEAKER: What -- what they're saying --

COMMISSIONER WEXLER: Okay. So even though that agenda item in 2010 said to disburse it, and that was Item Number 35, October 12th, 2010, the money is still in account? That's what you're saying.

MR. LUKIC: That -- that's -- that's correct. The money is still in the account. There's no indication in any of the accounting records that any transfers took place.

COMMISSIONER WEXLER: Got it.

MR. LUKIC: Their argument is is that they're suggesting that they reacted to the Board's action by simply incurring additional expenses in the program, and, therefore, they would have offset those amounts.

But that's not clearly what happened in the accounting records. And normally the accounting records reflect what you intended to do.

So we can take a look at this, but I -- I disagree with what they're talking about so far, but we will get back to you on the -- on the actual amount.

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COMMISSIONER WEXLER: So we -- I think -- I think at the end of all this conversation, we probably should defer this item, because you're asking us -- I'm not comfortable moving it without --

MR. LUKIC: Well -- well, let me go to a different --

COMMISSIONER WEXLER: -- you two agreeing.

MR. LUKIC: -- it's a -- it's a different level. And it doesn't --

MS. HENRY: No, we agree.

MR. LUKIC: -- it doesn't really matter --

COMMISSIONER WEXLER: Really?

MR. LUKIC: -- about -- it doesn't really matter about the dollar amount.

COMMISSIONER WEXLER: Right. We --

MR. LUKIC: It is a policy decision whether -- whether or not you want to use the money that was forfeited by employees for employee benefit. We'll find out what the amount is afterward. It's really a policy level. You're not -- you're not -- you're not going to debate whether -- is the decision going to be different if -- if the number is 700,000 or 500,000?

COMMISSIONER WEXLER: No.

MR. LUKIC: It's a -- it's a policy issue.

COMMISSIONER WEXLER: Right. Right.

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MR. LUKIC: It should be. And policy, by the way, in the County is not done this way. Policy is approved this way and there's supposed to be an Admin Code so we memorialize our policy so years later --

COMMISSIONER WEXLER: Right.

MR. LUKIC: -- we know what our policies are.

COMMISSIONER WEXLER: Well --

MR. LUKIC: So we didn't do that. So, at any rate, I don't think it's a dollar issue. I think the Board can move forward, ask the questions, say come back with your alternatives, and at that time, the Board can decide.

Clarification on this issue about what you can do. The IRS rules changed over the period of time, but even if the County were to take the money, under IRS rules, they could use the money in any way they wished. So they could still accomplish the same objectives we're talking about within the confines of the IRS regulations.

So I suggest you move forward with Commissioner Beam's request, ask staff to provide the -- the options they believe are most appropriate --

MAYOR KIAR: Team Beam.

MR. LUKIC: -- and -- and then we move forward --

MAYOR KIAR: Team Beam.

MR. LUKIC: -- forward. Okay?

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MS. HENRY: I concur.

MAYOR KIAR: Definitely. Commissioner Holness.

COMMISSIONER HOLNESS: Yes, a -- just --

COMMISSIONER WEXLER: (Inaudible.)

COMMISSIONER HOLNESS: -- a quick question. Do we have a tuition reimbursement program for our employees now?

MS. HENRY: We do not.

COMMISSIONER HOLNESS: Okay. We've had it in the past?

MS. HENRY: Yes, we have.

COMMISSIONER HOLNESS: Okay. And -- and -- and I'm leaning in that direction, because I -- I think that it's good to have, and -- and -- and especially that we're probably going to be hiring or have hired some newer people over time and with many in the drop as -- as these newer employees come on -- come on --

MS. HENRY: We -- we are recommending the reinstitution of the tuition reimbursement program as part of the budget that I'll bring to you in 2017, irrespective of what happens with this.

(COMMISSIONER RYAN LEFT THE ROOM.)

COMMISSIONER HOLNESS: Okay. All right. Thank you.

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MAYOR KIAR: And it appears to me -- just quickly, I think the best use of these dollars is to follow the recommendation of the Auditor and to give it back to the employees, because, technically, I believe it was their money from the beginning.

So I'm kind of looking forward to seeing how we progress here.

With that said, is there a motion?

COMMISSIONER WEXLER: Move it.

MAYOR KIAR: There --

COMMISSIONER FURR: Second.

MAYOR KIAR: -- there's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show the item passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONERS BOGEN AND RYAN WERE NOT PRESENT FOR THE VOTE
AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 61

COMMISSION MINUTES

MAYOR KIAR: We're now moving on to item Number 61, which was pulled by the public, Mr. Russell Rand.

And it's a motion to file the performance review Broward Addiction Recovery Center reports, I guess BARC.

Hi, Russell.

MR. RAND: Hi there. Quickly famously on tuition reimbursement, my coworker got his business course but I couldn't get the glass blowing. They said it wasn't relative to my environmental and I'm studying physics. This is hurricanes. That's why I know what I know and can talk to who I talk to, which are the top people. So shame on you, somebody.

This audit is BARC, which is a vulnerable community. And I read over the audit, and a couple of high points where you can't retain people to do the work. Well, it's easy to get people at the top, shuffle papers or whatnot, but it's hard to get people to actually work in that level, doing that kind of grunt work. The grunt work, that's hard to do. High staff turnover, I understand.

Also it was a lot of accountability, beans and boxes. And being in the lab, we -- you know, you'd spend a third of your time accounting for the beans and the boxes and whether they balanced or not. So that's a hard thing to do when you're in that kind of business.

Also the billing. And if you can get these vulnerable people to be on Medicaid or whatever, who is going to pay the bills, that's hard to do. And I know from my mother who was disabled physically and my brother who is disabled from schizophrenia, trying to sign them up or get the money or who is going to pay for is -- is -- is like pulling teeth with -- with governmental beans and boxes and all.

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And lastly, I always remember South Florida State Mental Hospital, and they released somebody after treatment and sent them a bill for \$120,000 or whatever, and he don't got \$120,000 so he killed himself.

And I'm only speaking on behalf of vulnerable communities, right, Ms. Wexler?

Thank you.

COMMISSIONER WEXLER: (Inaudible.)

MAYOR KIAR: Of course, Commissioner Wexler.

COMMISSIONER WEXLER: Commissioner Beam and I were kind of having a sidebar here. I'm joking, I know it's --

MAYOR KIAR: Commissioner Beam.

COMMISSIONER WEXLER: -- Furr.

MAYOR KIAR: Team Beam.

COMMISSIONER WEXLER: Team Beam and I were having a sidebar regarding the number of beds and the new facility and -- and -- and -- and the need in the community. And I -- I will tell you Paul Faulk has done a fabulous job of -- of -- and if you look back at where we were in 2008, and, Mr. Lukic, you know, was a part of that audit, and where we are today, we're absolutely moving in the right direction.

There are still some weak spots, and technology is one of those weak spots, as well as the ability to access funds from private insurance, people that have

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private insurance. We've got -- we really need to allow that to happen, people -
- Medicare people, and -- and be able to aggressively recoup.

But it is so far better in -- in functionality than it was back in 2008 when that
audit came through. The costs have gone down. The -- the -- I mean, it's just -
- it's an excellent, excellent job that -- that he's been doing there.

And when the new building is done, Mr. Lukic and I both concur that we believe
that the -- the -- the atmosphere there alone will induce a whole new spirit of
productivity of -- of -- of what will be going on.

So, yes, Russell, I'm very excited about it.

And we are having a groundbreaking at the end of this month, finally. How
many years? 17 years? I don't know. Way, way, way too long. But it'll
happen.

And, with that, I would move it, unless there are other questions.

COMMISSIONER HOLNESS: Second.

COMMISSIONER WEXLER: Thank you.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show the item passes unanimously.

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VOTE PASSES UNANIMOUSLY.

(COMMISSIONERS BOGEN AND RYAN WERE NOT PRESENT FOR THE VOTE
AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

MAYOR KIAR: We have finished the Consent Agenda.

UNIDENTIFIED SPEAKER: (Inaudible.)

REGULAR AGENDA

AGENDA ITEM 64

MAYOR KIAR: Now we're moving on to the Regular Agenda.

Item Number 64 is a motion to approve the first amendment to the addendum to the signatory terminal building lease agreement between Broward County and Southwest Airlines Corporation.

There are no public speakers on this matter.

Commissioner Furr.

COMMISSIONER FURR: Just one question. The -- the difference in the CBE requirement on -- from Southwest to Jet Blue is considerable. You know, we're asking Southwest to -- to have a ten percent CBE rate, and Jet Blue, we had -- we required 22 percent. And I -- I'm interested to know why such a difference --

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MAYOR KIAR: Ms. Henry.

COMMISSIONER FURR: -- because both are essentially -- the scope is pretty similar.

MS. HENRY: Mr. Gale, if you can come to the podium.

As Mr. Gale is coming to the podium, we entered into these agreements at different times, and we went through the -- the process to determine availability under the old program back then.

COMMISSIONER FURR: Okay.

MS. HENRY: And it was more formulaic than what the Board has authorized us to do more today in trying to get to a -- a larger number.

COMMISSIONER FURR: So are we --

MS. HENRY: If I --

COMMISSIONER FURR: -- are we held -- are we held to that number even though we're redoing the amendment?

MS. HENRY: So the -- the original amendment, the amendment is consistent with the original agreement.

And -- and I'll have Mr. Gale sort of --

COMMISSIONER FURR: Okay.

MS. HENRY: -- chime in if there's any additional information.

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I know we're trying to get them to do more.

MR. GALE: Commissioner, I think the County Administrator is correct. It's -- it's an extension of what was approved in the original agreement back in 2013.

COMMISSIONER FURR: Okay.

MR. GALE: That \$295,000,000 initial approval, when it was reviewed between aviation staff as well as the staff of OESBD to determine what the capacity was in the region, and the elements, the size of the various elements of the project, many of them exceeded the capabilities of some of the CBEs that are locally in this area, whereas the Jet Blue project was smaller in scope --

COMMISSIONER FURR: Okay.

MR. GALE: -- and many more were able to meet it.

CBE-wise right now, and I went back to take a look at the numbers on the -- on the Jet Blue amendment, there are currently eight CBEs that are under contract on that particular project, and in the Southwest project, there's currently 38 CBEs that are in there. So --

COMMISSIONER FURR: Okay.

MR. GALE: -- a significant number more firms.

COMMISSIONER FURR: I guess if the -- I mean, if we're locked into that, but if there's a way to encourage their rate, it would be good.

COMMISSIONER WEXLER: They were both given the same year (inaudible). One

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was in September of 2011 and (inaudible) 2011. So same year, same program (inaudible).

MR. GALE: Same program, different amount. But, again, I think when -- when -- my conversation with -- with Sandy from OS -- OESBD was when you took a look at particular elements, while they may have been the same element, on the Southwest side you may have a contract value worth of approximately \$11,000,000 where in the Jet Blue it might have only been a couple of million dollars, and CBEs were able to meet that easier on the Jet Blue side than they were on the Southwest project.

COMMISSIONER FURR: Okay. Just calling --

UNIDENTIFIED SPEAKER: Madam Mayor?

COMMISSIONER FURR: -- attention to it. Yeah.

Motion to --

MAYOR KIAR: Of course, Mr. Lukic (inaudible).

MR. LUKIC: I'm sorry. I said Madam Mayor.

(Laughter.)

MAYOR KIAR: That's okay.

UNIDENTIFIED SPEAKER: (Inaudible) you, Barbara.

VICE MAYOR SHARIEF: It's okay.

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MR. LUKIC: I wanted to bring an issue up relative to this item.

In reviewing it, I was a little concerned that we're making a significant amendment to this agreement without any information brought to the Board relative to the status of the project. Because this is a substantial project and the -- this applies, the Number 65, to Jet Blue, I believe that the -- the department should bring forward periodically a report on the status of this project, given that it involves, particularly Southwest, in excess of \$300,000,000.

So I would recommend that you direct the County Administrator to have the Director of Aviation bring -- periodically bring a report forward and give you the status of what's going on with the -- with each -- with each of these projects relative to their completion, their schedule, and how they're performing in terms of financial aspects of it.

MS. HENRY: And -- and we're comfortable with that.

In the past, we had physical presentations by Mr. George on various elements of this entire program. We can easily pull out the specifics of what's in that presentation to just give you a quarterly update on where this specific project lies.

MAYOR KIAR: Commissioner Holness.

COMMISSIONER HOLNESS: Yes, Commissioner Furr, I was here and -- and I asked for 15 percent. I thought that was reasonable. I still believe it's reasonable today. I -- I -- I don't think we -- we stretch far enough to ensure that our small businesses, our CBE are participating to the extent that they should.

And -- and let's just look at the numbers that we have here. Sure, it's -- it's --

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it's a lot more money than -- than -- than Jet Blue's, but we set a goal for -- Jet Blue agreed to a goal of 22 percent. That's double the ten percent.

Go a little further down. They've already achieved 31 percent. Half would be 15 percent.

So notice the numbers here is doubled for -- for -- for Jet Blue over Southwest.

I certainly think that we could have stretched and built to where we could get to 15 percent.

I think that Southwest was resistant to it, based on the conversation that I have had with them, and -- and -- and we followed in and says, okay, we'll do the ten percent and -- and -- and if you can do better.

We ought to have set the goal higher and if they can't make it, they can't make it, but at least we're letting them stretch to reach it.

I've got to commend Jet Blue for doing what they do. Not often do we have goals set that we go that far ahead of the number. I mean, we're talking about a 30-plus percent increase above the goal that we set for them.

We look at Southwest numbers, and -- and, yeah, I'm told it's early in the -- in -- in -- in -- in -- in the -- in the developmental stage and we'll catch up later, but the ten percent that was set, to date, we've only reached 5.53 percent. Okay? Let's see what happen towards the end, if they're going to go beyond that, because oftentimes what happen is these primes just barely get to the point. They're not stretching to go beyond it. Maybe it's a quarter of a percent above or a percent above, seldomly two percent.

They can do more, I believe, and -- and we ought to push for more.

COMMISSION MINUTES

MAYOR KIAR: Commissioner Wexler.

COMMISSIONER WEXLER: Commissioner Holness fought gallantly for that. And just to refresh our memories, we were told by -- as we would be told by staff. I think the answer was the CBE pool percent just didn't warrant it.

And I'm hoping and I believe that not only did Jet Blue reach and stretch and accommodate the Board's request, but I believe the CBE pool is probably larger now, because staff has been working on identifying more people to be in the pool, which ultimately helps us increase the percentage and be able to defend increasing the percentage.

The --the -- the point that the -- that the Auditor made -- seemed that you and I had a very similar question when I read the PBMI answers last evening -- that it was, okay, here's \$295,000,000, and we're going to increase it \$38,000,000. And this was awarded quite a few years ago. What's been done? Give us an update.

And -- and -- and you did, Mr. Gale. When we met yesterday, I -- you -- you told me that you're going to address moving forward, that within the summary explanation that there be more substantive information for us when we read it, that maybe the PBMI system as far as airport will be obsolete and we'll never have to ask another question, because all the answers will be embedded in the summary explanation.

And that's really what -- you know, he -- he -- he does recognize that and that it was a little weak on information going forward.

So I appreciate that and thank you.

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MAYOR KIAR: With no further speakers, is there a motion to move it?

COMMISSIONER HOLNESS: So moved.

MAYOR KIAR: Is there a second?

COMMISSIONER WEXLER: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show the item passes unanimously.

And I just want to add, I've noticed on the last few items, for the folks in the room in the back, it hasn't had the -- the agenda number has not been on the screen. If -- if that can be remedied, that would be great.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONERS BOGEN AND RYAN WERE NOT PRESENT FOR THE VOTE
AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 65

MAYOR KIAR: We're now moving on to Item Number 65. 65 is a motion to approve the

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**JR/LR/LG/DH/PL
06/07/16
10:00 A.M.**

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third amendment to the addendum to the signatory terminal building lease agreement between Broward County and Jet Blue Airways Corporation.

This was pulled actually by the County Auditor, Mr. Lukic.

MR. LUKIC: I've made my comments relative to 64. It's essentially the same issue.

MAYOR KIAR: That's what I thought.

COMMISSIONER HOLNESS: I move the item.

COMMISSIONER WEXLER: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show the item passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONERS BOGEN AND RYAN WERE NOT PRESENT FOR THE VOTE
AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 66

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MAYOR KIAR: The next item is Item Number 66, which is the motion to approve the settlement agreement between Broward County and Tutor Perini Fort-Lauderdale-Hollywood Venture.

There are no public speakers on the matter.

Is there a motion?

VICE MAYOR SHARIEF: So moved.

MAYOR KIAR: There is a -- Commissioner LaMarca, sure.

COMMISSIONER LAMARCA: So I did have one -- one concern. I know that a lot of work has been done. The staff has been diligently working with -- with our contractor. I understand there were 262 days added to the contract. There was work that was reprogrammed from one phase to another.

I'm mentioning this because there was a -- there was yet another broad-brush article written about this issue, but from an angle that makes it look much different than it really is.

That being said, I have one -- one issue, and I -- I don't know if there's a representative from -- from Tutor Perini here, but if there is, I'd love to ask them a question.

UNIDENTIFIED SPEAKER: There is somebody here.

COMMISSIONER LAMARCA: Please.

MAYOR KIAR: Someone here. And also if I could just remind the folks on the dais, we -- having only eight County Commissioners, we need to have five people on the

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dais at all times. So if we can kind of be (inaudible) of that number -- be careful.

Thank you. Yes.

MR. PETRILLO: Yes, I'm Damon Petrillo from Tutor Perini.

COMMISSIONER LAMARCA: Okay. Damon, welcome.

I -- I need to ask this question and I need to hear you tell me what your thoughts are, because throughout this process this has been a -- I guess we're probably three, four -- four, five years into this -- into this project.

We took -- we took an inaugural flight off the runway in September 18th of 2014. The runway -- runway is done. We all want to move on and I think you guys do as well.

The -- the -- the question I have is with regard to subcontractors. We've heard from a lot of subcontractors on the project, want to be assured that the subcontractors will be paid, and we want to make -- make sure and -- and be as diligent as we can that -- that you will, as the prime, make sure that your subcontractors follow through with their obligations to their subs as well, because I know there's -- there's a lot of folks that have been waiting for this project to be satisfied and, you know, the -- the -- the agreement to be done with the County.

So I'm happy that we're at this point, but I want to make sure that's the case and that it's not to the best of your ability. I know that there may have been some changes along the way, but that -- that these folks are paid a hundred percent.

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MR. PETRILLO: That is the intent.

COMMISSIONER LAMARCA: Okay. Thank you.

VICE MAYOR SHARIEF: With that, I'll move it.

COMMISSIONER HOLNESS: Second.

COMMISSIONER WEXLER: Can I --

MAYOR KIAR: Commissioner Wexler.

MR. PETRILLO: You need me?

COMMISSIONER WEXLER: I don't know who you are. Who are you?

MR. PETRILLO: I was the project manager on the --

COMMISSIONER WEXLER: So do you have the ability to bind the company?

MR. PETRILLO: No.

COMMISSIONER WEXLER: Right. You -- I didn't think so. Okay. So that's nice. I'm glad he answered your question.

COMMISSIONER LAMARCA: I didn't ask him to bind it. I wanted him to go on record and make sure that he -- that he is --

COMMISSIONER WEXLER: He's the project manager.

COMMISSIONER LAMARCA: I understand that but I don't think Jack Tutor or -- or

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anyone else is going to be coming -- coming here to -- to be at this meeting. We need somebody on record to make -- make sure that they'll have that statement.

COMMISSIONER WEXLER: But the statement --

COMMISSIONER LAMARCA: I'm not sure what else we can do.

COMMISSIONER WEXLER: Okay.

COMMISSIONER LAMARCA: I mean, there --

COMMISSIONER WEXLER: Well, that's why I -- that -- that -- that's precisely the poster child for why I'm not supporting this item today. Okay?

The project manager is not high enough in the Tutor Perini organization to have my vote on this particular item.

MR. PETRILLO: Perhaps I can give you --

COMMISSIONER WEXLER: And, no, I do --

MR. PETRILLO: -- my (inaudible).

COMMISSIONER WEXLER: -- not want an answer. I do not --

MR. PETRILLO: Okay.

COMMISSIONER WEXLER: -- want an answer.

There is -- I have met with staff multiple times. I have met with Tutor Perini's

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representatives on -- on projects that you have ongoing with this County.

As far as I am concerned, there is no way that this is going to be -- with my support here today turn into a -- a you -- you owe us millions of dollars and now I'm paying you millions of dollars in a settlement.

So unless there is a real explanation here as to how it morphs into something like that, I'm just going to be a no vote today and I'll leave it at that, unless you prefer that I leave the dais and that'll be okay, too.

MAYOR KIAR: No, no, no, no. Mr. Friedman, did you -- were you --

MR. FRIEDMAN: No.

MAYOR KIAR: Okay.

COMMISSIONER WEXLER: No.

MAYOR KIAR: Does anybody else want to speak on the matter?

Is there a motion to move it?

COMMISSIONER LAMARCA: (Inaudible.)

MAYOR KIAR: Oh, Commissioner LaMarca.

COMMISSIONER LAMARCA: I had a -- a -- a thorough briefing with our Airport Director, and, trust me, if I thought --

COMMISSIONER WEXLER: Had two.

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COMMISSIONER LAMARCA: -- that for one second that the so-called journalism that was out there that said how did this go from this to this, there -- there was a lot of work that was transferred from Phase 1 to Phase -- Phase 2 to Phase 1. There were other things.

Was -- was I concerned about timing? Yes. I was also informed of other delays that -- that we had from the design side of it. So I'm --

COMMISSIONER WEXLER: Correct. Do you want me to go into an explanation? Because I'll be very happy to.

I've had two lengthy briefings with County staff and Legal. And there is enough blame to go around, for sure, and -- and I'm going to try to keep my comments really up here. I really think that that's important at this point in time.

The caveat for me is that for the last number of years with all of the change orders that I have voted in favor of and approved here as a County Commissioner, with that every time Ms. Coffey or Mr. Kerr came to my office, it was don't worry, Commissioner, we are going to recoup. Don't worry, Commissioner, we are going to recoup.

So now, mind you, I'm hearing that and hearing that and hearing that, and I guess I'm supposed to trust it and believe it.

And now, all of a sudden, I have something else that comes forward with a really good explanation. And part of that explanation is is that the County needs to assume part of this responsibility.

And up until this item, that was not the conversation in my office. That was not what played out.

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So unless the County is willing to stand at that podium and assume the reason for why we are now settling this, that we're paying money instead of seeing them in court, then I cannot support this.

So that's where I'm at. I -- they -- they knew it. They've known it. I -- you know, the -- the choice is staff's. If you have the votes, go forward, do it.

But, in good conscience, I cannot support the item today.

But, yes, Commissioner LaMarca, I've had those briefings, and I understand there's more than enough blame to go around, but it seems that more blame is on the Board of County Commissioners or the airport staff out there and our consultants out there, and meanwhile all we do is pay the check.

So that -- that's my problem here.

MAYOR KIAR: Commissioner Holness -- oh, Ms. Henry, can Commissioner Holness then I'll --

MS. HENRY: Go ahead, Commissioner. I'll just wait until you -- you're finished.

COMMISSIONER HOLNESS: Commissioner LaMarca, thanks for bringing that issue up in terms of our subcontractors.

And -- and I'm hoping that they follow through, because I can tell you this, that if these small businesses are punished, in the future, Tutor Perini comes, the support that you'll be looking for from someone like me probably won't be there, because we cannot afford to put our small businesses out of business based on a prime not doing what they ought to do.

Commissioner Wexler, I guess we all had briefings. And when it gets to

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litigation, you never can tell which side's going to win, in most instances.

Listening to our staff and our attorneys go through what occurred and -- and -- and -- and -- and -- and -- and what our chances are of winning, we probably could win, yes, but they weren't sure a hundred percent, because we had some issues on both sides, as was said.

So sometimes you -- you -- you take a gamble and you decide, well, you know, I better take this here than go over there and not be sure of what I'm going to get.

So that is going to be the reason I support it, because I know staff had been working at this diligently for a long time, putting a lot of hours and time into it for us to get to where we are today, with claims and counterclaims being thrown around by both sides.

And I know that we have more that we have to go through with the courthouse, but I'm hoping we'll come to some resolutions on that also. We -- we will have to at some point in time. But if we have to go through the court process, then that's what we do.

I'm going to depend on our -- on our attorneys. And I know that they have taken on fights in the past that they believed strongly that we would prevail, and we've won some and we've lost a couple.

So with that, I -- I'm going to support the item going forward.

And -- and -- and, again, I want to emphasize that I expect that our small businesses will be made whole.

MAYOR KIAR: With that said, Ms. Coffey, did you want to add anything?

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MS. ARMSTRONG COFFEY: I -- I just want to be very clear, without going into a lot of detail, that this settlement does represent a recoupment of a substantial amount of money that is owed the County.

And you all were privately briefed, and I don't want to go into a lot of detail over what could become litigation, but let me just say that the County was withholding a large amount of money, that the County transferred scope of work without transferring time to do the work for which a general contractor or someone like Tutor Perini is entitled to payment.

There is a small window of controverted claims, somewhere between this settlement -- well, actually \$10,000,000 less than this settlement amount and up to \$80,000,000 that Tutor Perini was claiming. So for the County to have an amount of money that it knows that it's owed, which is a portion of that \$19,000,000, and a very -- a relatively small window of controverted claims, and to relieve itself of the risks that Commissioner Holness has described, it is something that, between the County Administration, the Aviation Department, the Auditor, and our office, we thought was worthy of bringing before you.

Having said that, we are always willing to litigate what you do not wish to give up. And I want to be very clear on that today.

This, I believe, is a good settlement and we can go into more detail if you'd like to, but it is a recoupment of a substantial amount of money on behalf of the County, and a release. It does not even release a potential claim that still remains out there.

So it puts an end to the litigation of the airport. In no way does it put an end to anything, any controversy we have over the courthouse, it has nothing to do with that, and we will continue to vigorously represent the County with regard to

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that other matter.

So I -- I hope that clarifies things.

And we have Mr. Kerr, certainly the Auditor, anyone else you would like to ask specific questions about above and beyond what you understood from your briefings.

MAYOR KIAR: So I guess my only question, so as our attorney -- because I understand the concerns that have been raised, but as our attorney for the County, your recommendation, your legal recommendation is that the we approve this settlement?

MS. ARMSTRONG COFFEY: Yes, we believe it's a good settlement.

MAYOR KIAR: Okay. Is there a motion?

VICE MAYOR SHARIEF: It's been moved.

COMMISSIONER HOLNESS: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

COMMISSIONER WEXLER: Nay.

MAYOR KIAR: Show the item passes one, two, three, four, five -- 5 to 1, 5 to 1, 5 to 1.

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VOTE PASSES 5 TO 1 WITH COMMISSIONER WEXLER VOTING NO.

(COMMISSIONERS BOGEN AND RYAN WERE NOT PRESENT FOR THE VOTE
AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 68

MAYOR KIAR: We're now moving on to Item Number 68.

And this is one where it pains me, but I have to give the gavel away.

VICE MAYOR SHARIEF: Oh, good. All right. So let's get this done.

MAYOR KIAR: You have to let me read my statement.

VICE MAYOR SHARIEF: Okay. Hurry up.

COMMISSIONER WEXLER: So you -- you -- you leave the dais, right?

VICE MAYOR SHARIEF: Yeah, he's going to leave the --

COMMISSIONER WEXLER: He can't do it.

MAYOR KIAR: Oh, no, I don't have to leave the dais.

COMMISSIONER WEXLER: I can't go to --

MAYOR KIAR: I can stay on the dais, they said.

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COMMISSIONER WEXLER: Do you count as a quorum?

MAYOR KIAR: Oh, I can't vote though, so --

COMMISSIONER WEXLER: Yeah (inaudible).

VICE MAYOR SHARIEF: Yeah.

UNIDENTIFIED SPEAKER: (Inaudible.)

VICE MAYOR SHARIEF: We have five.

MAYOR KIAR: So I'm part of --

MS. ARMSTRONG COFFEY: You're part of the quorum.

MAYOR KIAR: Yeah, but it can't pass without 5.

COMMISSIONER WEXLER: Four that can vote.

MAYOR KIAR: Yeah, so it needs --

COMMISSIONER WEXLER: I have to go to the ladies' room.

VICE MAYOR SHARIEF: Okay. So I'll take a brief --

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER WEXLER: Can we take a few minutes?

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VICE MAYOR SHARIEF: -- I'll take a brief -- a brief couple minutes. Give me the gavel.

COMMISSIONER WEXLER: Thank you.

VICE MAYOR SHARIEF: Bye-bye. Go there for two minutes.

MAYOR KIAR: No, no, no, no, no, give me that back. Give me that back.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: So we'll just hang for a few moments. Let's see --

VICE MAYOR SHARIEF: Is there -- is there some kind of pill for that?

MAYOR KIAR: Yeah.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Well, you know, this is -- this is different.

Ms. Henry, how's life treating you? Pretty good?

MS. ARMSTRONG COFFEY: Mayor, may -- Mayor --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Yes.

MS. ARMSTRONG COFFEY: -- on behalf of the --

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MS. HENRY: Never better.

MS. ARMSTRONG COFFEY: -- County reporter, could we take a three-minute break?

MAYOR KIAR: Yes, let's --

VICE MAYOR SHARIEF: Yes.

MAYOR KIAR: -- take a three minute break.

UNIDENTIFIED SPEAKERS: (Inaudible.)

VICE MAYOR SHARIEF: I second that motion.

(THE MEETING RECESSED AT 4:06 P.M. AND RECONVENED AT 4:18 P.M.)

MAYOR KIAR: All right, everybody. We are now re-bringing our meeting back up. And I am going to give the gavel over to Vice Mayor Sharief.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Oh, wait, we don't have an Administrator. Never mind. Keep on doing what you're doing. We'll see you in a few minutes.

UNIDENTIFIED SPEAKER: Monica.

UNIDENTIFIED SPEAKER: Monica.

VICE MAYOR SHARIEF: Monica is there.

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MAYOR KIAR: We've got Monica. We're back on. Take the gavel back.

I'm going to -- I'm going to --

VICE MAYOR SHARIEF: (Inaudible.)

MAYOR KIAR: -- I'm going to read my statement real fast.

Item Number 68 is a motion to appoint a Commissioner to serve on the Value Adjustment Board.

My father is the VAB attorney.

While I have no information suggesting he would gain in any way through this item, in an abundance of caution and to avoid even the appearance of a voting conflict, I am going to abstain.

Because I have no actual conflict, I will remain on the dais for this item, but will not participate in the discussion.

I ask that the minutes of meeting please reflect that I have abstained from voting on this item.

I have previously handed the gavel to Vice Mayor Sharief.

Thank you.

VICE MAYOR SHARIEF: Are you going to stay?

MAYOR KIAR: I am going to stay.

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UNIDENTIFIED SPEAKER: He is.

VICE MAYOR SHARIEF: Okay.

MAYOR KIAR: I'm just going to hang and relax.

VICE MAYOR SHARIEF: Okay. So at this point in time, I am the Vice Chair of the Value Adjustment Board, which of course now I'll become the Chair, and I have decided that since Mark Bogen has not been as active as I'd like him to be, I am going to nominate Commissioner Bogen to be the Vice Chair or the fill-in for the -- on the County Commission for the Value Adjustment Board. He'll be the next member of the Value Adjustment Board for the County Commission. And he was already the alternate.

And then because Beam Furr drew the short straw last time --

(COMMISSIONER RYAN RETURNED TO THE ROOM.)

UNIDENTIFIED SPEAKER: (Inaudible.)

VICE MAYOR SHARIEF: -- I'm going to give Tim Ryan the alternate.

COMMISSIONER RYAN: No, thank you.

Vice Mayor Sharief, Madam Chair --

VICE MAYOR SHARIEF: Yes, you --

COMMISSIONER RYAN: -- Commissioner Bogen, are you on? Are you on?

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VICE MAYOR SHARIEF: Second the motion.

COMMISSIONER RYAN: He's not here. He's not here. Then I second the motion.

VICE MAYOR SHARIEF: Second the motion.

(Laughter.)

VICE MAYOR SHARIEF: Okay. There you go. So I have a -- a -- a motion on the floor.

COMMISSIONER WEXLER: I'll move it. Are you -- you want to move it as the Chair?

VICE MAYOR SHARIEF: I can't. But you --

COMMISSIONER RYAN: You can't.

COMMISSIONER WEXLER: I'll move it.

COMMISSIONER RYAN: So --

COMMISSIONER WEXLER: He seconded it.

VICE MAYOR SHARIEF: Okay.

COMMISSIONER RYAN: -- so --

VICE MAYOR SHARIEF: Perfect.

All in favor, signify by saying aye.

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All opposed?

VOTE PASSES 6 TO 0 WITH MAYOR KIAR ABSTAINING FROM THE VOTE.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

VICE MAYOR SHARIEF: Let the record show when Bogen comes back --

UNIDENTIFIED SPEAKER: (Inaudible.)

VICE MAYOR SHARIEF: -- he needs to get to work.

Thank you.

COMMISSIONER RYAN: All right.

VICE MAYOR SHARIEF: Give the gavel back to you.

COMMISSIONER RYAN: Don't -- don't give the gavel --

MAYOR KIAR: I took the gavel back.

COMMISSIONER RYAN: -- back to Marty.

VICE MAYOR SHARIEF: (Inaudible.)

MAYOR KIAR: I went through withdrawal without it, you know.

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All right. The next one, we are now on Item Number 69, which has been sponsored by Commissioner Holness.

COMMISSIONER RYAN: Mr. Mayor, before you --

MAYOR KIAR: Yes.

COMMISSIONER RYAN: -- proceed, would you --

MAYOR KIAR: Of course.

COMMISSIONER RYAN: -- indicate a yes vote for me on Items 60, 61, 64, 65, and 66?

MAYOR KIAR: Please let the record show a yes vote on those items.

COMMISSIONER RYAN: Thank you.

AGENDA ITEM 69

MAYOR KIAR: We're now on to Item Number 69, which is sponsored by Commissioner Holness. And this pertains to an additional senior exemption.

Commissioner Holness.

COMMISSIONER HOLNESS: Thank you very much, Mayor.

Many of our seniors have low income. They have worked hard. They've

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helped to build our community, our nation, and deserve to stay in their homes for as long as they can.

I was out at a homeowners' association meeting and there was a senior who makes \$11,000 a year. She would benefit from this. She needs a good amount of repairs on her home, but can't afford to have even property insurance. She could benefit from a repair program that the City of Fort Lauderdale has, but she has to have the insurance in order to benefit from that.

These are the kind of people that this will benefit. It's not a whole lot of money individually, but if you make \$11,000 a year and you can get an extra 500, that's a significant amount of money that this person would have in order to help ensure she can get her medicines and have funds to have a good meal and to stay in her home so she doesn't have to be moved out.

That's the reason I bring this forward.

It's quite targeted. And the impact it will have on a -- our budget, where we will see as much as \$67,000,000 increase this year from our -- in our General Fund is going to be \$1,230,000 out of a \$67,000,000 increase.

I think this is something that we ought to look to ensure.

Now, it doesn't necessarily cover every single person, but our senior population, if you're 70, 80 years old, you're not going to go out and get a job. That's going to be difficult. Some of our younger families, yes, could probably use some -- use some break also, but they have the potential for greater earning than someone who is already in their retirement years.

So I -- I urge you to support this item. There are other cities who have put this in place, at least one portion of it. Miramar has. Oakland Park has, Pompano

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Beach, Sunrise, and Dania.

Thank you.

MAYOR KIAR: Thank you.

There are no public speakers.

Commissioner Wexler.

COMMISSIONER WEXLER: I just wanted to ask, I'm -- I'm more apt to support your Motion A --

COMMISSIONER HOLNESS: Yes.

COMMISSIONER WEXLER: -- than I am to support Motion B. But you were speaking about both of them? Or you were just speaking about A?

COMMISSIONER HOLNESS: On -- on both of them. The total amount would be -- if we had both adopted, it would be 1,230,000 for both items.

COMMISSIONER WEXLER: I don't think so. I -- I thought that --

COMMISSIONER HOLNESS: Well, Ms. Olsen --

COMMISSIONER WEXLER: -- I thought that what --

COMMISSIONER HOLNESS: -- is here and probably --

COMMISSIONER WEXLER: -- I --

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COMMISSIONER HOLNESS: -- or someone from our staff.

COMMISSIONER WEXLER: -- I'm reading the answer here and Motion A is about a 1.1 million dollar loss --

COMMISSIONER HOLNESS: Yes.

COMMISSIONER WEXLER: -- for next year, which, okay. But I didn't think they were able to actually give us an amount on Motion B.

COMMISSIONER HOLNESS: They did. It's in there. It's one -- it's \$1,130,000 if both of them are passed together.

If only the second portion is passed, then it's \$337,000.

Would you --

MS. GELMAN: Yes, Marci Gelman, Office of Management and Budget.

If -- if the Motion B passes alone, the impact would be about \$337,000.

If -- if Motion A passes and then we layer Motion B on top, then the impact is only \$113,000 on top of the million one.

COMMISSIONER WEXLER: Okay. So 1.1 million plus 100,000 --

MS. GELMAN: Right.

COMMISSIONER WEXLER: -- if both pass.

COMMISSIONER HOLNESS: Yes.

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MS. GELMAN: Yes.

COMMISSIONER WEXLER: So it would be 1.2 million, about --

COMMISSIONER HOLNESS: Yes.

COMMISSIONER WEXLER: -- if they --

COMMISSIONER HOLNESS: Correct.

COMMISSIONER WEXLER: -- both pass?

COMMISSIONER HOLNESS: Correct.

COMMISSIONER WEXLER: Okay. You're able to get your -- where did I -- I read this somewhere in your stuff --

MS. GELMAN: I think you're thinking of the original --

COMMISSIONER WEXLER: No, let me --

MS. GELMAN: -- memo --

COMMISSIONER WEXLER: -- let me -- all right.

MS. GELMAN: -- (inaudible).

COMMISSIONER WEXLER: But let me tell you what -- what I'm thinking, that I had seen somewhere that you were able to actually quantify how many people, because of the current 25 to 50,000 that they're able to get. So that was easy.

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But getting your arms around those that owned their home, they have to have --

MS. GELMAN: For the 25, yes.

COMMISSIONER WEXLER: Yes, for the --

COMMISSIONER HOLNESS: Yes.

MS. GELMAN: Yes, originally (inaudible).

COMMISSIONER WEXLER: That's what you had told --

MS. GELMAN: Well, a few months ago, before -- before the --

UNIDENTIFIED SPEAKERS: (Inaudible.)

MS. GELMAN: -- this agenda item, when the issue first came up for discussion and we didn't have the data, our memo said what you just indicated.

COMMISSIONER WEXLER: Exactly. So now where'd --

MS. GELMAN: And since then --

COMMISSIONER WEXLER: -- you get the data?

MS. GELMAN: The Property Appraiser.

COMMISSIONER WEXLER: So the majority of Broward County residents do not own their home for 25 years and meet that criteria?

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MS. GELMAN: Very -- very few people fall into the --

COMMISSIONER WEXLER: How many?

MS. GELMAN: -- income --

COMMISSIONER HOLNESS: 1,002, estimated amount.

MS. GELMAN: People. Now -- now, keep in mind that these are only people who currently qualify for the first \$25,000. So that's why in the memo we qualify it by saying that there could be more people in the future that -- that apply for -- that we have -- we can't really predict into the future, but this is based on who qualifies right now countywide.

COMMISSIONER WEXLER: Well, that's a very, very tiny number of people. Okay.

Thank you.

COMMISSIONER HOLNESS: Thank you.

MS. GELMAN: Okay.

COMMISSIONER WEXLER: Yeah, I -- that was the memo, the first memo.

MS. GELMAN: Right. Yeah, that's what you're referring to.

COMMISSIONER WEXLER: Just from --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER WEXLER: -- not too long ago that you --

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MS. GELMAN: It was a few -- yeah, a few months ago.

COMMISSIONER WEXLER: Yeah. Thank you.

MAYOR KIAR: Commissioner LaMarca.

COMMISSIONER LAMARCA: \$67,000,000 and we just got out of a budget workshop and everybody was shaking their head about one percent tax cut for everybody.

Commissioner Holness, I understand the targeted and, as Commissioner Beam said, a surgical strike. I get it.

But I also still -- I'm still wrestling with -- and -- and how is this not going to benefit someone who has been in their house or condominium for 25 years-plus, who has literally no income but has significant assets to live off of --

COMMISSIONER WEXLER: That's the problem.

COMMISSIONER LAMARCA: -- in their home? Is there a -- is there a way that -- where's Marci? Is there a way that we can check? I mean, how -- how -- how do you do that other than -- I mean, how are you checking income --

COMMISSIONER HOLNESS: Well --

COMMISSIONER LAMARCA: -- other than income, how are you checking assets?

COMMISSIONER HOLNESS: -- I -- I -- it -- this is income -- the state requires income, and if they have a substantial amount of money, they're going to earn some money on that money.

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UNIDENTIFIED SPEAKER: No, (inaudible).

COMMISSIONER HOLNESS: And if they --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER HOLNESS: -- and if they -- if they don't, if they -- if they earn the money and don't disclose that they do, our current Property Appraiser has been quite aggressive in -- in -- in finding folks who utilize fraud in order to get the benefits.

So I'm sure that that can be done and I think anyone who does that risk themselves being in trouble with -- with -- with our laws.

COMMISSIONER LAMARCA: Okay. So that -- I appreciate that, but that didn't -- Commissioner -- or Property Appraiser Parrish has been very diligent and -- and having her staff, and that's why I believe that she needed additional inspectors and investigators to hunt down homestead fraud.

That is not going to tell me if somebody has got cash under their mattress and they don't have anything in the bank. And as much as we had that conversation last time, you said that's probably not the case, I would beg to differ that that's probably the case with a lot of folks who are in their 70s and 80s living in a -- a condominium in a probably good situation, but if they went through more than what we just went through in the -- in the Great Recession, maybe they went through the depression, they don't want to -- they want to -- don't want to deal with certain financial instruments.

I don't -- you know, I don't know how you police this and I don't know how you do the -- the -- the outside of the income piece. I don't see how you identify who really is going to benefit from this.

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COMMISSIONER HOLNESS: Well, as with any rules, laws, or regulations, there are people who will find ways to circumvent it. And we can't make rules and regulations just based on those who -- those very few who might do something to -- to break the rules.

And I -- I don't know anyone that has a substantial amount of money in their mattress. I think most people today are utilizing the banking system.

COMMISSIONER LAMARCA: Really? After the downturn we just had, a lot of people don't trust the banks.

COMMISSIONER HOLNESS: Well, I don't know anyone --

COMMISSIONER LAMARCA: Let me -- let me --

COMMISSIONER HOLNESS: -- who's --

COMMISSIONER LAMARCA: -- let me --

COMMISSIONER HOLNESS: -- got money sitting around in cash --

COMMISSIONER LAMARCA: -- so --

COMMISSIONER HOLNESS: -- in their --

COMMISSIONER LAMARCA: -- so let me go --

COMMISSIONER HOLNESS: -- mattress or in their backyard.

COMMISSIONER LAMARCA: All right. So let me go back. You -- you were talking

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about --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: -- you were talking about people doing the wrong thing.

COMMISSIONER HOLNESS: (Inaudible.)

COMMISSIONER LAMARCA: I never said anything about people doing the wrong thing. I'm talking about people who just don't have an income, who have a \$249,000 condominium somewhere along the -- the coast, and they can apply for this and they can -- and they can get this, just like somebody can -- can apply for other things.

I -- what -- what I just said doesn't break any of the rules that you've laid out. It doesn't -- if they don't have an income, they're going to -- they're going to get this added benefit. And those are -- those are people who are using our services, using our -- our valuable resources that -- that we talked about, and they can -- they can -- you know, it's amazing to me that we can sit in the -- have a conversation about cutting the millage rate one percent --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: -- and --

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER LAMARCA: -- we can -- we can talk about not supporting one percent when our budget has grown just -- just in the last six years from 3.3 billion dollars to 4.2 billion dollars, and we can't -- we can't consider an \$8,000,000 tax cut for everybody, families, kids, and everyone in between.

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So I think this is -- I think, as always, you're well intentioned --

COMMISSIONER HOLNESS: Yeah.

COMMISSIONER LAMARCA: -- but I think this -- this is not going -- this is not addressing the bigger issue, and there are 2,000,000 people in this County.

COMMISSIONER HOLNESS: All right. Since this is addressed to me, the -- the -- the issue here is do we not do good because a few might --

MAYOR KIAR: (Inaudible.) You want to speak again?

COMMISSIONER WEXLER: He said what I (inaudible).

COMMISSIONER HOLNESS: -- benefit --

MAYOR KIAR: I'll put you, just in case.

COMMISSIONER HOLNESS: -- from something when the vast majority of people who really are in need --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: -- would benefit from it.

And also this represents 1,200,000. A one percent cut is in excess of \$8,000,000.

UNIDENTIFIED SPEAKERS: (Inaudible.)

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COMMISSIONER HOLNESS: So this is a small amount compared to that one percent.

MAYOR KIAR: Commissioner Furr.

COMMISSIONER FURR: Thank you.

As I had mentioned at the budget workshop, I am going to support this, because I do think it is a very targeted part and -- and I -- I know a lot more people that are just living on Social Security. And I -- I'm there will be some exceptions to this, but I think, by -- by and large, I think we've seen with the demographics and we've seen from the accounting of how many people are only living on Social Security these days, how -- who have not -- who don't have an additional income at all. And I think this is targeted toward them.

And I think for the amount of money that this will be diverted from the General Fund, I think it -- I think is -- I think it's worth it.

I'm -- as I've already said, I don't -- I didn't want to go do an overall -- I didn't want to roll back the rate as an overall, but when you -- when I -- when it can be targeted this precisely, and I think this is very precise, then I think it -- it's fitting, and I'm going to support it.

MAYOR KIAR: Commissioner Ryan.

COMMISSIONER RYAN: I'm drawing a distinction between Part A and Part B. The additional \$25,000 is a exemption for a senior citizen that makes -- meets the income requirements.

I have a problem with the income requirements, but the 25,000 additional exemption, I think that kind of offsets the concerns I have, which is somebody can have a lot of money and you just don't earn much money in the market or --

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or a lot of people, especially when they're older, get more conservative investments, which means it's a guaranteed income and it's -- you know, quite frequently doesn't rise to the level of 28,000 annually.

When you -- when you take it to Part B, which is an unlimited exemption for a senior that's lived in the house for 25 years as long as the house has a value up to 250,000, I mean, now you're talking about -- about a -- what, about \$175,000 that you can exempt from ad valorem taxes.

Even though the fiscal note says approximately 337,000 for that second exemption as opposed to 1.1 million for the first, it also indicates that 10,000 people benefit from your \$25,000 exemption, whereas on the second exemption, approximately 2189 people, so it's a much smaller number. And the amount of savings from taxes on that second exemption, which is unlimited up to the \$250,000 value, is -- is much larger.

Again, it's the concern about you can have a lot of money and not reach the \$28,000 threshold. Also, what people frequently do is they transfer money into a irrevocable trust or to a relative or to children and this and that, for various estate planning. Frequently they do that so that they will be eligible for certain benefits in the event that they can, you know, not provide for long-term care or whatever.

There's a lot of reasons why it's done, and I don't want under those situations to have what I consider to be an unfair treatment of -- of taxpayers.

So I'll -- I'll support Part A, but I'm going to vote against Part B.

MAYOR KIAR: Commissioner Wexler, did you want to --

UNIDENTIFIED SPEAKER: (Inaudible.)

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COMMISSIONER WEXLER: Yeah, and I'm kind of where Commissioner Ryan is. I'm -
- I'm much more comfortable with A, but it's the elements in B.

As people age, a lot of them also consider different financial situations, and many times those financial situations take moving assets away from them personally, and they wind up in the name of their children, as well as very conservative investments.

Someone who I know quite well who lives in another county gets a lot of these deductions. And the value of the home is now probably about \$150,000, and it's a meager three-bedroom, one-bath home. And I'm sure that in another five or six years, the value will continue going up just like everyone else's.

But looking at the number of what you've proposed to us today of \$250,000 for the value of one's real estate or residence, I think is, for me, a bit on the high side.

UNIDENTIFIED SPEAKER: Uh-huh.

COMMISSIONER WEXLER: And -- and that causes me some concern.

I'm -- I'm also -- getting my arms around -- just because you have a \$28,000 a year earning doesn't necessarily mean that you are -- that you don't have resources. And -- and -- but that doesn't mean that there aren't a lot of people that only have that and far less and really could use our help.

And so, for me, I'm willing to do half a loaf here and I'm fully in support of the first one, A.

I'm very hesitant about moving forward on B. Even though it's a microcosm of

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A, I can actually -- I know why I'm doing A. I -- I know why, and the qualifiers are much clearer to me than B.

So that's where I am.

Thank you.

MAYOR KIAR: Commissioner Sharief. Vice Mayor Sharief.

VICE MAYOR SHARIEF: Well, I guess when this item first came up, we talked about finding out what the actual costs were going to be and pinpointing that, because while 1.2 million dollars doesn't sound like a significant amount when you talk about a \$67,000,000 increase, it's still -- we have lots of other things to consider.

And, while I -- I support it on its face, I don't know if necessarily it has been thought through as much as I would have liked it to have been.

I do agree with some of Commissioner LaMarca's points in that there are some people out there that are going to be able to benefit from this that really don't need it or -- or, you know, we could be using that other ways.

So I mean, I'm a bit torn on this one. And I was hoping that we'd have some more opportunity to kind of, you know, go through and -- and --

UNIDENTIFIED SPEAKER: (Inaudible.)

VICE MAYOR SHARIEF: -- have staff really analyze this and get down to what it's going to cost. I -- I might support both of them.

But to have it here today, I just -- in this form, I don't think it's -- I can't -- I -- I

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don't think I'm in a position to really say yes or no, because I just feel like it needs some more thought and it needs to -- you know, it needs some more work.

So I would like to see it through the budget -- you know, see it through the budget process and hopefully have staff give us some more concrete answers as far as what the costs are and who it's actually going to affect, because I -- I really don't see that here today.

So that's my opinion.

MAYOR KIAR: I just have a couple questions and then I'll let Commissioner Holness close.

Ms. Coffey, I know on Item B, ultimately it would be a majority of one plus -- a majority plus one vote, super majority. Today is not a super majority, though, right, because it's just to set it for Public Hearing?

MS. ARMSTRONG COFFEY: Correct.

MAYOR KIAR: Okay. So my suggestion -- and, you know, we need five votes to set each one for Public Hearing. For me, this is kind of interesting. I think -- I'm thinking about this. I actually think I was one of the sponsors of this -- these when I was the Legislature. Now I have the opportunity to vote on it now. It's kind of interesting to me.

But, you know, I mean, the -- it's to set them for Public Hearings in August 16, 2016.

I think a number of questions have been raised by folks, and some concerns have been raised. I know I listened to Vice Mayor Sharief, and she has some

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concerns, and she'd like staff to research it.

And so my suggestion is -- is they're just notices to set them for Public Hearing. Why don't we put them both through, set them for Public Hearing on August 16th, and then, hopefully, a lot of the concerns that folks have raised can be alleviated by that time.

So, you know, I would support moving both of them to the Public Hearing for August 16th.

Commissioner Holness, would you like to close?

COMMISSIONER HOLNESS: Yes. For one, the item will be back for us to vote on. There is time for you to -- to get additional information if you choose to do so.

And though this question as to the 250,000, that is the maximum value that could qualify. I -- I guarantee you that that won't be the average value. It will be much less than that. And that's something that maybe I can get some help with from staff to come back and show you that the -- the -- the most people that will be benefitting from this don't have \$250,000 houses. It's maybe a few, very, very small amount.

And, again, that is only targeting an additional thousand beyond those who would qualify for the first portion of it.

It's -- it's not a tremendous amount of folks. It's not a whole lot of money. But for those people who will get this benefit, it's going to be meaningful. It will benefit them tremendously.

So I -- I urge you to go ahead and let us move this forward.

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What I'd like to -- to probably do is -- is -- is add -- I thought I had some language somewhere -- that it would be at the August 16th or if we have a Public Hearing -- I know there's conversation about having another meeting in -- or at the next Public Hearing meeting that we would have.

MAYOR KIAR: Okay. Commissioner Holness, real fast, Ms. Coffey --

COMMISSIONER HOLNESS: I'd like to amend it that way --

MAYOR KIAR: -- (inaudible) to --

COMMISSIONER HOLNESS: -- if -- yeah.

MAYOR KIAR: -- to speak.

MS. ARMSTRONG COFFEY: Actually, that -- this goes directly to Commissioner Holness's question. Your additional material actually would change the hearing date to the earlier of --

COMMISSIONER HOLNESS: Yeah.

MS. ARMSTRONG COFFEY: -- August 16th or --

UNIDENTIFIED SPEAKER: Okay.

MS. ARMSTRONG COFFEY: -- if we have a Public Hearing before the break.

COMMISSIONER HOLNESS: Right.

MS. ARMSTRONG COFFEY: If it's the will of the Board to put it off until August 16th, you should not adopt the additional material.

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If Commissioner Holness's -- this was his suggestion. If you want to have it really soon, which would be the 22nd --

COMMISSIONER HOLNESS: If we --

MS. ARMSTRONG COFFEY: -- then you should adopt the --

COMMISSIONER HOLNESS: -- have a Public Hearing on that date.

MS. ARMSTRONG COFFEY: -- additional material. But make sure --

COMMISSIONER WEXLER: The 22nd of what?

MS. ARMSTRONG COFFEY: June.

COMMISSIONER HOLNESS: Yeah.

VICE MAYOR SHARIEF: Oh.

MS. ARMSTRONG COFFEY: There's -- there was a --

MAYOR KIAR: (Inaudible.)

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER HOLNESS: We can --

MAYOR KIAR: No, that -- that was -- that's the -- --

UNIDENTIFIED SPEAKER: (Inaudible.)

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MAYOR KIAR: -- not on the 22nd.

COMMISSIONER HOLNESS: There was a conversation.

MAYOR KIAR: What happened was we were -- we left it open at the next meeting to determine whether or not we were going to --

UNIDENTIFIED SPEAKER: That's what I thought.

MAYOR KIAR: Right. And then --

COMMISSIONER HOLNESS: Okay.

MAYOR KIAR: -- the 22nd was going to be that day.

COMMISSIONER WEXLER: (Inaudible.)

VICE MAYOR SHARIEF: We don't think we're going to do it then.

MAYOR KIAR: But -- but I have to say --

COMMISSIONER HOLNESS: So --

MAYOR KIAR: -- though, I mean, I -- I kind -- oh, I'm sorry, I'm sorry, Dale.

COMMISSIONER HOLNESS: Go ahead.

MAYOR KIAR: I was just going to say I -- I -- truthfully, seeing how long today is going and seeing what we have coming up, I -- I hope that -- it would be nice if -- right now if we can direct the Administrator to -- to have -- to set one more meeting

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and Public Hearing so that we can really -- and -- and I think that's good, as well, because these are very complicated issues, and, you know, it's important that we're on our full game by the time that's over.

So can we actually have that meeting? Would -- is there a consensus up here to have that meeting?

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: On the 22nd.

COMMISSIONER HOLNESS: 22nd. Not the 23rd.

MAYOR KIAR: You can do the 22nd. Yeah --

UNIDENTIFIED SPEAKER: Yeah.

UNIDENTIFIED SPEAKER: Yes.

MAYOR KIAR: The 22nd was the day we could do it.

UNIDENTIFIED SPEAKER: Yes.

COMMISSIONER HOLNESS: Yes.

MAYOR KIAR: So there is consensus for it, so we're actually going to add a meeting for the 22nd. We can make it a Public Hearing, as well so this can actually be on that. There -- I think there's enough time for it. And -- and that'll also give, Ms. Henry, you the ability to make next week's agenda much lighter.

VICE MAYOR SHARIEF: Oh, come on. Martin.

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COMMISSIONER RYAN: Not -- not much lighter.

VICE MAYOR SHARIEF: (Inaudible.)

MAYOR KIAR: Not much lighter, but lighter.

COMMISSIONER WEXLER: Yeah, right.

MAYOR KIAR: Lighter, though.

VICE MAYOR SHARIEF: It's always heavy when we get ready to go on break.

MAYOR KIAR: Yeah, but this -- these are -- these have been, heavy, heavy. After -- this is a way to --

VICE MAYOR SHARIEF: But you're just -- you're just prolonging the heavy. It's going to --

MAYOR KIAR: I think it's --

VICE MAYOR SHARIEF: -- still be there.

MAYOR KIAR: -- I know, but I think it is -- it will alleviate some of what we have to deal with next week.

So I think there's been consensus on that.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Commissioner Holness.

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COMMISSIONER HOLNESS: Yes, so if I may make the motion --

VICE MAYOR SHARIEF: (Inaudible.) I mean, I don't care. (Inaudible.)

COMMISSIONER HOLNESS: -- that we adopt -- that both A and B be set for August 16, or if we are able to have a meeting earlier, a Public Hearing meeting, that that be for that date.

MAYOR KIAR: Definitely. And before we do it, we have --

COMMISSIONER RYAN: Yeah.

MAYOR KIAR: -- Mayor Ryan -- Commissioner Ryan.

COMMISSIONER RYAN: Thank you very much.

MAYOR KIAR: There's lots of mayors up here, everybody.

COMMISSIONER RYAN: I'm going to make a substitute motion, because --

MAYOR KIAR: Sorry.

COMMISSIONER RYAN: -- you have support for A. There's some members that have publicly said that they don't support B.

So why don't we do this?

COMMISSIONER HOLNESS: You can (inaudible) the substitute when we have the public --

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COMMISSIONER RYAN: (Inaudible.)

COMMISSIONER HOLNESS: -- you can --

COMMISSIONER RYAN: Well, hear me out first.

COMMISSIONER HOLNESS: Yeah.

COMMISSIONER RYAN: That you can vote right now for your Item 69 A and then get that passed, and then we'll take up 69 B.

So can you -- will you -- will you accept a substitute where -- where you'll bring 69 A forward?

COMMISSIONER HOLNESS: We -- we can do that, but usually --

COMMISSIONER RYAN: Yes.

COMMISSIONER HOLNESS: -- usually you don't vote against an item for set for Public Hearing.

COMMISSIONER WEXLER: Sure you do. I've had that done to me.

COMMISSIONER RYAN: It -- it -- it -- it'll happen.

COMMISSIONER HOLNESS: But -- but --

COMMISSIONER RYAN: If you don't have the support today --

COMMISSIONER HOLNESS: -- (inaudible) --

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COMMISSIONER RYAN: -- (inaudible) you have support --

COMMISSIONER HOLNESS: No, no. Let me --

COMMISSIONER RYAN: -- in two weeks.

COMMISSIONER HOLNESS: -- let me finish, please. Because you have the -- the -- the ability when it comes back to vote against it if you so choose.

But in -- in -- in -- in -- in -- in -- in -- in -- in -- in -- in -- in -- in an effort to be collegial, let me bifurcate and --

COMMISSIONER RYAN: All right.

COMMISSIONER HOLNESS: -- and have Motion A be -- go forward as -- as I stated in (inaudible).

COMMISSIONER RYAN: I second that motion.

COMMISSIONER HOLNESS: Okay.

MAYOR KIAR: There's been a motion and a second to move Number A or letter A.

Is -- all in favor, signify by saying aye.

All opposed?

Show that moves forward to the public -- to the next available Public Hearing.

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VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

MAYOR KIAR: Commissioner Holness.

COMMISSIONER HOLNESS: And -- AND then I also would move Item B and -- and hope that you can continue the debate and let this go forward to August 16 or a date earlier if we have a Public Hearing --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER HOLNESS: -- and then you can -- June 22nd if that's the date that we have set.

MAYOR KIAR: Is there a second?

I'm going to give this over and make a second then.

I make -- I second.

COMMISSIONER HOLNESS: Thank you.

MAYOR KIAR: I'll take it back.

There's been a motion and a second.

All in --

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(Laughter.)

MAYOR KIAR: -- all in favor, signify by saying aye.

All opposed?

Show it -- show the item fail -- fails -- fails.

So we -- so Item A moves forward. Item B has failed.

VOTE FAILS 2 TO 5 WITH VICE MAYOR SHARIEF, COMMISSIONERS FURR, LAMARCA, RYAN AND WEXLER VOTING NO.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 70

MAYOR KIAR: Now we're moving on to item Number 71, which is a motion -- wait a minute. No, Item Number 70.

COMMISSIONER RYAN: Yeah, we skipped 70.

MAYOR KIAR: I know. Yeah, I almost -- so I apologize to everybody in the audience.

Item Number 70 is the PACE initiative.

And there are a number of public speakers on PACE --

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**JR/LR/LG/DH/PL
06/07/16
10:00 A.M.**

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UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: -- and so I'm going to give them the opportunity to speak first.

COMMISSIONER RYAN: (Inaudible) have staff introduce it first?

MAYOR KIAR: I can do that, actually. You know, before we actually go to public speakers, let me have staff introduce the item, either Mr. Cohen or -- or Dr. Jurado, either -- either one.

UNIDENTIFIED SPEAKER: (Inaudible.)

DR. JURADO: Mayor, Vice Mayor, Commissioners --

MAYOR KIAR: Dr. Jurado.

DR. JURADO: -- the item that's presented to you today is one that you have, I think, followed for several years. It's the result of many years of the Commission's interest in exploring energy efficiency finance strategies to help support energy improvements, conservation strategies, and renewable energy projects within Broward County.

You may recall that we went through an RFP in 2012, and ultimately the Board had directed us to terminate that RFP but to go ahead and move forward with contract negotiations to help advance PACE in Broward County.

(VICE MAYOR SHARIEF LEFT THE ROOM.)

DR. JURADO: But prior to being able to advance those items for your consideration, the item today is the establishment or request to establish a Public Hearing to

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create within Admin Code PACE policy provisions that would provide the foundation for PACE policy implementation and our interactions with providers within Broward County for the delivery of a comprehensive placed program services for our residents and property owners, both residential and commercial.

The provisions that are presented to you are designed to provide consumer protections at a heightened level and ensure that any PACE program providers that would ultimately work within Broward County would -- would need to adhere to at least one of the provisions that are detailed within the resolution itself, including caps on the amount of projects relative to the property's assessed value, also caps on the total amount of PACE program assessments relative to annual income.

Another option also provides for mortgage provider consent and/or the agreement to escrow the annual PACE assessment.

And then, finally, the third provision for consumer protections would be a demonstration that the annual PACE assessment would not exceed the amount of annual savings or energy cost savings to -- excuse me, the annual savings to be derived either through reduced insurance premiums or energy cost savings associated with the project itself.

So in addition to the request to move forward with this item for setting a Public Hearing at next week's Commission meeting, we would also intend to bring forward an item next week which would be a PACE authorizing memo. That memo itself would -- or, excuse me, resolution, and the resolution itself would -- would also provide the authority for advancing with contract agreements with the two initially identified PACE program providers, while also directing staff to pursue negotiations, or at least authorizing staff to pursue negotiations with other qualified program vendors, as well as we're working to set up a process

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for what that vetting would look like.

So that's what we would like to present today. It really a two-step process.

And we're here, of course, to answer any of your questions.

Thank you.

MAYOR KIAR: Thank you, Dr. Jurado.

We have a number of speakers that have signed up to speak on the matter.

(VICE MAYOR SHARIEF RETURNED TO THE ROOM.)

MAYOR KIAR: The first is Ralph Perez from Ygrene. Mr. Perez. It's good to see you.

MR. PEREZ: Rafael Perez, Ygrene.

(COMMISSIONER RYAN LEFT THE ROOM.)

MR. PEREZ: Mayor, Vice Mayor, Commissioners, I just want to -- I'm here to thank you.

(VICE MAYOR SHARIEF LEFT THE ROOM.)

MR. PEREZ: Commissioner Wexler back in November revived PACE after three years of -- of -- of it -- it being on life support and I really just want to thank the County Attorney's Office, Jennifer Allen, Mike Owens for -- for these negotiations.

Yes, it's been since November, but -- but we're ready. We're ready to serve this community. There's a lot of (inaudible) demand. There's a lot of individual

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property owners that need this, although nine cities have already adopted this in -- in Broward County and we've done over \$10,000,000 in Broward County funded projects in the last less than a year.

(VICE MAYOR SHARIEF RETURNED TO THE ROOM.)

(COMMISSIONER FURR LEFT THE ROOM.)

MR. PEREZ: We look forward to serving this community.

So I'm also available for any additional questions.

Thank you.

MAYOR KIAR: Thank you very much.

We're now moving on to the next speaker which is Erin Deady from Renew Financial.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Of course.

Hi, Ms. Deady.

MS. DEADY: Good afternoon. We do appreciate being here today. We'll make our comments very short.

We've been in the process likewise with Ygrene for several years. We've worked very hard with staff. They put together a very diligent process to vet the programs, develop the documents, develop policies, and we're ready to move

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forward with a workable program.

We support moving forward now.

We do understand that there are other vendors that wish to work with Broward County down the line, and we think that's a good thing. Competition is good.

But we would support moving forward with the two that you've worked with to this point.

Thank you.

MAYOR KIAR: Thank you.

The next is John Thomas. And, Mr. Thomas, let's follow the great brevity that the folks -- oh, wait, he's been the most brevity -- oh, there he is. John Thomas. I thought it was Thompson.

MR. THOMAS: Thomas.

MAYOR KIAR: Thomas. I'm sorry about that.

Thank you, Mr. Thomas.

MR. THOMAS: Good afternoon, Mayor, Vice Mayor, and Commissioners. My name's John Thomas. I'm the Vice President for Market Development for Florida for Renovate America. And we are the largest provider of PACE in the country.

We're hopeful to be a part of your PACE program this year.

We support moving forward with PACE where all of the providers have the

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same opportunity at the same time.

Our hope is we've provided to your staff information that we believe will help you do the due diligence that you need to help vet what we've done. We've done over 70,000 projects throughout the country, primarily in California.

And we look forward to coming to Broward County as well.

Thank you.

MAYOR KIAR: Excellent.

And the last is Bernie Friedman. Bernie, nobody's gone more than 30s seconds. You can do it.

MR. FRIEDMAN: Seconds, five seconds.

MAYOR KIAR: You can do it.

MR. FRIEDMAN: Five seconds. I just want to really thank our County Attorney, Michael and Moneyede from the County Attorney's Office, Jennifer and Alan. We've worked on this for many, many, many, many years. Commissioner Wexler and the Commission for a great job.

Thank you.

MAYOR KIAR: Wow, nice job. Excellent.

All right. So now the first is Commissioner Wexler.

COMMISSIONER WEXLER: I -- I wanted to thank Jennifer Jurado and Joni Coffey in

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particular for bringing closure here.

I know that this has been quite a journey, quite a journey for all of us.

(COMMISSIONER FURR RETURNED TO THE ROOM.)

COMMISSIONER WEXLER: And I also want to recognize my former colleague, Kristin Jacobs, who originally brought the item forward for us and challenged us to move on this back in 2011. And, you know, here we are in 2016, and we finally have and will have next week a couple of agreements before us.

Mr. Thomas, you and I have never personally spoken, but I know you've spoken to Cynthia from my office, and so the message that she delivered to you is exactly what you heard staff say today.

And there will be an open process.

I -- just for my colleagues' sake, there was actually 66 questions that were put out there in 2012 that four different PACE vendors responded to. And it -- they were -- although what the Board wound up doing in 2012 was stopping or -- or terminating the -- the -- the procurement, but directed staff to negotiate with the top two. And -- and that's what you're going to see before us next month.

So I fully support that there be an open process, but I also believe that there need to be questions that need to be addressed and answered, and our staff needs to have the opportunity to analyze that information.

And I'm -- I'm very, very happy that we are here today, because the County needs to provide leadership. And I saw it happening all around us with cities in Broward. And -- and we have very cautious legal advice, and Ms. Coffey wanted to make sure that it had gone through every challenge that was

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possible and that we were on solid ground.

So I thank you for that and giving, you know -- and -- and number one first of all, is protecting us and future us's up here, and that some old person who is plus 65 years old doesn't come before this Board ten years from now wagging their finger and saying you set up that crappy program and they took my house away from me. That may be me, so -- I'm joking. I'm joking.

But I think it was -- it's important to know that the measures that were put in there, one, two, and three, and having to pick one of them as a standard is really important and protects the public.

And, Alan, you did a very extensive job of presenting that in your memo to the Board, and that was a job well done, too.

Thank you.

MAYOR KIAR: Thank you.

Commissioner Furr.

COMMISSIONER FURR: Thank you, Mayor.

I would -- yes, I -- I would like to see this go through today. I really don't want to see a delay. I think -- I mean, it's -- it has been over -- overly delayed.

I do want to thank Joni for -- for putting together such a good disclosure package. I say that because I'm actually going through the PACE process right now at my own house at -- in Hollywood, but I couldn't do it through the County yet but Hollywood had already done it.

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So going through the process itself is pretty interesting, and, you know, I'm seeing firsthand that things are being protected and -- and -- and all -- everything is pretty good.

I also want to -- I'm anxious to check off Number 55 in the climate action task force. So once we pass this, I'm going to check that off. And that one is talking about encouraging financing options for -- for sustainable development.

COMMISSIONER WEXLER: So I'll move it and you can second it.

COMMISSIONER FURR: Perfect.

COMMISSIONER WEXLER: At the appropriate time.

COMMISSIONER FURR: Perfect. That would be great.

MAYOR KIAR: Commissioner Holness.

COMMISSIONER HOLNESS: Yes, it -- it is, indeed, quite a long time in coming, with very robust debate.

And from the get-go, my major concern was protecting the consumer, consumer protection to ensure that folks are not given information that make it difficult for them to be able to afford to stay in their homes, and that the process is competitive, that there be more than just two, that people have options.

And -- and -- and when you have competition, you create better standards for industries. When -- when -- when we break up the monopoly on the telephone systems and -- and -- and -- and calls, prices went down tremendously. So I believe the -- the -- the -- the ability to have competition is a good thing for our consumer.

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But I also met with I think everyone that is here today looking to get in the area of PACE to talk about how, on the front side, they can ensure that their costing from their contractors is within the range of what's norm, because I don't want to wait until a 65-year-old lady --

COMMISSIONER WEXLER: Plus.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER HOLNESS: -- plus comes into my office and says you, you know, Holness, you allow these folks to overcharge me for putting in my AC unit, double the price that I would pay otherwise. I want to make sure we're do -- we're -- we're -- we're doing what's necessary up front to ensure that that doesn't happen.

But, overall, it's good for our community. It's good for the consumer. It's good for environment also. So it's -- it's -- it's -- it's -- there's a lot of wins here.

And to Ms. Jurado, Dr. Jurado, thank you for your steadfastness. And, Mr. Cohen, you add some dynamic to the duo that we have moving this forward.

So I -- I -- I thank you.

MAYOR KIAR: Great.

Commissioner LaMarca.

COMMISSIONER LAMARCA: Thank you, Mayor.

This has been something that's been a long time, and had numerous

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conversations. At the time, two vendors. Probably a year ago, I had a phone call and then ultimately had a meeting with the vendor that Mr. Thomas represents. I understand there's another vendor out there.

(COMMISSIONER RYAN RETURNED TO THE ROOM.)

COMMISSIONER LAMARCA: You know, this is about -- this is similar to the transportation issue. This is about giving people options, making sure that the companies that we put out there have been vetted. They're not our companies, but we're -- we're the regulatory agency and -- and the governing body for the program, and making sure that they have a strict -- adhere to strict guidelines and they hire -- hire good contractors.

The -- the thing that I like about this, and Dr. Jurado and I have spoken a lot about it, probably going to be a very small percentage of people who put a solar array on their house, other than Dr. Jurado, or -- or that go for the energy investment, to start, anyway, but it is going to add a -- it's probably going to go a lot further than the state hurricane hardening program did a number of years ago, which was a grant program, but it will encourage both the -- the hurricane - - the impact and the hurricane hardening piece as well as better energy, more efficient and better energy with, say, windows, doors, insulation, roofs, HVAC.

But also, a lot of folks don't -- don't necessarily think about this when they -- when they think about impact windows, much more secure, much more -- much better for safety. A lot of times, somebody -- somebody's house will be broken into. There will be some damage done to the door, but they don't get in the house because of the -- because of the -- the impact windows.

With regard to the solar piece, it gives me the opportunity to -- to ask the question, being that I'm not necessarily always identified as the most environmentally conscious person up here, although I will remind everyone that

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President Teddy Roosevelt was the father of conservation and he was, indeed, on the right side of things.

That being said, we need to lead by example. You know, we're Broward County. We're -- we're this big progressive blue county down here in south Florida. Where's the solar on top of this building? Where's the solar on top of the -- the Supervisor's building? Where is the solar on top of the new Convention Center Hotel? I don't see it in part of that -- part of that plan. If we're going to lead by example, then we need to start doing that.

So I -- I'm -- I'm in support of moving this forward. I -- I -- I don't for the life of me understand why we -- certainly I don't want to see the process be another year or anything else. I don't for the life of me -- and I'll ask -- maybe Dr. Jurado can - can come up, Ms. Henry.

MS. HENRY: Yes.

COMMISSIONER LAMARCA: What do you believe the process would be for Renovate America and whoever the other company is that's out there to -- to get them vetted, to get them -- I know there's bond -- bonding issues and things like that and financial backgrounds. What type of time are we looking at?

DR. JURADO: I think that we can work over the summer. We have -- we have the template agreements that each of the other program providers has already shared with us. We can work with Legal and work with bond counsel in the -- the various programmatic reviews. I think we can sit down with them and -- and probably derive quite a bit in terms of what would be required in the way of amendments, and ideally be able to come back.

I -- I would think that September would be a reasonable time frame to be able to pull the documents together, if we can organize the staff review and the

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vendors are able to work with us on what I anticipate will certainly be some reformatting of agreements and addressing of templates, because we've found that there's just a lot of disparity no matter --

COMMISSIONER LAMARCA: Uh-huh.

DR. JURADO: -- how -- how -- even though the -- kind of the -- the concept of the structure is similar in terms, you have a district and you contract with a TPA or third-party administrator deliverer, they're all constructed differently, and there's nuances.

And you'll see with the agreements coming forward next week, even though the underlying provisions are the same, they're structured quite differently and that requires a lot of analysis and -- and work with legal counsel to make sure that we have something that's structurally and -- and legally sound.

COMMISSIONER LAMARCA: Okay. I -- I have a feeling that Mr. -- Mr. Cohen's going to tell --

MR. COHEN: Yes.

COMMISSIONER LAMARCA: -- more specifics or a different --

MR. COHEN: No, no.

COMMISSIONER LAMARCA: -- time line.

COMMISSIONER LAMARCA: I just wanted to point out it's a two-step process. First we have to do the vetting. And in next week's materials, we'll provide you with the information that the Commissioner pointed to earlier, Commissioner Wexler, regarding the matrix.

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And then after we go through the vetting, then we have to go through the negotiation process.

It -- it's hard for us to give you a specific time frame on that. Every provider has a different business model --

COMMISSIONER LAMARCA: Right.

MR. COHEN: -- structured differently. You'll see that next week in the agreements we're bringing forward.

We have two agreements for Ygrene and only one agreement for Renew because of the organizational structures that they both operate under.

We'll have to sit with Renovate and with the other provider that's also interested during the negotiation process.

COMMISSIONER LAMARCA: What -- what is that company? Just so -- because we've all kind of said the other --

MR. COHEN: The other provider is?

DR. JURADO: Florida PACE Agency.

COMMISSIONER LAMARCA: Okay.

MR. COHEN: Right. And so we are as anxious to move forward as we can. We're waiting for your authorization at next week's meeting to move forward, but we've also -- we've already taken the liberty of scheduling meetings subsequent to the 14th to jumpstart the process. And if you vote in the negative next week,

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we'll cancel those meetings. If you vote in the positive, they're already set up and we'll be able to get going with Renovate and we'll do the same with the other agency as well.

COMMISSIONER LAMARCA: Okay. My -- my only concern is that (inaudible) that we've waited so long, I want to get this going, but when somebody goes out and buys -- they pick a -- pick a type of vehicle and they say, all right, I'm going to -- I'm going to look for a five- or six-passenger SUV. They don't go to two dealer -- you know, they may not go to two places or two dealerships. They may go to six or eight and look what's out there. Probably they sit home on their computer and look at -- do it that way.

But is there -- and I don't know what the -- I don't know what the -- what the Board's direction is. We all want to do this, and I don't want to -- I do not want to delay it.

That being said, what would be the time to bring all four out at the same time so that -- so that the buyers have the -- no way?

MR. COHEN: Again, that's hard to say because of the time negotiations would take.

COMMISSIONER LAMARCA: Okay.

MR. COHEN: It took -- it took years for us to get to where we are today. It predates me. And it's -- it's hard to predict.

We hope with the models that we already have before us that it would take a shorter period of time --

COMMISSIONER LAMARCA: Uh-huh.

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MR. COHEN: -- for the - the second tranche, so to speak, of vendors to move forward.

COMMISSIONER LAMARCA: Okay.

MR. COHEN: But until we learn their business models and understand what their concerns are, it's hard for us to give you a representation at this point. And --

COMMISSIONER LAMARCA: Okay. When --

MR. COHEN: -- and that's why --

COMMISSIONER LAMARCA: -- you say -- when you say negotiate, what are -- what are we negotiating?

MR. COHEN: We're -- we're negotiating --

COMMISSIONER LAMARCA: What specific --

COMMISSIONER LAMARCA: -- actual agreements with them, interlocal agreements.

COMMISSIONER LAMARCA: Okay.

MR. COHEN: Okay? They are -- they are, by state statute --

COMMISSIONER LAMARCA: Right.

MR. COHEN: -- considered PACE local governments --

COMMISSIONER LAMARCA: Right.

MR. COHEN: -- and we have to have an interlocal agreement with them --

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COMMISSIONER LAMARCA: Okay.

MR. COHEN: -- to access their financing.

COMMISSIONER LAMARCA: Separate from the -- in other words, once we do that, the cities can --

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER LAMARCA: -- enter an agreement with -- with -- with -- with them as well or --

MR. COHEN: Actually, the cities can let their residents participate in our program --

COMMISSIONER LAMARCA: Uh-huh.

MR. COHEN: -- if they so choose.

COMMISSIONER LAMARCA: And some of the cities have done their own.

MR. COHEN: And some of the cities have done their own, and they can choose to do that.

There are some differences between what we're offering through our program and what the cities have offered to date.

We have consumer protections that the cities do not. We have --

COMMISSIONER LAMARCA: Okay.

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MR. COHEN: -- indemnification that the city does not. We have a much clearer exit strategy if we decide to terminate the program. And we also have taken ourselves out of the governing structure of the -- the district, and we're, you know, participating in the financing. We can access the financing, but we don't have to spend staff time or energy in the decision-making of the district itself.

COMMISSIONER LAMARCA: Do they govern their own districts, each --

MR. COHEN: Each -- each -- well, there are different models.

DR. JURADO: They do have different models, and -- and not all of the partner governments are necessarily part of the board, so some of them have formulas for how the board's structure is --

COMMISSIONER LAMARCA: Uh-huh.

DR. JURADO: -- organized. So they -- they -- they -- they have distinctions.

And the other benefit that we had in negotiating through the Renew and Ygrene contract agreements is they had a lot of similar language. They -- they -- they were -- in the end, there were a lot of shared language so that we weren't -- it wasn't (inaudible). Once we were able to negotiate with one partner, we were able to readily easily integrate that into the other set of agreements, even though they look distinct.

We haven't had yet an opportunity to sit down with Legal to review -- well, in any -- not even comprehensive, superficially we've not been able to sit down as a team and make a comparison, so we don't know fully the amount of amendments that could potentially be required.

I know that in one case that the ability to I guess apply or pursue that

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assessment is going to have to be structured in a manner that is distinct --

COMMISSIONER LAMARCA: Uh-huh.

DR. JURADO: -- from the two providers with whom we've already negotiated, and we don't know how complex that's going to be. It may require another agreement that has yet to be even developed in template form.

So there -- there's a lot that still has to be explored. I mean, we're committed to working, you know, diligently through and -- and in an -- an intense review to try to arrive at that end point, but I think that we're not yet capable of identifying or even enumerating what those issues would be yet.

MR. COHEN: Ultimately, Commissioner, we agree with you that competition is in the best interest of our residents, our consumers, and we believe that the other agencies, or providers that want to come in are also motivated. And we believe that we can work through the process as expeditiously as possible. But, again, it's hard for us to represent to you how long that -- that would take at this point.

COMMISSIONER LAMARCA: Okay. And -- and Renew is -- is formerly Eco Cities.

DR. JURADO: Correct.

MR. COHEN: Correct.

COMMISSIONER LAMARCA: Now, one thing. You -- you mentioned the length of time, Alan, to get to this point. I would argue at least because I -- I've had this on -- kind of on the -- on the agenda or to do list here for a number of years, and Joni and I have talked about it quite a bit. Wasn't most of that dealing with -- with -- with FHA and dealing with -- with more financial institution issues or no?

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DR. JURADO: Actually, we spent an entire year negotiating the first set of agreements, and then we had to put the -- the -- the court challenges --

COMMISSIONER LAMARCA: Uh-huh.

DR. JURADO: -- that were taking place.

We began negotiating again in December of this last year, and then, you know, we're -- we've been working through that process up until now. So it's been about another six months.

COMMISSIONER LAMARCA: Okay.

DR. JURADO: So it was initially a first year, and -- and -- and then -- and then six months --

COMMISSIONER LAMARCA: Okay.

DR. JURADO: -- more recently.

COMMISSIONER LAMARCA: Thank you.

MAYOR KIAR: Commissioner Ryan.

COMMISSIONER RYAN: This PACE financing program is -- is going to be a benefit for I guess energy efficiency in homes, for wind resistance, for, you know, expanding renewable energy.

But there is a fourth component which is especially important here in south Florida, and that is with sea level rise, the -- the whole flood mitigation

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component.

It's not -- flood mitigation is not an allowable use now in this program. I mean, what do you foresee as the possibility that homes can -- can receive financing to -- you know, to try to mitigate exposure to flooding with sea level rise and storm surges?

DR. JURADO: There does appear to be precedent for expanding PACE-like programs to include flood protection, flood mitigation measures. So the State of Alabama actually modified their -- or constructed their PACE program to allow for that.

It's not currently an eligible improvement in the State of Florida. Of course, we've had legislation in the last couple of years that has been focused more on questions of flood mitigation and preparedness with respect to sea level rise consideration, so potentially there would be some opportunity to pursue that.

There have also been a number of not-for-profits that are interested in helping communities, particularly disadvantaged communities, with alternative sources of financing to support flood mitigation measures.

And so we've been thinking about the relevance of PACE and some of those other financial arrangements that might bring more resources to communities.

COMMISSIONER RYAN: Well, anybody that's been around old Florida knows that the - the homes in the past were -- were elevated. They were all built up and you had skirting, you know, underneath wood and -- and --

UNIDENTIFIED SPEAKER: Crawlspace.

COMMISSIONER RYAN: -- crawlspace in cinder block and wood homes. We don't have that now but --

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UNIDENTIFIED SPEAKER: I have that.

COMMISSIONER RYAN: -- maybe we can -- you have that?

UNIDENTIFIED SPEAKER: Me, too.

COMMISSIONER WEXLER: (Inaudible) old Florida house.

COMMISSIONER RYAN: Old Florida house.

But maybe that's something that we can put on our -- our list, our legislative priorities for next year is to -- to see, because we -- I guess we have to get state approval first before we could integrate it into the PACE program here in Broward.

DR. JURADO: Correct.

COMMISSIONER RYAN: Okay. Thank you.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Excellent. So --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: -- seeing no more speakers, is there a motion to move the matter? Is there a motion?

UNIDENTIFIED SPEAKER: We couldn't say if (inaudible).

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VICE MAYOR SHARIEF: So moved.

MAYOR KIAR: There's been a motion.

Is there a second?

COMMISSIONER RYAN: Second.

MAYOR KIAR: There's been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show item Number 70 passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3
COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 71

MAYOR KIAR: We're now moving on to item Number 71, which is a motion to approve
the request for proposals real estate developer for development of North
Andrews avenue.

COMMISSIONER FURR: Move it.

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MAYOR KIAR: Before we do that --

COMMISSIONER WEXLER: Second.

MAYOR KIAR: -- I think, Commissioner Furr. Then I think yourself, too.

COMMISSIONER FURR: I -- I -- I had done on a -- as a PBMI -- oh, did we lose -- we still have a quorum?

COMMISSIONER WEXLER: No, no, we have a quorum.

MAYOR KIAR: We've got -- we've got six.

COMMISSIONER FURR: Okay.

COMMISSIONER WEXLER: We just lost Tim, but we've got a quorum.

COMMISSIONER FURR: Yeah. I asked, with regard to the PMI, if -- if there -- if the matrix could allow for more points to be given for more additional units. And I'm not sure the -- the process to do that, but I think it would be a good idea considering we're trying to --

COMMISSIONER WEXLER: I'll second your motion.

COMMISSIONER FURR: Okay.

MS. HENRY: We concur. (Inaudible) do that.

COMMISSIONER FURR: Okay. Okay, motion to approve that.

MAYOR KIAR: Commissioner --

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COMMISSIONER WEXLER: (Inaudible) for more affordable housing.

MAYOR KIAR: -- Commissioner LaMarca.

COMMISSIONER FURR: Part of the matrix just --

MAYOR KIAR: Oh, sorry.

COMMISSIONER FURR: -- asks for it to have a minimum of a hundred. And in terms of trying to evaluate which proposal, whoever can bring, you know, more affordable housing, more units to the table, they get more points for it.

MAYOR KIAR: Sounds good.

Commissioner LaMarca.

COMMISSIONER LAMARCA: Well, I looked at this piece of property and I looked at some similar properties in the area. One was at 315 Northeast 3rd Avenue, about the same size. There's 120 acres. The average tax bill -- they're -- they're -- I believe they're -- they're owned, so they're condominiums, not -- not apartments. The average tax bill's \$5,000 a unit, kicks off \$600,000 a year in taxes.

I don't understand why we want to be project development. I understand that we want to -- we want to change and make better access for downtown residents so that there is workforce housing.

I think we can encourage developers. We can encourage projects to happen that way if we -- if we have goals in mind.

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I don't -- again, personally, the -- the -- the dirt has a value on it, and once -- once the dirt is not on County rolls any -- or County owned anymore, we're getting taxes off of it.

So I don't support us getting into this -- this venture. I -- I support the -- the private sector doing this or -- or some type of partnership, but I would love to see this be on the tax roll so that we get the taxes.

MAYOR KIAR: Commissioner Holness.

COMMISSIONER HOLNESS: It will be on the tax roll.

MS. HENRY: So if --

UNIDENTIFIED SPEAKER: No, it won't.

COMMISSIONER HOLNESS: No?

MS. HENRY: -- if -- if I might explain, so -- you can come on up, because there's elements of this project -- so I -- I -- I first want to clarify that the County itself isn't going to build the units.

COMMISSIONER LAMARCA: I understand.

COMMISSIONER HOLNESS: Oh, okay. I -- you said we -- we -- we shouldn't do this. So, no, we're not going to build the building.

Second, we would own the land and the land -- real estate on the bottom would not be taxable, but I don't believe that -- that that -- the --

COMMISSIONER HOLNESS: Improvements.

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MS. HENRY: -- the improvements on the property would be exempt, so that that would be taxable, it's my understanding after inquiring, unless there are some other programs that we were --

MR. STONE: That's correct.

MS. HENRY: -- intending to -- to use.

So the improvements on the land would be taxable.

Because the County would own it, own the land, we could assure that for many, many, many years to come that those units will remain workforce --

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. HENRY: -- available. So that's just, you know, a way for us to assure that the downtown will keep some workforce housing in perpetuity.

COMMISSIONER LAMARCA: I understand.

Mr. Stone, if I could, a couple quick things.

MR. STONE: Yes, sir.

COMMISSIONER LAMARCA: What is -- what -- currently right now for, say, a one- and two-bedroom apartments, what is considered workforce --

MR. STONE: Well, the --

COMMISSIONER LAMARCA: -- roughly?

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MR. STONE: -- it would be 120 percent of area median income, so for a family of four, right now, that's about \$60,000, so you'd bump that up 20 percent.

COMMISSIONER LAMARCA: Okay. So let me ask the question a different way. How much are the one- and two-bedroom units going to rent for to -- to qualified renters? Again --

MR. STONE: Again --

COMMISSIONER LAMARCA: -- roughly.

MR. STONE: -- for the same family size, you'd -- you'd take their income, multiply it by 30 percent, divide by 12, I'm thinking it's going to be around -- somewhere around \$1500.

COMMISSIONER LAMARCA: For a two-bedroom?

MR. STONE: Yes.

COMMISSIONER LAMARCA: Okay. Which is -- which is probably 50 percent under where -- where they are now, in that -- in that area.

MR. STONE: Yeah, you know, the 120 percent of area median income, given the current market, probably is -- is not -- not covering market rents, but it's -- it's reasonably close, depending on the location --

COMMISSIONER LAMARCA: Uh-huh.

MR. STONE: -- and the amenities and the -- and the type of project.

Most of the market rate stuff we're seeing now they're calling luxury rentals --

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COMMISSIONER LAMARCA: Uh-huh.

MR. STONE: -- and they're -- you know, they're trying to generate up to \$1800 a month and -- and -- and \$2,000 a month for a two-bedroom.

This won't reach that, but what is interesting is we have a big doughnut hole between the only model that generates affordable units right now, which is the nine percent tax credit at the 60 percent and below, and we're trying to get up to a workforce level that's 120 percent, which also has a huge demand, but no one's filling that demand at all.

So I think this is a very unique opportunity to -- to reach that population.

And we have had a number of developers that talked to us about the property, indicating they think this is doable without any kind of gap financing for us. So we're not offering any kind of financing. This is all the financing to do this, but for the land, which is going to be a long-term lease, is being brought to the pro forma by the -- the developer.

COMMISSIONER LAMARCA: So --

MAYOR KIAR: Commissioner LaMarca, technically, Commissioner Holness had the floor. But if it's -- if it's okay with him --

COMMISSIONER LAMARCA: I -- I --

MAYOR KIAR: -- you can finish, then we'll go to Commissioner Holness.

COMMISSIONER LAMARCA: -- I think --

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MAYOR KIAR: Definitely.

COMMISSIONER LAMARCA: -- Ms. Henry answered a question and -- and so I -- I apologize. But --

MAYOR KIAR: That's okay.

COMMISSIONER LAMARCA: -- with regard to -- okay. So that I -- I understand. So when those unit -- when those units, those two large projects that were done last couple years on the private side were put up, I think -- I believe that down -- you know, urban dwellers slash young professionals probably thought that those were going to be a little bit more affordable, and now they're in a -- a probably roommate situation or whatever it might be, so we want to get to the point where -- where workforce will -- will -- will be able to afford it.

What is the -- what is the annual expected lease for the property?

MR. STONE: Well, we're looking in the neighborhood of -- of 60 years long-term lease, and we'll negotiate the value of that. We're looking for an up-front lease payment of at least \$300,000, and we'll negotiate annual lease payments.

They'll -- they'll be required to have some mixed use on the ground floor by the city. The last deal we did, we participated in the cash flow of that space. We may do that again, but it just depends on -- on what's brought to us.

We have the opportunity to realize some market rate stuff there.

COMMISSIONER LAMARCA: Uh-huh.

MR. STONE: So it may cash flow stronger than we suspect. I don't know what we'll get in that regard, but that would give us an opportunity to realize some additional

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income if that was the case.

COMMISSIONER LAMARCA: Okay. And then the -- the -- I guess the last thing, the -- Ms. Henry mentioned the taxes on the improvements. So there would be -- there would be property taxes paid on -- on the -- the structure, but not the --

MR. STONE: Absolutely.

COMMISSIONER LAMARCA: -- credit for the land.

MR. STONE: Yes, sir, there would be.

COMMISSIONER LAMARCA: Okay. Okay. And how many units do we think?

MR. STONE: We're asking for a minimum of 100.

COMMISSIONER LAMARCA: Okay.

MR. STONE: And one point in time a number of years ago when we got the property back, there were entitlements on it for a hundred and almost 70.

COMMISSIONER LAMARCA: Okay.

MR. STONE: It's really a design exercise matched with their pro forma and cash flow. But if they can't get to a hundred units, we're not going to have a deal.

COMMISSIONER LAMARCA: Okay. Thank you for your help.

MAYOR KIAR: Commissioner Holness.

COMMISSIONER HOLNESS: Well, thank you.

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I -- I -- I -- I truly believe that we need to ensure that we have workforce in place. And if you see what's going on downtown, prices are escalating dramatically, and-- and I don't think it's going to slow down. But we still need people, police officers. You talk about \$60,000a year. That's not a whole lot of money for -- for -- for -- for four people, for a family. And -- and that's within the range where a teacher --

COMMISSIONER WEXLER: It's a lot compared to a teacher.

COMMISSIONER HOLNESS: Well -- well, that's within a range where a teacher -- you're talking more -- more -- more the two-family household that -- that would be able to -- to reach within that range, our fireman or -- or police officer or teachers. These are the kind of folks that will benefit for us to have.

And -- and having workforce in place to support the businesses that we have growing downtown is essential. And whatever we can do to help with that is important.

And it's -- this -- this will produce more than the idea that we have of tying development to some fees. Again, it's going to generate quite a bit more units, I believe, than doing that. So we ought to look for that.

And I -- I like the idea of bonus units, also. That's another innovative way in order for us to move forward to create more workforce housing in -- in -- in Broward County.

MR. STONE: Yes, sir.

MAYOR KIAR: Seeing no further speakers, is there a motion?

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COMMISSIONER FURR: So moved.

VICE MAYOR SHARIEF: So moved.

MAYOR KIAR: There's been --

COMMISSIONER WEXLER: As amended.

MS. ARMSTRONG COFFEY: As amended.

MAYOR KIAR: As amended. Motion as amended.

There's been a motion and a second as amended.

All in favor, signify by saying aye.

All opposed?

Show the item passes unanimously as amended.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3
COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 80

MAYOR KIAR: Now, Commissioner Ryan has a very, very important engagement that

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he has to go to, so we're going to take two items quickly out of order.

The first item is going to be Number 80, which is sponsored by Commissioner Ryan, and it's a motion to approve the allocation up to \$50,000 in the 2000 Safe Parks Land Preservation Program for a dog park.

COMMISSIONER RYAN: All right. So --

MAYOR KIAR: Commissioner Ryan.

COMMISSIONER RYAN: Thank -- thank you so much, Mayor, for your indulgence.

I'm going to introduce item Number 80, and then the second item is I -- I've had a conversation since we met this morning and talked about the infrastructure and the transportation surtax initiatives, and I have a -- a comment I want to make while we're still on the dais. And Mayor Stermer is going to call in, and, depending on what he chooses, he may not want us to try to -- to reach any kind of decision, but just I want to introduce what the concern is so that members just hear what I'll be talking about as far as an issue that'll be subject to negotiation.

All right. But back on to Item 80, this is a request for an allocation of \$50,000 to help fund a dog park over at Holiday Park, which is a 94-acre park, one of the -- the three large parks in the City of Fort Lauderdale, large urban park. It is -- it is very heavily used.

This will fund the -- the fencing, the archway gates, and a pavilion. It's got matching funds from the City of Fort Lauderdale, and the residents in the neighborhood of Victoria Park, have, through the residents themselves, raised \$36,000 towards this -- towards this project.

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The money comes from -- if you can believe this, we still have a little bit of money left in the 2000 Safe Parks and Land Preservation bond program. I think we have somewhere around \$570,000 remaining ,and this would draw down \$50,000 for the dog park.

MAYOR KIAR: Is there -- would anybody like to --

COMMISSIONER HOLNESS: I -- I second the motion.

MAYOR KIAR: There's been a -- oh, Commissioner Wexler.

COMMISSIONER HOLNESS: And -- and if I may just add, so do I, in terms of having to leave --

MAYOR KIAR: Absolutely.

COMMISSIONER HOLNESS: -- within a short while, so I guess we're probably going to need to --

MAYOR KIAR: I guess what I would --

COMMISSIONER HOLNESS: -- (inaudible).

MAYOR KIAR: -- suggest, then, and -- and I apologize to people in the audience, but we're going to lose two County Commissioners. We have some -- still some items that are going to take some time.

I don't think it's very healthy to try to make decisions with only five of us, so what I would suggest is after this item and after the next item, we decided we're going to have another meeting, that we defer the remainder of it to the -- the meeting that we -- we just -- the new meeting that we're going to have. That would be my suggestion.

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COMMISSIONER HOLNESS: Unless we can speed it along --

MAYOR KIAR: Yeah, but I don't think --

COMMISSIONER HOLNESS: -- in the next 15 minutes.

MAYOR KIAR: -- I think it's going to take some time.

COMMISSIONER RYAN: (Inaudible) got Michael Rajner that wants to speak on 80.

MAYOR KIAR: Yeah. Oh, and -- and Michael is -- oh, okay. And I actually had a -- a member of the public that asked to speak on Item Number 80.

But before that, though, let's just quickly discuss this so the folks here know.

I know Mayor Stermer is calling in on the Non-Agenda that Mayor Ryan's going to do.

Would anybody -- would -- would the folks here be -- be willing to defer the remainder of this agenda after Item Number 80 and the quick Non-Agenda to the next meeting?

COMMISSIONER LAMARCA: 77.

UNIDENTIFIED SPEAKER: 77.

COMMISSIONER LAMARCA: You have some people here on 77.

MAYOR KIAR: I know. I mean --

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COMMISSIONER HOLNESS: 77?

MAYOR KIAR: -- we still --

COMMISSIONER WEXLER: They've been sitting here all day.

MAYOR KIAR: -- we have 74 as well.

I mean -- I mean, we can do this, but we're going to do it with five County Commissioners.

VICE MAYOR SHARIEF: That's fine. We have to --

MAYOR KIAR: Okay.

VICE MAYOR SHARIEF: -- keep going.

MAYOR KIAR: All right. So we'll -- we'll -- we'll keep powering through it then.

So Commissioner Ryan.

Oh, actually, you know, we have a --

COMMISSIONER RYAN: I introduced the -- I've introduced the item. It was seconded.

MAYOR KIAR: Now we have Michael Rajner --

COMMISSIONER RYAN: Mr. Rajner wants to speak.

COMMISSIONER WEXLER: And I want to speak.

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MAYOR KIAR: Yes. Mike.

COMMISSIONER WEXLER: Very quickly.

MR. RAJNER: Good afternoon, Mayor and Commissioners. Michael Rajner.

I'm -- I'm supportive of what Commissioner Ryan's brought forward, and mainly as a resident of Wilton Manors, the dog park that we have in the city where I live as a resident, it's -- it's pretty limited. We actually get quite a few people from Fort Lauderdale who are using the park because Snyder Park is so far away.

But one of the things that I've been trying to get the City of Wilton Manors to do is put in a third area, fenced in area for dogs. And I think you could maybe -- not necessarily in this agenda item but maybe in other items relating to the parks, tie in maybe an initiative with -- along with Animal Care in trying to reduce the shelter population and other rescues.

A lot of people who go to the dog parks sometimes have dogs that they've adopted or rescued that have behavioral issues and need some space to train them and so that they also can be socialized with other animals.

And, unfortunately, Wilton Manors, in their infinite wisdom, removed what they had, was a -- a third area that actually was accomplishing just this. And this weekend someone who came there with their dog in search of that penned area, had to -- we had to make try to make way to make sure that they could have an area so they could work with their animal that they had just rescued.

So it's -- you know, dogs, I'm very passionate about them, as probably many of you know, but it's -- this is something I -- I know that I probably would go to Holiday Park rather than use my own city's dog park where I have to pay a fee

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to use it for legal purposes. I won't tell you --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. RAJNER: -- I won't go into the other activities that go on at that park there --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. RAJNER: -- but it's -- yeah, it's ridiculous.

When -- and so when you talked about a future -- an earlier item where you talked about housing and -- you know, for the workforce and other areas, you know, you're building more condos and apartments and there's not enough space for people to bring their pets. And some cities are not being as welcoming or placing that much more of a priority to ensure that, as we lose land and housing, to make sure that there are things to improve the quality of life of people who are living in this County.

Thanks.

MAYOR KIAR: Thank you, Mr. Rajner.

We're now coming back to the dais and Commissioner -- Commissioner Wexler was on the queue.

COMMISSIONER WEXLER: That's between you and your city, Michael. I mean, you know, I'm not going to get in the middle of that thing But --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER WEXLER: -- I just -- I just think that knowing that there's 572,000-

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plus and that's minus the 50,000?

COMMISSIONER RYAN: No, it -- it would --

COMMISSIONER WEXLER: Or is that what it is?

COMMISSIONER RYAN: -- it would take it done to --

COMMISSIONER WEXLER: Okay.

COMMISSIONER RYAN: -- 527,000.

COMMISSIONER WEXLER: So -- okay. So that number minus the 50,000. Got it.

I think that I'm -- -- I'm one of the lucky ones that still had park discretionary dollars. Most of you don't even know what I'm talking about.

UNIDENTIFIED SPEAKER: Spent before I got here.

MAYOR KIAR: Ilene spent mine about two weeks before I came on.

(Laughter.)

COMMISSIONER WEXLER: I know.

MAYOR KIAR: She did.

COMMISSIONER WEXLER: I -- I -- yes. Yes, sir, she did. In Plantation, too.

UNIDENTIFIED SPEAKER: Yes, she did.

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UNIDENTIFIED SPEAKER: And it didn't get her elected.

COMMISSIONER WEXLER: Anyway, I think that it's really important for Commissioners to maybe have a conversation with cities. And, you know, as long as there -- we need to encourage this, and I -- I love the idea of dog parks. I just love the Barkham at Markham and -- and that. And it's such a positive thing for communities, even though I don't have a pet.

UNIDENTIFIED SPEAKER: What happened to the bird?

UNIDENTIFIED SPEAKER: You have a bird (inaudible).

COMMISSIONER WEXLER: I do have a bird, that's it. And a fish.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER WEXLER: No, I --

(Laughter.)

COMMISSIONER WEXLER: -- but nothing I can hug. That's it. But --

(Laughter.)

COMMISSIONER RYAN: You better get a dog soon.

COMMISSIONER WEXLER: You sound like my kids. No, I don't want more responsibility.

I think -- I think that Commissioners need to look at this for their cities in their district and have this conversation.

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UNIDENTIFIED SPEAKER: Yes.

COMMISSIONER WEXLER: I mean, maybe along with the Tree Preservation dollars --

COMMISSIONER HOLNESS: Yes. Oakland Park.

COMMISSIONER WEXLER: -- exactly. There's --

COMMISSIONER HOLNESS: (Inaudible.)

COMMISSIONER WEXLER: -- there are many cities --

COMMISSIONER HOLNESS: Yes.

COMMISSIONER WEXLER: -- that could benefit and the residents could benefit.

So I think it's great, and I -- I -- I encourage it all over. I know I -- I think I'm going to have that conversation, too.

UNIDENTIFIED SPEAKER: Yeah?

MAYOR KIAR: Absolutely.

COMMISSIONER WEXLER: Okay? Because I gave most of my city to the Mayor's parks --

MAYOR KIAR: Yeah.

COMMISSIONER WEXLER: -- most -- most of my money to your -- between Holiday Park and Markham Park --

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MAYOR KIAR: Yeah.

COMMISSIONER WEXLER: -- and now Vista View's getting the rest.

MAYOR KIAR: Yes. Absolutely. Definitely.

COMMISSIONER WEXLER: Okay. With that, do you want to move it?

COMMISSIONER RYAN: Seeing no other speakers, I move the item --

COMMISSIONER LAMARCA: Second.

COMMISSIONER RYAN: -- (inaudible).

COMMISSIONER WEXLER: There you go.

MAYOR KIAR: There has been a motion and a second.

All in favor, signify by saying aye.

All opposed?

Show item Number 80 passes unanimously.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3
COMMISSION SEAT WAS VACANT.)

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NON-AGENDA

AGENDA ITEM 84

MAYOR KIAR: Now, before we go on, we have a -- I told Commissioner Ryan he could do his Non-Agenda, and then I'm also going to allow Commissioner Holness to do his Non-Agenda, too, so -- because they both have --

COMMISSIONER RYAN: All right.

MAYOR KIAR: -- to leave, and it's only fair. So --

COMMISSIONER RYAN: And -- and -- yeah. And just to let you know --

MAYOR KIAR: -- Commissioner Ryan.

COMMISSIONER RYAN: -- the -- the dance recital is in Vice Mayor Sharief's district --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER RYAN: -- at the Miramar Cultural Center.

VICE MAYOR SHARIEF: Uh-huh.

COMMISSIONER RYAN: So it's a long hike out the Turnpike and then over to, what is it, Red Road?

VICE MAYOR SHARIEF: Why is it a hike?

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COMMISSIONER RYAN: Because we're in downtown Fort Lauderdale.

VICE MAYOR SHARIEF: Exactly. And I hike here all the time, so stop it.

COMMISSIONER RYAN: Okay. All right.

UNIDENTIFIED SPEAKER: It's going to take longer if you keep ---

COMMISSIONER RYAN: All right. So, Mayor Stermer, are you on?

MAYOR STERMER: I am.

COMMISSIONER RYAN: All right. Thank you.

I -- I called Mayor Stermer and told him that after our discussion this morning that I -- I was hoping to get some clarification from the County Commission with regard to we had a conversation about a half penny for transportation and a half penny for infrastructure where the -- the city was going to -- you know, its position is it wants to keep the entire half penny for the infrastructure but -- but wanted to provide assurances that -- we asked for 25 percent that would be spent for transportation.

It -- it gave me some concern with regard to the -- the needs that we are going to have for infrastructure related to transportation. And the example really was -- was initiated or -- or generated from the conversation on the dais that Commissioner Furr did about the importance of the coastal link.

For the coastal link to happen, I mean, obviously we have to pay the access fees to the FEC, but there will also be a need to build rail stations along that eastern line. So it'll run through Hallandale Beach, Hollywood, Dania Beach,

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Fort Lauderdale, Pompano Beach, Deerfield Beach.

Now, when you name those cities, you have two cities, Hallandale Beach and Dania Beach, that may way -- may have a -- a station, a train station. Then you have Hollywood and Fort Lauderdale and Pompano Beach that may have a -- a train station.

The allocation of the infrastructure tax proceeds goes to the cities based upon population. So Fort Lauderdale, Hollywood, and Pompano Beach will have three times as much funds as Dania Beach and Hallandale Beach, but the cost for the stations will probably be about the same.

So my -- my concern was since transportation is kind of a regional issue, it would be better if the County controlled that 12 and a half percent of the penny for transportation that would be infrastructure related.

And -- and Mayor Stermer voiced his -- his significant concerns to that proposal because he said he has not been able to vet it with -- with the cities, and -- and asked that we not take a consensus position here this afternoon.

But I wanted to at least introduce it, and then I'll let Mayor Stermer speak to the issue. And if -- Mayor Stermer, if you do not want me to ask for a consensus position, I won't do so because I told you I wouldn't do so. I just want the -- the members to know it's a matter of negotiation.

UNIDENTIFIED SPEAKER: Absolutely.

MAYOR KIAR: Mayor Stermer, are you on the -- the line?

MAYOR STERMER: I am. Thank you, Commissioner.

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MAYOR KIAR: Mayor Stermer.

MAYOR STERMER: And thank you, Commissioner Ryan.

And there are a host of concerns, the -- the first being this issue being raised at this hour of the day and then your call to me about an hour ago, understanding we had a significant number of locally elected officials there earlier today and everyone is gone.

But in the spirit of continuing the conversation, I have said to you, on behalf of the cities, the cities are prepared to commit between ten and 25 percent for transit, transportation, and mobility within their cities, to be controlled by the cities, not the County.

If it's the cities' desire to work collaboratively with the County, I would assume then the County could ask the cities to do so.

In addition, I can't tell you what land that you're contemplating stations may be on that are owned by municipal governments that the construction would be required on. My guess is most of that is privately owned property.

I'm not sure then why a city should be paying for that. A private developer could and do lots of different things with that land, which was contemplated in the 25 -- 2035 long-range transportation plan -- plan -- plan tasked by the MPO with regard to a hub. There could be a P3 opportunity there. There could be partnership opportunities there.

To turn around now, at this time of the day, and say the County now wants to take back and control 25 percent of the infrastructure dollars when the cities have committed to spend that on transit, transportation, and mobility-related projects is -- is putting the cities arms behind their back, respectfully,

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Commissioner.

MAYOR KIAR: Well, thank -- thank you, Mayor Stermer. Does --

VICE MAYOR SHARIEF: I don't think that that helps him at all.

MAYOR KIAR: -- does anybody want to speak on this matter?

VICE MAYOR SHARIEF: Yeah.

COMMISSIONER HOLNESS: I -- well, I got to tell you that --

VICE MAYOR SHARIEF: I'll speak.

MAYOR KIAR: Sure. Sure. Hold on one second.

COMMISSIONER RYAN: Before you speak, I -- I asked Mayor Stermer, I said if I brought it up, I was going to ask that we not take a position. I mean, if somebody wants to give an opinion, I suppose you can, but I am not going to ask the Board to take a position, in fairness to him.

VICE MAYOR SHARIEF: (Inaudible.)

COMMISSIONER RYAN: I -- I just didn't want this issue not to be heard, because we're -- we're on such a short deadline to resolve something, and it is a significant issue.

And I -- I regret, Mayor Stermer, and it was not intentional, that it wasn't brought up this morning. We just had a lot of things going on.

MAYOR KIAR: Commissioner Holness.

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COMMISSIONER HOLNESS: Well, I mean, the infrastructure tax, if passed, usually allots 40 percent to the County. We're down to --

VICE MAYOR SHARIEF: Ten percent?

COMMISSIONER HOLNESS: -- 25 percent of that rather than 40 percent. And -- and -- and -- and my understanding -- well, what I thought was happening in the conversations that I've had was that that -- that 25 percent would be utilized by the County. I didn't understand that it's going to be utilized by the cities. That's different than -- than what I understood earlier.

MAYOR KIAR: Vice Mayor Sharief.

VICE MAYOR SHARIEF: Well, my comment is to Mayor Stermer. You know, we've been going back and forth with this, and my patience is running thin with this talk about how the County's not compromising. We are sitting here today because we are attempting to compromise.

I don't appreciate the tone in which these cities are taking and the tone in which you just said that, Mayor Stermer, in regards to the County not being willing to work with the cities.

We have asked for transportation infrastructure -- a transportation surtax, not an infrastructure surtax, because we felt like transportation was our priority.

Now, today I said I was willing to compromise on that, but at this point, I'm really not liking the tone because it's still the same tone that -- that you guys were taking prior to.

(COMMISSIONER HOLNESS LEFT THE ROOM.)

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VICE MAYOR SHARIEF: I don't hear any compromise in that.

And I -- and I think that's -- that's kind of a waste of time to keep going through this.

If you guys are seriously going to come to the table and negotiate with the County, then there has to be a -- a -- a better relationship. It has to be a better way for you to state your opinion publicly and -- and for you to talk about the County publicly, because, right now, I can tell you, I -- I can sit here and -- and - - and name off things that the city hasn't done appropriately or the cities haven't done appropriately.

So I think you need to just pull that back and -- and, you know, understand that this is a negotiating process. And, you know, you catch more flies with sugar than you do vinegar, so you need to watch the way you talk.

MAYOR KIAR: Commissioner Wexler.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER WEXLER: Thank you.

First of all, I completely agree with Mayor Stermer. Pulling this card at 20 minutes to 6:00 in the evening without having the cities represented here, without having their counsel represented here -- and Sam's not representing the cities; he's here with the Charter Review Commission -- is -- is -- is, for me, very, very painful, very painful way for us to behave.

And I know that -- that we have empowered and asked that Commissioner Ryan continue the negotiations. I am sure that he felt he wanted some more direction from his colleagues and that was the reason why he broached this

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subject.

In the spirit of negotiations and cooperation, I am sure --

VICE MAYOR SHARIEF: And respect.

COMMISSIONER WEXLER: -- and respect for each other --

VICE MAYOR SHARIEF: Each other, yeah.

COMMISSIONER WEXLER: -- exactly -- that the conversation, Mayor, continue. You and I talk all the time. I hope that continues. I know you speak to others up here. I know he speaks to you, Mayor Kiar, all the time. And -- and -- and try, the two of you, to get us to where we need to be.

And -- and I'm sorry that this was brought up, but it was brought up. And -- and -- and you're not even in this County right now, and you didn't know it was coming, and -- and it puts you --

VICE MAYOR SHARIEF: Just defer it.

COMMISSIONER WEXLER: -- in a -- in a tough situation.

So respectfully, if we could just move on, and -- and -- and --

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER WEXLER: -- and in the spirit of negotiations, everything is negotiable. And let's leave it at that.

COMMISSIONER RYAN: All right.

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MAYOR KIAR: With that said, Mayor -- Commissioner Ryan, are you --

COMMISSIONER RYAN: I'm -- I'm fine. I -- I appreciate what Commissioner Wexler said, and that is -- is pretty much my position, is I -- I don't mean to -- to make that statement to foreclose possibilities. I just wanted it -- it out there.

But it's -- it's -- I didn't -- I didn't make that statement for the purpose of foreclosing any possibilities to negotiate. I just wanted the information provided.

And I appreciate -- I appreciate -- I appreciate --

COMMISSIONER WEXLER: Act of God.

COMMISSIONER RYAN: -- I --

MAYOR KIAR: Yeah.

COMMISSIONER RYAN: -- this mic keeps going off on its own.

I appreciate the fact that Mayor Stermer joined us, and it was an imposition, and -- and it wasn't fair that it was brought up after he had all of his mayors there so that they could -- could together kind of collaborate and -- and -- and come to a position.

So -- so we're not going to -- this Board is not going to take a position on that issue. It was for informational purposes only.

And I know, Mayor Stermer, I will be speaking with you shortly.

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MAYOR KIAR: Thank you, Mayor Stermer, for calling in. I think he got mad at us and hung up.

MAYOR STERMER: Mr. Mayor --

MAYOR KIAR: Oh, there he is. Thank -- Mayor Stermer, are you there?

MAYOR STERMER: -- Mr. Mayor, if I may.

VICE MAYOR SHARIEF: You know our system is horrible, so.

MAYOR STERMER: No, I'm -- I'm -- Marty, I'm here.

MAYOR KIAR: Yes, got you.

COMMISSIONER RYAN: We said thank you -- we said thank you, Mayor Stermer.

MAYOR KIAR: Thank you, Dan.

And now with that said, we're going to --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: -- now, here's the thing.

MAYOR STERMER: And I appreciate it, and -- and I want to thank the Commission.

VICE MAYOR SHARIEF: (Inaudible.)

MAYOR KIAR: Thank you, Dan. Dan, we're --

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UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: -- yeah, Dan, we're -- we're losing you.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Dan, I -- Mayor Stermer, I apologize, but we're -- we're losing you kind of badly. We'll just think it's your cell phone in Miami. So that's okay.

So with that said, here's the thing, guys, we have a few more items left. Commissioner Holness has left. Commissioner Ryan has to leave.

(COMMISSIONER RYAN LEFT THE ROOM.)

MAYOR KIAR: Five of us are now on the dais. So nobody can leave the dais. So I need to take a five-minute break because I need to use the bathroom. And we -- I have to. I can't hold it anymore. So let's -- you know, so -- so let's do that. Let's come back in -- let's come back in exactly five minutes so we can use the bathroom real fast.

(THE MEETING RECESSED AT 5:46 P.M. AND RECONVENED AT 5:58 P.M.)

MAYOR KIAR: (Strikes gavel.) I like --

COMMISSIONER WEXLER: (Inaudible.)

MAYOR KIAR: -- it makes me like --

VICE MAYOR SHARIEF: Really.

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MAYOR KIAR: I'm only going to get to bang that for like another six months, so I'm taking full advantage of it.

VICE MAYOR SHARIEF: (Inaudible.)

MAYOR KIAR: So here's the thing. All right. We're now moving on. We're coming up to Item Number 74, but I want to throw this out there one more time.

There's only five of us and I really don't think it's healthy to take up these items with only five of us --

UNIDENTIFIED SPEAKER: Marty, we've got people --

MAYOR KIAR: -- especially if they're controversial, but -- so -- no, I just want to say, so I'm willing to defer the matter if the votes are there, but I guess there has to be five votes to defer it.

If somebody wants to make that motion?

VICE MAYOR SHARIEF: Marty, you're wasting time. Keep going.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: It has to be five. Everything has to be five, right?

UNIDENTIFIED SPEAKERS: (Inaudible.)

MS. ARMSTRONG COFFEY: Yes, you need five.

MAYOR KIAR: You need five.

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UNIDENTIFIED SPEAKER: Really?

UNIDENTIFIED SPEAKER: Yes.

MAYOR KIAR: So --

MS. ARMSTRONG COFFEY: Unless -- unless you lose a quorum, in which case it's automatically --

MAYOR KIAR: It's automatically -- right.

So with that said, I mean, if nobody's going to make the motion --

COMMISSIONER WEXLER: I'll move to defer.

MAYOR KIAR: Okay. Does anybody want to second it?

COMMISSIONER FURR: I'll second.

MAYOR KIAR: There's been -- this is to defer all the items that are left --

COMMISSIONER WEXLER: Voting (inaudible).

MAYOR KIAR: -- which is -- well --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: -- 74 --

VICE MAYOR SHARIEF: Oh, my God.

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MAYOR KIAR: -- 70 -- oh, Ms. Henry.

VICE MAYOR SHARIEF: You've got --

UNIDENTIFIED SPEAKER: 74 and 77.

MAYOR KIAR: 74, 77, and 78.

VICE MAYOR SHARIEF: Oh, come on, you guys got to be kidding me. You've had these people sitting here --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: I -- I understand --

VICE MAYOR SHARIEF: -- all day long.

MAYOR KIAR: -- but they -- I mean --

MS. ARMSTRONG COFFEY: Mayor --

MAYOR KIAR: -- it's --

MS. ARMSTRONG COFFEY: -- Mayor --

COMMISSIONER WEXLER: You want to try? Okay.

MAYOR KIAR: -- there's five of us.

COMMISSIONER WEXLER: I'll withdraw my --

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MS. ARMSTRONG COFFEY: -- I -- I might suggest --

MAYOR KIAR: Ms. Coffey.

COMMISSIONER WEXLER: -- I will withdraw my motion to defer for the moment, but I
--

MAYOR KIAR: Okay.

COMMISSIONER WEXLER: -- bet you it's going to be out there again in about 20
minutes. Let's try.

MAYOR KIAR: Ms. Coffey.

MS. ARMSTRONG COFFEY: I don't know. I know a Commissioner has pulled it, but
I'm not sure there's controversy on Number 77, which is just the two Charter
ballot items, and it --

COMMISSIONER WEXLER: Commissioner LaMarca pulled it.

MAYOR KIAR: He did.

COMMISSIONER LAMARCA: Well, I just didn't want it to go to Consent.

COMMISSIONER WEXLER: On Consent.

MAYOR KIAR: Oh.

MS. ARMSTRONG COFFEY: Great.

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MAYOR KIAR: So it's -- all right. So, with that said, there's -- there -- the motion dies for lack of second.

REGULAR AGENDA

AGENDA ITEM 74

MAYOR KIAR: So now we're -- we'll move on to Item Number 70 -- 74.

VICE MAYOR SHARIEF: (Inaudible.)

MAYOR KIAR: 74 is a motion to reject --

COMMISSIONER WEXLER: I withdrew my -- I withdrew my --

MAYOR KIAR: Right.

VICE MAYOR SHARIEF: Oh.

MAYOR KIAR: Is --

COMMISSIONER WEXLER: Let's -- let's see (inaudible).

MAYOR KIAR: Yeah. Item Number 74 is a motion to reject all proposals for request for proposals, energy audit and performance consultant services to re-solicit the RFP.

There are a number of speakers on this matter. The first on Item Number 74 is Greg Eaton. Mr. Eaton. And you have two minutes.

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MR. EATON: Mayor and remaining Commissioners, thank you for this opportunity.

(Laughter.)

MR. EATON: Siemens has six different offices and 188 employees in Broward County. Our employees live, work here, and we are part of the fabric of this County.

Siemens supports the County's greenhouse gas reduction goals and is anxious to get this project rolling and to help accomplish those goals.

This is a performance contracting project, and a performance contracting project, it takes existing operational dollars and redirects those into infrastructure improvements, infrastructure improvements that fund energy savings measures --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. EATON: -- that reduce greenhouse gas emissions, provide relief to capital bond budgets, and do it all in a budget neutral manner.

We support Purchasing and their recommendation to reject all submittals and to allow a re-solicitation of this RFP.

This procurement process has gone on too long, and, as it's gone on, it has picked up flaws as it's rolled downhill.

So one of the reasons that I would cite is scoring criteria has changed. When it started, local preference ordinance was part of the scoring. It was later removed.

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Then we've seen different interpretations and games played with the volume of work points, as well.

The apparent top ranked firm has been -- had three different owners during the term of this procurement alone, one a large gas, oil, and petroleum products conglomerate that you all know as Chevron, a investment banking firm named Oak Tree Investments, and now ENGIE, a European gas and electric utility. So if you prorate that, in the two years, there's been three owners. These contracts are typically 10 to 20 years. That would be 15 to 30 different owners.

Do I have to stop? Is that --

MAYOR KIAR: Yes, but thank you, though.

MR. EATON: All right.

MAYOR KIAR: I appreciate it. The --

MR. EATON: Yeah.

MAYOR KIAR: -- next is Hector Samario. Hi, Mr. -- thank you for being here.

MR. SAMARIO: Thank you. My name is Hector Samario. And -- and thank you for this opportunity, Mayor and Commissioners.

I'm supporting the agenda for the following reason. Siemens was originally ranked number one on the RFP response.

This -- this is Chevron's original submittal. The reason we're here today is because of a loophole in a policy, and that's what's caused a lot of these delays and the changes. This is their original submittal. It loses, in this -- in this

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procurement, it loses because of volume of work. They're doing 19 -- over \$19,000,000 worth of work with the County, and it loses because they don't get the bonus points.

So at the same time a new company is created. They purchase assets from Chevron. Not the company. They just purchase the office, computers, and they purchase this RFP. They purchase it. So six months after the due date, they change the name, they change the cover sheet, the logos, they erase Chevron, they put in Opterra, and submit this document six months later.

Here you get zero volume of work and they -- they lose. Here they go from fourth place to first place because they get volume of work. Same qualifications, same projects and experience, but that loophole in volume of work allows them to jump ahead of Siemens. So that's the benefit.

And today they're here to ask you for -- to do the same thing again. They want to take the second RFP, change it because they were purchased by the -- the French utility company, ENGIE, and so they want to change this one a third time, submit a new document with updated -- updated insurance forms, updated financials, and so on.

This was going to be our first project with the County, our first performance contracting project with the County. And we were certainly looking forward to it. And what -- what's -- what the irony is is that we are better positioned to do -- support the County than any other company in this solicitation.

We are stable. We are local. We have far more experience than our competitors. And we have been selected by more -- more local governments throughout the globe.

So I fully support this agenda item.

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Thank you.

MAYOR KIAR: Thank you.

Next is Bernie Friedman, who represents Siemens.

MR. FRIEDMAN: Thank you very much, Mayor.

The RFP -- RFP process cannot be salvaged.

In sum, proposer Chevron Energy Solutions has undergone a material metamorphosis twice since proposals were submitted nearly two years ago. The first change, which was a transfer of assets to Opterra, occurred during the evaluation process.

Despite the -- despite that, the County allowed Chevron's proposal to be evaluated as Opterra's, even though there were material changes that were later submitted.

About three months ago, the County was notified that Opterra was acquired by ENGIE. Yet another owner.

Thus, the proposer in this RFP bears little resemblance to the proposer that submitted in the original proposal.

Since this solicitation was advertised, the proposal that is now before you has gone through many changes. Originally submitted by a large U.S. global oil/gas company, later submitted by a company of investment bankers, and later by a French electric company. They are three different companies, different business strategies, different financials, different litigation histories,

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different business presence in Florida, different volume of work, and different histories, meaning that this process is beyond repair.

The evaluation process was supposed to be done at the time of the original submission. To allow a company to change hands three times sets a very, very dangerous precedent in Broward County. Future proposers may try to manipulate proposals in similar fashions after the submittal deadline to gain an unfair competitive advantage, as Siemens just pointed out.

This process is grossly flawed.

I must commend our Purchasing Director and the County Attorney's Office for all of their hard work.

I worked on it for over two and a half years, and been challenged every way on this project. And there was -- it's too many loopholes, too many problems. It's beyond repair, and I think that it would be tied up for years in bid protests. And there's too many important things that need to be done by Broward County in terms of the energy efficiency to delay this any longer.

Let's clean it up, rebid it, and, hopefully, we won't change companies three or four times.

Thank you very much.

MAYOR KIAR: Thank you.

The next person on the queue is Seth Platt, who represents Opterra.

MR. PLATT: Good evening.

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MAYOR KIAR: Hi, Seth.

MR. PLATT: Seth Platt representing Opterra Energy Services, the top ranked firm in this procurement.

The reason we're here today is to discuss whether to reject all submittals for this procurement.

However, this goes against prior precedent and there is no merit to Purchasing's recommendation and no legal basis to reject this solicitation.

Our competitor Siemens and their band of hired guns in this RFP have thrown everything but the kitchen sink at Purchasing in an attempt to derail the evaluation committee's recommended ranking of Opterra as number one.

Their protestations have been denied at every turn due to untimely filings, inaccurate information, incorrect interpretations of law and procedures and illogical arguments.

There is no doubt that Purchasing would prevail against Siemens' flawed protest appeal were it allowed to move forward.

Siemens states the crux of their current protest appeal is based on volume of work dollars paid to Opterra. However, they continue to erroneously cite the total amount for Opterra's current contract.

The County only counts dollars paid at the time of the submittal, which, according to our accounting records, were not enough to have overturned the point differential.

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Armed with the correct facts, a Hearing Officer will deny this appeal in short order, moving this procurement expeditiously forward.

Siemens' intent is clear to muddy the waters of this procurement to produce an outcome which they desire. On numerous occasions, Siemens forwarded through the Purchasing Director, cone of silence communications addressed to the evaluation committee members which have included false and misleading statements besmirching Opterra and the judgment of the Purchasing Director.

These actions are highly unprofessional and have no relationship to the merit of the RFP or the Procurement Code.

Opterra was the company that the evaluation committee originally scored and ranked as number one.

Subsequently, when the EC reconvened to review the changes in personnel for all companies, the EC unanimously reconfirmed the rankings.

Since there have been no substantive changes to Opterra or its team, the recent acquisition of Opterra by ENGIE will surely have the same result if considered by the EC.

The lawful RF -- RFP process should be allowed to continue in accordance with County law and policy.

MAYOR KIAR: Thank you, Mr. Platt.

The next person on the queue is Brad Boerger.

MR. BOERGER: Boerger.

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MAYOR KIAR: Boerger.

MR. BOERGER: I started out with good morning and then good afternoon, so I guess we're --

MAYOR KIAR: Good evening.

MR. BOERGER: -- up to -- we're up to good evening.

Once again, my -- my name is Brad Boerger. I'm the Vice President of Business Development for Opterra Energy Services.

And I would first like to thank the County for the strong relationship we have built over the years through the energy project we performed at the wastewater treatment plant that was very successful. And we continue to want to build on that success with keeping this contract moving forward and this relationship moving forward.

Today, the energy services market is a very dynamic industry. I've been an employee of Opterra for over 24 years and have seen several changes in the industry itself.

Even though -- even know there have been many changes in the industry, our south Florida operations team remains the same. The only change to our staff is that we have hired a new business development manager, and that has been vetted through the evaluation committee and approved and moved forward when they -- when they resubmitted their approval of Opterra as the number one firm.

As the number one firm, our -- our -- our competencies remain the same as -- as originally proposed in our proposal dated September, 2014.

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The most positive change since then is that we have been acquired by ENGIE North America.

And only one firm pursuing this proposal has made an issue of it, and that is Siemens. None of the other firms that competed for this project has raised an issue.

And since we have become ENGIE Services -- or been part of ENGIE, not one customer has dropped their contact with us. And we have closed over \$100,000,000 worth of business since January 2nd of this year.

So there's really not a precedent of just because we changed our name from -- or our ownership. We haven't even changed our name. Our ownership -- just our ownership stays the same -- or has changed. Our name stays the same.

As a 24-year employee of Opterra, let me tell you why I'm excited about ENGIE and why Broward should be excited as well. When you selected Opterra through the -- when you selected Opterra through the acquisition --

MAYOR KIAR: Sir, you -- you can finish your sentence.

MR. BOERGER: -- okay --

MAYOR KIAR: Of course.

MR. BOERGER: -- you became partners with the largest energy services in the world.

Since Opterra has the new owner, we know that ENGIE's forward thinking position related to the -- the departmentization of the energy market and promoting energy efficiency through smart cities will only benefit Broward

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citizens and reduce the energy costs to Broward County itself.

MAYOR KIAR: Thank you.

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. BOERGER: Thank you.

MAYOR KIAR: Thank you --

MR. BOERGER: Thank you very much.

MAYOR KIAR: -- very much.

The next person on the queue is Tom Ulmer. Hi, Mr. Ulmer.

MR. ULMER: Mayor -- I'm sorry, Mayor, Commissioners, thanks for the opportunity to speak.

You have led by example. The co-gen project at the wastewater treatment plant has saved over 1.2 million annually, it's reduced greenhouse gases up to 25 percent of your annual goal -- goal, and you should be very proud because you won the American Society of Civil Engineers Project of the Year this past year. So in the spirit of good news, that's something, I think, to celebrate.

You, the Commissioners, have stated that the vision for Broward County is to create a community characterized by the following values. Fund and implement projects promoting resource conservation, sustainable practices, alternative energy, environmental protection.

Regarding the energy audit and performance contract consulting services RFP,

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the delay in this procurement has cost the County millions of dollars in savings lost in economic development dollars that would be spent locally and the necessary release of greenhouse gases that could have been avoided.

Supporting an unnecessary new procurement will only add another two-year delay to this process.

Through this process, Opterra has always conducted herself in the most professional manner.

Please don't allow this procurement to be taken hostage by the disruptive behavior of a disgruntled proposal.

To your comment, Mr. LaMarca, lead by example. Get the solar panels that you guys want by allowing this request for proposal and procurement to advance and avoid another two years of lost savings, of unsustainable -- or unsustainable practices, and uphold the rating of the number one for Opterra.

And, again, just when I hear the facts of 19,000,000 through 3,000,000, these are the things that are transpiring that is misinformation that is influencing outcomes and decisions.

And the same thing as to the ranking. Initially, we were verbally ranked one. We were moved to fourth because of a local office question that came up that wasn't appropriate. And then we returned to the ranking of number one. So it was one, four, one, and it's 3,000,000, not 19,000,000.

Thank you.

MAYOR KIAR: Thank you.

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The next person on the queue is Derran Gunderman. Derran. Derran Gunderman? Derran.

MR. GUNDERMAN: That's correct.

MAYOR KIAR: Thank you, Derran.

MR. GUNDERMAN: Thank you, Mayor, Vice Mayor, and Commissioners.

So I'm the Regulatory Officer at Opterra Energy Services, and I'd like to speak in opposition to this motion to reject this RFP.

One of the key reasons that is -- has been espoused for rejection of the RFP is the fact that Opterra has a new owner. However, the entity that responded to the RFP is Opterra Energy Services, Inc., and that company has not changed. We're the same group of people, same employees that have been here for years. We have the same management, the same officers, the same offices, including our long-time office here in Broward County, the same computers, the same everything.

The only thing that has changed is that our business unit was sold to a much larger entity, which actually just strengthens our platform, as we now have a much larger entity backing us.

There's really no reason to reject this proposal and issue a new RFP. The action really would just result in a loss of millions of dollars of energy savings for the County. This thing has been dragging on so long there are actually lost energy savings that are occurring as we speak that -- that, had we been awarded this project when -- when we got awarded it, we could have been building energy efficient ECMs by now and saving the County money.

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Opterra won the RFP fair and square. And there's been a protest now filed by Siemens. However, during that time, Opterra has conducted itself with dignity, respect. We have never violated the cone of silence, because that's the kind of company we are. And that's the company we would be if we partner with Broward County.

So for those reasons we ask that you reject the motion to reject this RFP, deny the motion.

Thank you.

MAYOR KIAR: Thank you.

The next person on the queue is Tracy Bible Raulerson.

UNIDENTIFIED SPEAKER: She's going to waive.

MS. RAULERSON: I'm just going to waive.

MAYOR KIAR: Oh, thank you.

And I'm guessing George isn't going to waive. Come on up, George. You're next.

MR. PLATT: Thank you. Thank you all. George Platt here on behalf of Opterra, the number one ranked firm, remind you again.

I've seen a lot over the last 35 years of working on County procurement, but this one, it's -- it's mystical and defying. It's astounding.

And the -- the recommendation of staff is really unwarranted. There's no legal

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basis for it. This process is not in the County's interest to reject.

I sent you a cone of silence letter where I outlined some of our positions.

This Commission has courageously committed, many years ago, the County to policies and projects that promote environmental protection, conservation, and sustainability.

Two years ago, two years ago this RFP was authorized by this Commission. Two years ago this month.

Commissioner LaMarca, I agree with you, it would be nice if we could get some of these County buildings up to speed in terms of sustainability.

This process has been slowed down by protests, by mudslinging, by letters that are not founded on facts, and by, quite frankly, an effort to throw enough mud out there that you'll create enough confusion that you just want to throw the whole process out.

Siemens is a disgruntled competitor. They were -- have been rebuffed by Purchasing at every turn. They still have a protest pending.

Now, you remember when we came here last year on behalf of Sunshine Cleaning in the middle of a procurement and we said, you know, the protest -- the process is flawed, this RFP. And the County Administrator and your staff and the County Auditor and the County Attorney all said let the process go forward, let them continue the protest and complete the process. Mr. Freeman -- Friedman was with me on that one, by the way. We lost because you voted to let the process continue.

We can't afford to wait another two years. This process is extremely important.

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We need your help. This is a much more compelling than a janitorial contract.

This needs to happen now. Help save Broward County. Move forward. Better footprint from carbon standpoint and you're going to save millions of dollars a year that I'm sure you've got some use for.

Thank you.

MAYOR KIAR: Thank you, Mr. Platt.

Now, before we come back to the County Commission, I think I -- I have to hear from Ms. Billingsley. Is Ms. Billingsley here?

UNIDENTIFIED SPEAKER: Yes.

MAYOR KIAR: Ms. Billingsley, if you could please come up.

And -- and I'll tell you, at least, for myself, I walked in here today, you know, willing to -- to support staff's recommendation, but I'm -- I'm trying to -- there -- so many things that have happened here, there are so many moving parts, and I'm trying to basically get my arm around -- arms around to find out why should we reject all bids. Tell us why you all have recommended that.

MS. BILLINGSLEY: Well, the recommendation is before you, Commissioner, because we believe that the process has been flawed. And as Mr. Platt pointed out, in the janitorial services contract, we didn't believe that there were any issues, so the process should have been followed.

But in this one, there's been clearly stated in our backup and what I can outline again today that this procurement has numerous issues associated with it.

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And partly some of it is our fault, and I will own that, because initially the application of the local preference was applied. We had to reconvene the committee because it's covered by CCNA and you cannot apply that, so that was our issue. We tried to resolve it. We thought that we were able to move forward with that one.

We had a number of buy-outs by the number one ranked firm, but if you go back to the original ranking where Siemens was ranked number one, and when the application of a local preference was applied, it flipped.

So we have a number of inconsistencies in this procurement process that we believe -- and it's not to prohibit any of these great companies, I'm sure they're all good, from participating in a new solicitation.

It will level the playing field, get all of our documents correct, make sure that we have all of our preferences applied and all of those that should not be applied not considered as part of the requirement, clean up our scope, and move forward.

And in our opinion, I believe that it creates this level playing field.

I don't believe that it would take two years, unless we go through the same process as far as the protests are concerned.

But I think, in all fairness to everyone involved in this, this will give everybody an opportunity to come back, present who we will be entering a contract with. We've gone through Chevron first, then it was Opterra, and now ENGIE. All of those companies, any of those companies can apply in a new procurement process.

So that's why we're recommending.

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MAYOR KIAR: Thank you.

Does anybody -- Commissioner Wexler.

COMMISSIONER WEXLER: Anyone else can go, if you'd like. I'll go last.

MAYOR KIAR: Does anybody want to speak? Commissioner LaMarca.

VICE MAYOR SHARIEF: (Inaudible.)

MAYOR KIAR: Yeah, right.

COMMISSIONER WEXLER: I've got a bunch of questions.

COMMISSIONER LAMARCA: You know, I was looking on the -- the website at the -- the Broward County WWS project, because I still haven't made it out there, and I have a satellite office right -- right near there.

The -- the folks who went first, I would say that your -- the best way to make your point is to not tell us why the other people -- can't say that word here -- but tell us why your -- your firm is better. And I -- I happen to know Siemens is a global conglomerate, about 350,000 employees, almost a hundred billion dollars in revenue. It may be more -- more than that by now.

My only point would be if this were a political campaign, you guys would have looked like a bully. And I ran against a bully twice and beat him.

That being said, I know your product and I'm sure you'd do a fine job.

The other side, again, the project that was done at WWS, very -- very well

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done.

My concern is not the fact that you two are here saying one would do a better job, or the other one -- other one saying the same thing. It's that we have a process that you can continue to protest and, you know, come up with picky issues and, you know, maybe it's not picky to -- to you all because you're sitting there and it's your -- it's a big decision for us to make on your business, but --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: -- the transfer of businesses -- ownership of businesses happen all the time. Siemens is not the kind of company to -- to be on the purchased side, but you're probably on the side where you've purchased a lot of companies, ABB and numerous other companies very -- very similar.

So that having been said, I'm -- I'm frustrated. You know, wrote notes when I look at my agenda. I just said embarrassing.

This has been on the street since June of 2014. And these -- these two protests that -- that it can happen, and I'm not blaming Procurement, but there's a lot of very smart people here. You're -- you're both represented by very smart people and they're going to -- they're -- they're going to do their best, if you're not in first, to figure out a way to get you to first.

Now, whether that was a transfer of ownership, whether that is work done in the area under this banner but not under that banner, I'm just -- I'm frustrated with -
- with the situation.

And there's not really -- there's not really a way that -- and -- and maybe my colleagues can tell me different -- there's not a way that we can sensibly make a decision one -- one or the other because you've both been ranked number one at one point. You're both certainly qualified. And we're looking at how do

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you weigh where your business -- your business volume based on the company you were before or the company you are now.

Myself, I mean, I -- I -- I -- I looked at we -- you know, I can't make a decision. I mean, I -- we don't sit on evaluation committees, selection committees.

My issue is that this should have been -- this should have been something that was brought up in the initial -- the initial one, and you -- because you had made a change from Chevron -- you had made the change from Chevron to Opterra. If that was an issue then, then -- then it should have been an issue when you all were ranked first.

So I'm frustrated. I want to hear what the other folks have to say and I want to move forward with this one way or the other.

MAYOR KIAR: I -- I just have a quick procedural question from the County Attorney. If -- all right. So we need five votes. If -- it's a motion to reject all proposals.

If the motion to reject all proposals does not get five votes or a motion to approve all proposals not get five votes, what happens to the item?

MS. ARMSTRONG COFFEY: If the -- you can't get a motion to support the item -- I've been having the same question --

MAYOR KIAR: Yeah.

MS. ARMSTRONG COFFEY: -- the motion fails. Another motion's in order.

If you can't get a motion to pass, then the item is withdrawn from the agenda to be --

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MAYOR KIAR: Heard again.

MS. ARMSTRONG COFFEY: -- presented at another date.

MAYOR KIAR: I understand. So it doesn't -- it doesn't fail for a long -- it could come back.

MS. ARMSTRONG COFFEY: It -- it --

MAYOR KIAR: Okay.

MS. ARMSTRONG COFFEY: -- another motion could be presented later.

MAYOR KIAR: Thank you. Just wanted to make sure.

Commissioner Wexler.

COMMISSIONER WEXLER: I hate this. I really -- what I'm trying to understand, and there is absolutely nothing prohibiting that if we accept staff's recommendation to reject all bids that the same song and dance won't happen again.

That -- that -- that's my problem here. And, as a matter of fact, I would expect it to happen again.

So I listened to what both parties said. I read both transmittal letters. I met with staff yesterday. And this is -- this is what I'm trying to -- trying to understand, and if I may have Ms. Billingsley come back up to the podium so I can --

MAYOR KIAR: Ms. Billingsley.

COMMISSIONER WEXLER: -- just verify a couple of things here.

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MS. BILLINGSLEY: Sure.

COMMISSIONER WEXLER: All right. So the initial submittal was by Chevron?

MS. BILLINGSLEY: That's correct.

COMMISSIONER WEXLER: When -- had the EC convened prior -- when Opterra -- when the name changed to Opterra, had the -- tell me -- tell me the journey.

MS. BILLINGSLEY: The committee -- the committee met. We got the information before the initial meeting, I believe, and we vetted Opterra and presented it to the committee.

COMMISSIONER WEXLER: Had you vetted Chevron?

MS. BILLINGSLEY: Yes, we had --

COMMISSIONER WEXLER: That's what I'm --

MS. BILLINGSLEY: -- because they had initially submitted, so we went through our initial process with reviewing their legal, their financials. We had reviewed the entire submittal from --

COMMISSIONER WEXLER: Right.

MS. BILLINGSLEY: -- Chevron.

Then, when they were bought out by Opterra, Opterra submitted the same information. They submitted their legal findings. They submitted their financials. They submitted a list of different documents that we require.

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COMMISSIONER WEXLER: Right.

MS. BILLINGSLEY: That was vetted also through all the -- all of the appropriate agencies and presented to the committee.

COMMISSIONER WEXLER: Okay. So the evaluation committee met. They evaluated the original submittals. At that point it was still Chevron.

MS. BILLINGSLEY: Chevron.

COMMISSIONER WEXLER: The name changed. Ownership changed.

MS. BILLINGSLEY: It changed prior to the initial meeting, I believe. Yes, it -- it changed prior to the initial meeting of the committee.

COMMISSIONER WEXLER: So then the evaluation committee never did -- because who -- who did the RFP? I mean, didn't the evaluation committee members score the RFP?

MS. BILLINGSLEY: Yes, they did. But once we get the submittals, we review all of the documentation. And the original submittal was Chevron. So we went through our process with reviewing Chevron. During the course of that, before the committee met --

COMMISSIONER WEXLER: That's --

MS. BILLINGSLEY: -- we got the --

COMMISSIONER WEXLER: Exactly.

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MS. BILLINGSLEY: -- the information on Opterra. We requested the information from Opterra and did the same review for them.

COMMISSIONER WEXLER: So the evaluation committee never scored Chevron.

MS. BILLINGSLEY: That's correct.

COMMISSIONER WEXLER: They scored Opterra.

MS. BILLINGSLEY: Opterra --

COMMISSIONER WEXLER: That --

MS. BILLINGSLEY: -- that's correct.

COMMISSIONER WEXLER: -- and that's an important distinction for me. Okay?

MS. BILLINGSLEY: Okay.

COMMISSIONER WEXLER: Now the journey continues --

MS. BILLINGSLEY: Yes.

COMMISSIONER WEXLER: -- and somewhere along the line in this two-year period, ENGIE?

MS. BILLINGSLEY: ENGIE.

COMMISSIONER WEXLER: ENGIE purchased Opterra.

MS. BILLINGSLEY: That's correct.

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COMMISSIONER WEXLER: You had to go through that same legal, financial, volume of business -- no, the volume of business is out of it, isn't it?

MS. BILLINGSLEY: That's --

COMMISSIONER WEXLER: Because the CCNA --

MS. BILLINGSLEY: -- well, we haven't gotten that far with ENGIE yet. This just recently happened. We have only vetted up to Opterra. We received --

COMMISSIONER WEXLER: Okay.

MS. BILLINGSLEY: -- the notification regarding ENGIE. We've not requested their information so that it can be vetted.

COMMISSIONER WEXLER: Pardon me?

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER WEXLER: Oh.

MAYOR KIAR: Oh, we did. We lost the quorum. We have to -- we have to recess until they come back. We can't --

COMMISSIONER WEXLER: Can we just sit in our places (inaudible) for a moment?

MAYOR KIAR: Yeah, we -- we can stay right here. We just have to wait for Chip to come back. Sorry.

UNIDENTIFIED SPEAKER: That's okay.

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MAYOR KIAR: Talk amongst yourselves and enjoy yourself.

COMMISSIONER WEXLER: I didn't -- I had no -- I mean, I thought that the -- like something really --

MAYOR KIAR: Thanks.

COMMISSIONER WEXLER: -- bad happened.

MAYOR KIAR: Yeah, no, absolutely.

COMMISSIONER LAMARCA: I can -- I can hear you back there.

COMMISSIONER WEXLER: Stop, stop.

MAYOR KIAR: No, I know, but you have to be on the dais.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Chip's back. (Inaudible.)

COMMISSIONER WEXLER: Oh, God, this is -- this is going to be so painful. All right.

MS. BILLINGSLEY: Okay.

COMMISSIONER WEXLER: So --

MS. BILLINGSLEY: So with ENGIE, we've not received -- we've not requested any documentation from ENGIE at this point. Because of all the other issues, we just -- just stopped. We needed to make sure that we were on solid grounds.

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There were some issues that were raised regarding the volume of previous work. In our initial review with Chevron, it was indicated Chevron reported that there was a \$19,000,000.

Of course, the Broward County Board of County Commissioners directed us to use the volume of previous work as reported by the County's financial system.

When we went in for Opterra, there was zero dollars for Opterra. And generally in a review, what we have done historically is review the company that's been acquired. So that would have been Opterra.

COMMISSIONER WEXLER: Right.

MS. BILLINGSLEY: Opterra had no dollars that they had done business with the County at that time.

COMMISSIONER WEXLER: Right.

MS. BILLINGSLEY: So there is some discussion about the numbers and the points and the \$3,000,000, but our records indicated that Chevron, even if they -- they had the -- the amount, they wouldn't have got the -- gotten the points either way. Bringing Opterra in with zero dollars, they received the three points. And that's three points from each committee member. There were three committee members.

COMMISSIONER WEXLER: Right. Okay. But I'm -- in my mind, I'm trying to understand when the EC actually -- two -- two triggers. There's a deadline for submittal.

MS. BILLINGSLEY: Yes.

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COMMISSIONER WEXLER: Chevron submitted. In between that deadline for submittal and the evaluation committee convening, staff was notified that there was a change of ownership.

MS. BILLINGSLEY: That's correct.

COMMISSIONER WEXLER: That change of ownership triggered -- now, we -- we -- we're going to approve something next week on PACE that started out as Eco City and now it's Renew or re-something or other, and --

MS. BILLINGSLEY: (Inaudible.)

COMMISSIONER WEXLER: -- these things happen in business and in industry.

I'm much more interested in at the point where the EC actually saw it and scored it based on the information that staff provided for them.

MS. BILLINGSLEY: And we provided all of the documentation. We were -- provided them --

COMMISSIONER WEXLER: Does --

MS. BILLINGSLEY: -- with the initial --

COMMISSIONER WEXLER: Okay. Brenda, does the new ownership -- or maybe you didn't even go that far because -- did you -- when -- when you found out that ENGIE now owns Opterra, your normal procedure would be to ask them for all that information as well?

MS. BILLINGSLEY: That is correct. And we've not gotten to that step yet, is to request

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that same documentation from the third company --

COMMISSIONER WEXLER: Right.

MS. BILLINGSLEY: -- to vet them as well.

COMMISSIONER WEXLER: It is extremely cumbersome, absolutely, and I see where and why. And it's really that third ownership that throws me over the edge. It -- it -- it -- it just -- it just does. For better or for worse, that's a business decision, but we have a whole procurement that we've got to justify here.

MS. BILLINGSLEY: And --

COMMISSIONER WEXLER: You -- you -- instead of going into it, ENGIE, and looking at their litigation and their financial and their volume of --

MS. BILLINGSLEY: Volume.

COMMISSIONER WEXLER: -- business, you decided to make a recommendation to the Board to --

MS. BILLINGSLEY: Absolutely.

COMMISSIONER WEXLER: -- reject all bids. Am I correct in that?

MS. BILLINGSLEY: That is correct, Commissioner.

COMMISSIONER WEXLER: Okay.

MS. BILLINGSLEY: And the purpose of that is to really seek policy. There is some

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information that we will be bringing back to the Board, hopefully as soon as the break is over, regarding the volume of previous work. To get from you, how do you want us to handle your procurements? Do you want to set a time frame in which a company is bought out? Is it six months prior to the solicitation or is it six months after?

COMMISSIONER WEXLER: Yeah.

MS. BILLINGSLEY: We have --

COMMISSIONER WEXLER: Yeah.

MS. BILLINGSLEY: -- assumed this up to this point where we've accepted a second company --

COMMISSIONER WEXLER: Yeah.

MS. BILLINGSLEY: -- but now we're to a third.

COMMISSIONER WEXLER: Let me -- let me -- exactly. And I -- and that's what troubles me, that potentially there is a material change in the proposal --

MS. BILLINGSLEY: There could very well be.

COMMISSIONER WEXLER: -- only because of who buys them. And at what point do you put a line in the sand as a policy, us, to say that's it, this -- this is it? You know, we're -- whoever it is that's number one has to stay number one under that name. If you decide to sell it after we sign a contract with you, that's another story, and we've done that many times.

MS. BILLINGSLEY: That is correct.

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COMMISSIONER WEXLER: But this can -- this -- this -- this throws the whole process, and, you know, especially to the other four companies in the -- in the -- in the competitive procurement.

And others may have no issue with it. I don't know. I mean, I don't know that. But it -- it leaves me questioning, very much questioning that there really needs to be, if -- there -- there was a deadline. Someone bought it. That changed the material response. It changed it in such a way that -- that they went from one to four to one? Or was that because --

MS. BILLINGSLEY: Yes.

COMMISSIONER WEXLER: -- of the CCNA?

MS. BILLINGSLEY: That was because of the local preference.

COMMISSIONER WEXLER: Okay.

MS. BILLINGSLEY: (Inaudible.)

COMMISSIONER WEXLER: Which does not apply to this.

MS. BILLINGSLEY: That's correct.

COMMISSIONER WEXLER: All right. So that was your -- that was Purchasing's fault --

MS. BILLINGSLEY: That's correct.

COMMISSIONER WEXLER: -- for interpretation of that application?

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MS. BILLINGSLEY: Yes, for --

COMMISSIONER WEXLER: Okay.

MS. BILLINGSLEY: Absolutely.

COMMISSIONER WEXLER: All right. So the easiest way out of this pile of poop that you find yourself in right now is to support the item that's before us. It's the easiest way, and the Board has the authority to do that. But that doesn't mean that you're not going to have the same exact situation created, especially in this environment when companies are bought and sold all the time.

I would prefer that, through the process and through protests and Hearing Officers, that the -- that it play out. I would prefer that, actually, if I had my druthers up here today.

So I want to hear from my colleagues, because I -- I just -- it's -- it's -- it's a mess. It's a mess.

MS. BILLINGSLEY: It is.

MAYOR KIAR: Commissioner Furr, did you want to --

COMMISSIONER FURR: I'll try, because this is a mess.

MAYOR KIAR: It is.

COMMISSIONER FURR: And thank you for trying to -- I appreciate you walking -- walking through there.

Can you explain -- Brenda, I need you.

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MS. BILLINGSLEY: I'm sorry.

COMMISSIONER FURR: I need your help as well.

What -- what bothers me is how long this is taking and the loss to the County on -- on how long -- on -- what -- this is -- this is needed. It's been needed, and we are losing -- we're losing ground by --

MS. BILLINGSLEY: We are.

COMMISSIONER FURR: -- taking so long.

When -- explain to me -- and -- and I guess this has to do with the CCNA -- how -- when was Siemens number one?

MS. BILLINGSLEY: Siemens --

COMMISSIONER FURR: The -- the initial --

MS. BILLINGSLEY: The initial, when we applied for local preference, they were number one.

MAYOR KIAR: (Inaudible.)

MS. BILLINGSLEY: They were within five percent of a non-local firm. So it flipped. So when we realized --

COMMISSIONER FURR: So they started off as number one.

MS. BILLINGSLEY: Yes, they did.

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COMMISSIONER FURR: And then why did -- then why did you backtrack on not using the local preference?

MS. BILLINGSLEY: Because on CCNA, you're not allowed to use the preference --

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. BILLINGSLEY: -- through CCNA. You can use location, but there is a difference. Remember, we have three different areas of -- of location, local preference location and use for tie breaker. So this one was the local preference that we applied, and we should not have. So once we --

COMMISSIONER FURR: And that's -- and that's why --

MS. BILLINGSLEY: -- corrected --

COMMISSIONER FURR: -- that's why it went from --

MS. BILLINGSLEY: That's correct.

COMMISSIONER FURR: -- that's when Opterra went back to one after that.

MS. BILLINGSLEY: Yes.

COMMISSIONER FURR: It started off -- okay.

COMMISSIONER WEXLER: Does that help?

MAYOR KIAR: Opterra filed the protest --

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COMMISSIONER FURR: Well, I didn't understand why they were one. I didn't understand the local preference.

MAYOR KIAR: -- they -- after that, they filed -- after that happened, they filed a protest and that's when you reviewed it and then flipped them back to -- to number one, right?

MS. BILLINGSLEY: Siemens filed the protest.

COMMISSIONER FURR: Siemens filed -- filed the protest.

COMMISSIONER WEXLER: Yeah, but I don't think it was about --

UNIDENTIFIED SPEAKER: No.

MS. BILLINGSLEY: It wasn't about that.

COMMISSIONER WEXLER: -- location.

UNIDENTIFIED SPEAKER: I thought -- I thought --

MS. BILLINGSLEY: No, it wasn't about that. It was about --

COMMISSIONER FURR: Well, what was the -- what was the --

MS. BILLINGSLEY: -- volume --

MAYOR KIAR: Sorry to interrupt you, Beam.

MS. BILLINGSLEY: -- of previous work.

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MAYOR KIAR: I apologize.

MS. BILLINGSLEY: There were several issues that were raised in -- in the -- in the protest, volume of previous work and how it was applied and -- because we didn't use the volume of previous work for Chevron, but, as they indicated and as we've discovered, the division that did the work or will be responsible for the work, that's the division that was bought out by Opterra. So, really, if you look at it, that volume of previous work has gone into that division.

So we will be seeking policies from the Board as to how should we handle volume of previous work. Do we count the acquiring company and do we account the -- for the company that was just acquired?

So it's a number of things that are mixed in here that really -- that's why I consider it --

COMMISSIONER FURR: Was it an advantage here to have more work, having -- have -- having done more work or less work?

MS. BILLINGSLEY: Less work.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER FURR: To --

MAYOR KIAR: That's right.

COMMISSIONER FURR: -- so that you're able to diversify?

MAYOR KIAR: You're more --

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MS. BILLINGSLEY: That's correct.

COMMISSIONER WEXLER: More points for less work.

MS. BILLINGSLEY: That's correct.

MR. LUKIC: I -- could I -- could I ask a few questions to try to get to the bottom of this?

COMMISSIONER FURR: Sure. That'd be fine.

MAYOR KIAR: Mr. Lukic.

MR. LUKIC: With respect to the first issue relative to the local preference, how did that come to your attention?

MS. BILLINGSLEY: Oh, God, it's been so long.

MR. LUKIC: Was it just reviewing ourselves, or did either vendor protest?

MS. BILLINGSLEY: I believe it was through discussion when we were reviewing the documents --

MR. LUKIC: Okay.

MS. BILLINGSLEY: -- because after each procurement, we sit down and go through all of the documents.

MR. LUKIC: My understanding, though, is that we resolved that issue.

MS. BILLINGSLEY: Yes, we did.

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MR. LUKIC: Okay. And we determined that that was no longer an issue.

MS. BILLINGSLEY: That's correct.

MR. LUKIC: Did anyone protest that determination?

MS. BILLINGSLEY: No.

MR. LUKIC: Okay. So that issue really -- I'm trying to bifurcate this because --

UNIDENTIFIED SPEAKERS: (Inaudible.)

MR. LUKIC: -- if you throw all the issues together, it looks really bad --

UNIDENTIFIED SPEAKER: Yeah.

MR. LUKIC: -- but if you break it apart into pieces, maybe not so bad.

Have we ever had that issue before?

MS. BILLINGSLEY: Where we've applied the local preference --

MR. LUKIC: Where we've applied the local --

MS. BILLINGSLEY: -- incorrectly?

MR. LUKIC: -- preference incorrectly and we resolved it and moved forward?

MS. BILLINGSLEY: Not to my recollection --

MR. LUKIC: Okay.

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MS. BILLINGSLEY: -- but I'm getting older, so.

MR. LUKIC: Because I'm trying to go from policy and practice --

MS. BILLINGSLEY: Okay.

MR. LUKIC: -- and try to establish.

The second thing, about the ownership change, what was the nature of the ownership change from Chevron to Opterra? If -- maybe the vendor can answer that.

MS. BILLINGSLEY: They may be able to --

MR. LUKIC: Or --

MS. BILLINGSLEY: -- answer that.

COMMISSIONER WEXLER: You want the lobbyist to answer it?

UNIDENTIFIED SPEAKER: Well, who has the answer?

UNIDENTIFIED SPEAKERS: (Inaudible.)

UNIDENTIFIED SPEAKER: So -- so from -- from Chevron to Opterra, there was an asset sale. So we sold the assets of the company, all the people. Everything went. The --

MR. LUKIC: Okay.

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UNIDENTIFIED SPEAKER: -- Chevron exited the business. So the entire division became Opterra.

MR. LUKIC: So it was an asset sale. It wasn't a -- a -- a stock transaction where --

UNIDENTIFIED SPEAKER: It was not, but the -- but the Opterra to ENGIE was, which was important, because you were asking that question about the third entity. There is no third entity, because Opterra Energy Solutions, Inc. is an ongoing entity. That entire corporation was sold to an ultimate parent ENGIE.

MR. LUKIC: That --

UNIDENTIFIED SPEAKER: So --

MR. LUKIC: -- if I may --

UNIDENTIFIED SPEAKER: -- there is --

MR. LUKIC: -- that was the reason I asked the question.

UNIDENTIFIED SPEAKER: Yes.

MR. LUKIC: I'm trying to find out --

UNIDENTIFIED SPEAKER: Ah-ha.

MR. LUKIC: -- if these are substantively changes, because if you're a sub --

UNIDENTIFIED SPEAKER: Yeah.

MR. LUKIC: -- and you engage -- and we engage you and you're a sub of another

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company, their -- their position really has little to do with our -- our -- our contract. You know, you don't have recourse to the parent unless the parent agrees to it. They're really separate legal entities. And that's why I was trying to get to that.

So we really only had one sale --

UNIDENTIFIED SPEAKER: Yes.

MR. LUKIC: -- I think, that would be concerning to us.

Could I speak with Brenda again?

MAYOR KIAR: Mr. Lukic, can I ask you a quick question?

COMMISSIONER FURR: Which -- which sale --

MAYOR KIAR: Because I'm following what you're saying.

COMMISSIONER FURR: -- which sale --

MAYOR KIAR: Oh, yeah. I'm sorry.

COMMISSIONER FURR: -- I just want to ask, which sale you think is --

UNIDENTIFIED SPEAKER: Chevron.

COMMISSIONER FURR: -- most -- most concerning?

UNIDENTIFIED SPEAKER: Opterra.

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MR. LUKIC: Well, I'm still concerned about the first, because it was a sale of assets. If that had been a corporate change, I might not be so concerned. But I -- I want to get all the information.

MAYOR KIAR: Does it throw it back -- once there is a sale (inaudible), does it throw it back to the evaluation committee again? Does it kind of go through --

MR. LUKIC: Well --

MAYOR KIAR: -- the process again?

MS. BILLINGSLEY: Anytime there's a major change with any of the procurements, we reconvene the committee and provide them with the -- with the information.

COMMISSIONER WEXLER: Chevron never went to the EC --

MS. BILLINGSLEY: That's --

COMMISSIONER WEXLER: -- just Opterra did.

MS. BILLINGSLEY: Just --

UNIDENTIFIED SPEAKER: Right.

MS. BILLINGSLEY: -- Opterra. Chevron did, as part of the initial package, go to the EC.

COMMISSIONER WEXLER: Right, but they didn't evaluate it.

MS. BILLINGSLEY: That's correct.

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MAYOR KIAR: But you -- did you --

COMMISSIONER FURR: (Inaudible) EC.

MAYOR KIAR: Okay.

COMMISSIONER FURR: I mean --

MAYOR KIAR: Sorry, I apologize.

COMMISSIONER FURR: (Inaudible.)

MAYOR KIAR: Actually, it's -- it's both Mr. Lukic and Beam kind of have the -- the thing.

COMMISSIONER FURR: No, go ahead. He's asking very good questions.

MAYOR KIAR: I'm doing the same thing.

MR. LUKIC: So -- so at least with respect to this ENGIE company, I'm not so concerned about that change of ownership.

The question would be -- because change of ownership happens a lot, and -- and I've --

UNIDENTIFIED SPEAKER: It does.

MR. LUKIC: -- seen proposals come forward with subsidiaries, and -- and, quite frankly, many times, in our -- in response to our proposals, people actually create entities --

UNIDENTIFIED SPEAKER: JV.

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MR. LUKIC: -- to respond. They do a JV. They create a sub. They create someone. And there's business reasons for all that. So I'm not surprised that that might happen.

I guess the conundrum is is that originally Chevron responded, but prior to the EC, which is the important point, Chevron -- Chevron's submittal still involved substantively -- substantively the same people, though, right?

MS. BILLINGSLEY: I -- I would assume so.

MR. LUKIC: So -- so the qualifications -- this is not a qualification issue. Chevron -- Chevron itself had this entity, this subset of itself --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. LUKIC: -- that would perform the work and that's what we -- we didn't -- it didn't take Chevron to do this work. It took the assets that Chevron had to do this work. And that's really what was the qualifying entity.

It was sold off in -- in toto, the whole -- the whole division was sold off?

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. LUKIC: Because what I'm trying to get at is if the day of your response -- and this is a question for Purchasing, if on the day of your submittal, is that when we measure all the issues or do we continue to measure legal issues, do we continue to measure everything after the submittal and after the EC meets? Do we go all the way to the actual award of a contract to say someone's, A, maybe changed their name or --

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MS. BILLINGSLEY: No, but in your solicitation documents, it requires the vendor to notify the County of any significant change.

MR. LUKIC: Okay.

MS. BILLINGSLEY: So we don't go back unless there's something that's brought to our attention or we are aware of a change that we would do that.

But in your scenario, let's talk about the volume of previous work, because that's -- that would be key in this scenario.

MR. LUKIC: Right.

MS. BILLINGSLEY: If the division of Chevron that was bought by Opterra did the majority of the work, the bulk of the work, then the volume of points, then, is an area that we need to focus on, because with that, that division that's doing business with Broward County had has done roughly \$13,000,000, and -- and that's just rough --

MR. LUKIC: Right.

MS. BILLINGSLEY: -- figures.

So even with that, if we pull that division into this process and counted their volume of previous work plus Opterra's, which Opterra didn't have any, they still would not have gotten any points for that, whereas in this current scenario, they got the three extra points.

So do we then reject or reduce the number of points that we've given to Opterra for volume of previous work?

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MR. LUKIC: Okay. Here's a question. Is the volume of previous work related to all work an entity did or work related to this -- the project?

MS. BILLINGSLEY: All work.

MR. LUKIC: Okay. So Chevron -- Chevron could have sold us gasoline and that would have counted as volume --

MS. BILLINGSLEY: Absolutely.

MR. LUKIC: -- of work?

MS. BILLINGSLEY: Because there was no distinguish as to what we count. The Board directed us to go to our financial system and determine the volume of previous work that has -- that the County has paid for.

MR. LUKIC: Uh-huh. So let's -- let's -- let's do a what if, so I can really confuse things here.

If Opterra was a subsidiary of Chevron, for -- for purposes of a hypothetical, and they were to have sold an Opterra, we would have included Chevron as the parent's work number with --

MS. BILLINGSLEY: If Chevron submitted the proposal.

MR. LUKIC: As Chevron.

MS. BILLINGSLEY: As Chevron.

MR. LUKIC: Where if they submitted it as Opterra, they wouldn't have gotten-- the issue of prior business wouldn't have existed.

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MS. BILLINGSLEY: Under the current practice or policy of the Board, I don't believe so.
It would have been --

MR. LUKIC: No, if they were contracting with us directly as a subsidiary, it wouldn't have.

So the thing that complicated it is -- simply is that their structure, their corporate structure when they applied and the subsequent sale is what's causing our -- our big issue today, which tells us --

MS. BILLINGSLEY: Well, it's basically policy decisions on how --

MR. LUKIC: How do you handle those? Because we didn't --

MS. BILLINGSLEY: -- how do you handle it?

MR. LUKIC: -- we didn't --

COMMISSIONER FURR: But -- but what's important is to go by what the policy was at that time.

MR. LUKIC: That's where I'm --

MS. BILLINGSLEY: That's correct.

MR. LUKIC: -- trying to go to. What was our policy --

COMMISSIONER FURR: Because you can't --

MR. LUKIC: -- and --

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COMMISSIONER FURR: -- you -- you're asking us to come back and change policy.

MR. LUKIC: Yeah. Exactly.

COMMISSIONER FURR: But -- but -- but what really needs to be looked at, what's fair, is to determine what the policy was at that time.

MS. BILLINGSLEY: At that time.

COMMISSIONER FURR: Yes, yes --

MR. LUKIC: And --

COMMISSIONER FURR: -- yes, we may have to go -- come --

MS. BILLINGSLEY: And revisit it.

COMMISSIONER FURR: -- and revisit it. But --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER FURR: -- in all fairness, we need to look at what the policy was at that time and go from there.

MR. LUKIC: And -- and policy, where it's not defined, would be, in my opinion, defined by your practice. So if we didn't enumerate exactly this circumstance in our policy, but our practice was -- gives us some guidance as to how we -- what the policy meant to us at that time.

Because I'm a little troubled that -- exactly what you're saying is now we have a

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transaction before us. We don't know what to do with it, so now we're going to throw the transaction and create a new policy. I'm a little troubled by that.

COMMISSIONER FURR: Right.

MR. LUKIC: But I don't know -- I'm not with any answers yet. I'm still full of questions.

UNIDENTIFIED SPEAKER: Yeah.

MR. LUKIC: But --

MS. BILLINGSLEY: So are we. So (inaudible).

MAYOR KIAR: It seemed that -- I'm sorry. Oh, I'm sorry, Beam. I apologize.

COMMISSIONER FURR: It -- I mean, it's -- it's looking to me like -- I mean, I -- whether -- the -- the question is whether or not Chevron -- it really comes down to did they create Opterra to -- to -- to have an advantage here? That's what it comes down to.

UNIDENTIFIED SPEAKER: Opterrra's 40 years old.

COMMISSIONER FURR: What's that?

COMMISSIONER WEXLER: I think Opterra was (inaudible).

COMMISSIONER FURR: Okay. So then if -- if -- I don't know how -- how long Opterra was in place or how -- I -- actually, I guess I need to ask Opterra and Chevron that. When -- when -- when did Chevron -- did they acquire --

COMMISSIONER WEXLER: (Inaudible.)

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COMMISSIONER FURR: -- Opterra or did they create Opterra? I'm not sure on that.

UNIDENTIFIED SPEAKER: Right. So a couple things. One is -- one of your questions was the -- the entity, you know, do you look at the entire body of work of Chevron Corporation. Actually, the initial Chevron RFP response was Chevron Energy Solutions Company, this -- this smaller company. We did not go in as Chevron Corporation, just -- just to let you know.

And then -- and, I'm sorry, your question again?

COMMISSIONER FURR: Well, I -- I'm not sure how Opterra came -- came into being on this. I don't know if it was acquired by Chevron or if it was created --

UNIDENTIFIED SPEAKER: Right.

COMMISSIONER FURR: -- by Chevron at this time.

UNIDENTIFIED SPEAKER: So when Chevron sold our business unit, Chevron Energy Solutions Company, the entity that -- that bought us had an existing company called Opterra, which we -- folded us into that -- that company.

COMMISSIONER FURR: Say that one more time. I'm sorry.

UNIDENTIFIED SPEAKER: The --

COMMISSIONER FURR: I'm trying to --

UNIDENTIFIED SPEAKER: -- entity that purchased Chevron Energy Solutions Company, the assets got folded into an existing company called Opterra.

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COMMISSIONER WEXLER: How long have the (inaudible)?

COMMISSIONER FURR: How long -- how long prior to -- when did that happen? Did that -- did that happen right at this -- right during this --

UNIDENTIFIED SPEAKER: Yeah, so in -- so this occurred in, I think --

COMMISSIONER FURR: 2014?

UNIDENTIFIED SPEAKER: -- July of 2014.

UNIDENTIFIED SPEAKER: (Inaudible) 2014.

MR. LUKIC: If I could.

COMMISSIONER FURR: Go ahead.

MR. LUKIC: You just mentioned an entity called Chevron Energy Solutions Company. Was it --

UNIDENTIFIED SPEAKER: Yes.

MR. LUKIC: -- a subsidiary of Chevron?

UNIDENTIFIED SPEAKER: Yes, it was a division of Chevron --

UNIDENTIFIED SPEAKER: (Inaudible.)

UNIDENTIFIED SPEAKER: -- USA, Inc.

MR. LUKIC: And Opterra, if I'm following this, Opterra was a third party at that time?

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UNIDENTIFIED SPEAKER: Correct, yes.

MR. LUKIC: And they were a different entity? It was --

UNIDENTIFIED SPEAKER: Different entity.

MR. LUKIC: -- they acquired -- they acquired this -- this company, the --

UNIDENTIFIED SPEAKER: The assets --

MR. LUKIC: -- subsidiary --

UNIDENTIFIED SPEAKER: -- of Chevron.

MR. LUKIC: -- the assets, in a -- and they acquired those assets?

UNIDENTIFIED SPEAKER: Yeah. Yeah. I mean, the -- the -- Opterra was formed to receive the assets of Chevron Energy Solutions Company.

MR. LUKIC: But they were and --

UNIDENTIFIED SPEAKER: (Inaudible) be created --

MR. LUKIC: -- they were and are an --

UNIDENTIFIED SPEAKER: -- to receive --

MR. LUKIC: -- independent -- they are -- they were and are independent of Chevron?

UNIDENTIFIED SPEAKER: Oh, yes. Opterra?

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MR. LUKIC: Okay.

UNIDENTIFIED SPEAKER: Yes, yes, absolutely.

MR. LUKIC: Wow.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Yeah, I have -- I have to ask you a question, Mr. -- Mr. Lukic, if -- if I don't know if you had any more questions.

But based on your -- I'll tell you, first of all, what's very difficult about this one is we all want to do what's right and I can't figure out what's right.

And so I -- I guess there are three questions that I have. And the first one to yourself, Mr. Lukic.

Based on your questioning of Ms. Billingsley and the other folks that came up, staff has asked us to reject all proposals. Is -- based on their response to you, do you find that their reasoning to reject them is material to that reason, or is it just are they -- I mean, because I -- because I listened to what you said, and with the change of ownership, things of that nature, it didn't seem like you felt it was material.

MR. LUKIC: I'm -- I'm trying to get a full understanding of what transpired, first of all. And -- and we do want to do what's fair.

I think -- and I -- and -- and not doing research as to what we've done in the past is problematic, and getting more detail.

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I guess my fundamental issue is we always want to do what's in the best interest of the County. I'm -- on the one hand I'm saying, boy, we've invested a lot of time and effort in doing this procurement, some two years. We've gone all this way, and we normally would follow our process.

And there's -- the other problem is you never know what -- what you don't know about going back out, but we do know it will delay us, and we have lost savings already.

So there's the balance of what's fair and what isn't.

I can tell you right now, I -- I would suggest that we defer this item so that -- so that I have an opportunity to meet with the parties --

COMMISSIONER WEXLER: I told you so.

MAYOR KIAR: You were right.

MR. LUKIC: -- I need -- I need to meet --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. LUKIC: -- I would suggest we defer so I can meet with the parties so I can give you an intelligent answer, because right now --

MAYOR KIAR: It's true.

MR. LUKIC: -- I have more questions in my -- in my mind than answers.

But it's -- I can tell -- I can understand why Purchasing's where they're at. This is not -- this is pretty confusing. And -- and trying to figure out what -- what the

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right thing to do I think is -- is -- since it's not -- we're not going to turn to a page in the Admin Code and it's going to say here's what you do in this case. We have to look at it and see what practice was, have to work with our legal people, get some historical background, get the facts first, and then we can come back in -- in some time and tell you exactly what to do or we could recommend something for you -- for you to do.

MAYOR KIAR: Here -- here's what I suggest, then.

MR. LUKIC: Okay.

MAYOR KIAR: Based on Mr. Lukic's -- based on Mr. Lukic's suggestion, I would ask if Commissioner Wexler, would she be willing to bring up her motion to defer once more, and if Commissioner Furr would be willing to second it once more, and then if we can see if we have five votes.

But before that, Commissioner LaMarca.

COMMISSIONER LAMARCA: Because I'm going to be with you in a second unless I get a good answer on this one.

Ms. Billingsley, what is the -- is there a value that we could associate with this work with regard to -- forget the savings to the County, but based on if all the projects and -- at the different locations are done, do we -- is there a value that the -- that the -- the -- the contractor would --

MS. BILLINGSLEY: I -- I don't know that. I can't answer that.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: Okay. So this might be a little bit -- little bit strange of a

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suggestion.

What would be the -- what would be the harm in considering to split this up and have both companies do the work? One has got a hundred years' worth of experience, the other one's got 40. And we're not -- we're not dealing with, you know, pickup truck contractors here.

UNIDENTIFIED SPEAKER: I don't think (inaudible).

COMMISSIONER LAMARCA: You know, we're dealing with companies that -- we're splitting hairs and our Auditor doesn't even -- you know, he hasn't gotten to the right question. I mean, if they were to go back out, I mean, there's no guarantee that either one would --

MAYOR KIAR: Can --

MS. BILLINGSLEY: Well, we have --

MAYOR KIAR: -- can we do that?

MS. BILLINGSLEY: -- had that occur previously, and we could bring you back information on that. There was one at the airport that I believe that we split the work, so it's something that we could certainly research and bring that (inaudible).

COMMISSIONER LAMARCA: You'd have to find out from them if they'd even be interested in doing it. I'm just -- I --

MS. BILLINGSLEY: And, again, we --

COMMISSIONER LAMARCA: -- they both look good --

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MS. BILLINGSLEY: -- we have --

COMMISSIONER LAMARCA: -- you know?

MS. BILLINGSLEY: -- not vetted ENGIE, so.

UNIDENTIFIED SPEAKER: (Inaudible.)

(Laughter.)

COMMISSIONER LAMARCA: It's -- it's either that -- my -- so my last suggestion is that we switch the lobbyists and then have them go back at it.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: Well, that -- that would be --

UNIDENTIFIED SPEAKER: (Inaudible.)

(Laughter.)

COMMISSIONER LAMARCA: Okay. All right.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: I mean, because there --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: -- because it's not one project. It's multiple projects.

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MS. BILLINGSLEY: And I don't want this to seem like it's -- it's a joke.

COMMISSIONER LAMARCA: No, no, no, no, no.

MAYOR KIAR: No, no, it's not. It's not.

COMMISSIONER LAMARCA: We're -- you know what? Let's be very serious and honest for a second. We're trying to come up with a solution --

MS. BILLINGSLEY: Absolutely. (Inaudible.)

MAYOR KIAR: (Inaudible.)

COMMISSIONER LAMARCA: -- and we have our -- our -- our Auditor, our watchdog looking --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: It does.

COMMISSIONER LAMARCA: -- trying to figure out the answer.

MAYOR KIAR: It does.

COMMISSIONER LAMARCA: And there's so many layers of just what happened with that company, and back and forth with evaluation. And there is no telling that if you put the same three people in that they would rank --

MS. BILLINGSLEY: The same way.

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COMMISSIONER LAMARCA: -- one way or the other --

MAYOR KIAR: You know --

COMMISSIONER LAMARCA: -- because they've gone back and forth --

MAYOR KIAR: -- that's --

COMMISSIONER LAMARCA: -- based on --

MAYOR KIAR: -- that's an excellent suggestion.

Can you -- can we entertain a motion with that in it, Commissioner LaMarca?

COMMISSIONER LAMARCA: I'd make a motion that Procurement go back and negotiate with the parties or talk to the -- talk to the parties to see if we can create a --

UNIDENTIFIED SPEAKER: Dual.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: -- create a -- a -- a dual award.

UNIDENTIFIED SPEAKER: Uh-huh.

COMMISSIONER LAMARCA: I don't know how you split up the work, but, you know --

UNIDENTIFIED SPEAKER: Yes, that's the caveat.

COMMISSIONER LAMARCA: -- that's staff's (inaudible).

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COMMISSIONER FURR: (Inaudible.) You can do it.

MS. BILLINGSLEY: And we'll get with the agency, also, that's responsible.

COMMISSIONER LAMARCA: I think it's -- we get both companies then.

COMMISSIONER FURR: I'll second -- I'll second that.

MAYOR KIAR: Lois, did you have --

COMMISSIONER WEXLER: Yeah, I do.

MAYOR KIAR: Commissioner Wexler.

COMMISSIONER WEXLER: I do.

I'm not ready to go down that road unless and until Legal reviews it and identifies that at this -- and -- and -- and -- and I understand that we've done it before at the port, but I want to know at what -- what the circumstances were.

MS. BILLINGSLEY: Absolutely. And --

COMMISSIONER WEXLER: And I think that that is extremely important.

It's easy for us to see two consultants sitting out there with their clients that would rather have half of a baby than no baby.

MS. BILLINGSLEY: Right.

COMMISSIONER WEXLER: And -- and -- and I'm not going to buy on to that until or

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unless Legal does due diligence, Purchasing does due diligence and comes back with a defensible and if that's -- if that is defensible -- because I think putting it out for bid again is not a good thing. I -- I -- I -- it -- I -- I envision the same scenario playing out and more delays and more delays, and we're wasting money. So I -- I --

COMMISSIONER LAMARCA: I would include that in the motion --

UNIDENTIFIED SPEAKER: Include that.

COMMISSIONER WEXLER: -- I would include --

COMMISSIONER LAMARCA: -- for sure.

COMMISSIONER WEXLER: -- that in the motion --

COMMISSIONER LAMARCA: No, we obviously have to do our --

COMMISSIONER WEXLER: -- to defer.

COMMISSIONER LAMARCA: -- due diligence and (inaudible).

COMMISSIONER WEXLER: No, your -- your -- your motion is is to go ahead and do that.

My motion to defer is for them to look at all of these scenarios --

MS. BILLINGSLEY: Bring it back.

COMMISSIONER WEXLER: -- and that is one of the things that they should take a good hard look at if it's legally defensible.

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MAYOR KIAR: Would you -- can that be a substitute motion?

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER WEXLER: I don't have a -- no, I don't have a --

MAYOR KIAR: Or that --

COMMISSIONER WEXLER: -- problem with that, but I do giving that direction without having --

COMMISSIONER FURR: Can you do it --

COMMISSIONER WEXLER: -- the benefit --

COMMISSIONER FURR: -- contingent on that?

COMMISSIONER WEXLER: -- I -- I want to hear from my legal people. I want to hear from --

MS. BILLINGSLEY: And we'll -- we'll vet --

COMMISSIONER WEXLER: -- from them --

MS. BILLINGSLEY: -- we'll vet (inaudible).

COMMISSIONER WEXLER: -- that --

COMMISSIONER LAMARCA: Well, I don't -- I don't think this is going to happen overnight, so, to your point, legal has got to look at it and --

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COMMISSIONER WEXLER: But if you give them direction to do that, and you have to -
-

COMMISSIONER LAMARCA: Uh-huh.

COMMISSIONER WEXLER: -- waive the Procurement Code in order to do that, because it wasn't in the -- in the solicitation to create a library.

So this Board of County Commissioners is sitting here making that determination this evening based on the fact that two lobbyists say give us half --

COMMISSIONER LAMARCA: Well, I --

COMMISSIONER WEXLER: -- because that's better.

COMMISSIONER LAMARCA: -- I -- actually, when I asked the question, I wasn't asking George or Bernie. I was looking at the Siemens and the Opterra folks. But --

COMMISSIONER WEXLER: Well, either way. But they, you know --

COMMISSIONER LAMARCA: That being said, I mean --

COMMISSIONER WEXLER: -- I think it -- I think it is something that should absolutely be considered and -- and -- and reviewed and the recommendation brought back to this body and -- and go forward from there.

And I think that, as a deferral, I -- I support that be on your menu, but I can't say that's the direction I'm giving you, because I don't know what else they're going to find, especially after he gets done looking at it and having his questions

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answered. That's our Auditor I'm pointing to.

UNIDENTIFIED SPEAKER: Yeah.

MAYOR KIAR: I'm -- I'm okay with that. Beam, did you --

COMMISSIONER FURR: I'm okay with that.

MAYOR KIAR: You're good? And, Barbara, are you okay with it?

VICE MAYOR SHARIEF: I'm fine.

MAYOR KIAR: So there's been a motion to defer with a whole lot in it.

(Laughter.)

MAYOR KIAR: There's -- there's been a second from Commissioner LaMarca.

All in favor, signify by saying aye.

All opposed?

Show the motion for deferral with all the stuff in it passes unanimously.

We're now --

VICE MAYOR SHARIEF: All the stuff.

MAYOR KIAR: All the stuff in it.

VOTE PASSES UNANIMOUSLY.

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(COMMISSIONERS BOGEN, HOLNESS AND RYAN WERE NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

AGENDA ITEM 77

MAYOR KIAR: Now we're moving on to Item Number 77, which -- sorry, guys, we have a -- there is a -- we have a -- a person that's pulled it as well. So we can't -- we're not going to pull you all up yet, but --

UNIDENTIFIED SPEAKER: Okay.

MAYOR KIAR: -- have a seat for a little while --

UNIDENTIFIED SPEAKER: Sure.

MAYOR KIAR: -- for a couple seconds.

VICE MAYOR SHARIEF: Russell Rand.

MAYOR KIAR: Yeah, so you can't go yet, Carlos. I'm sorry. Sorry.

Item Number 77 is a motion to adopt a resolution to place a proposed amendment to the Broward County Charter on the ballot. And we all know about this one.

It's been pulled first by Russell -- by Russell Rand and by Commissioner LaMarca.

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So first, Mr. Rand. And thank you for hanging out with us all day.

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. RAND: He's been powering through. He does, he powers through.

UNIDENTIFIED SPEAKER: You thanking us or thanking him? (Inaudible.)

MAYOR KIAR: It's true.

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Yeah, Sam, this has been like the thing -- the best day for you. It's true.

MR. RAND: Awful lot of sausage here, geez.

I know how hard it is to get back money that you feel that is owed to you in systems that play games with the legal processes. And you can't be made whole when you're half.

And as far as Charter, I'm still waiting for compliance with the '02 stronger whistle blower greater accountability and ethics.

Now, this is my third charter review that I've participated, or tried to, and it's a pretty frosty reception there. Mayor Alex Pinellas pointed out the other day that it took four years after Hurricane Andrew to get an elected Mayor a go-to person as leader down there. When I finally got a chance to speak, I said -- I think Brian Norcross was the leader, right? He saved hundreds of people. He knew what to do.

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I -- I read a lot and I find unusual things in that the counsel for the Charter and the Executive Director have contracts going to November of 2018 even though the Charter Commission does not go to 2018, November, legally, at the moment. So I find that to be an unusual optic.

And the ballot question before you is to extend the two years of the Charter to three years. That's 50 percent more time and 50 percent more money, a half a million dollars. That is not chump change. That could be used to good purposes.

So instead of being efficient and effective in getting the job done, it's bloated and stretched out too long.

I understand the snafu of the Charter amendment thing. I understand that. I'm just saying the optics, again, the irony of stretching it out on today, sales tax increases, on budget, on -- on time, I don't think so, and this just looks worse when you've got the two on the ballot with these things where --

MAYOR KIAR: Thank you, Mr. Rand.

Now back to the County Commission.

The first person to pull it was Commissioner LaMarca.

COMMISSIONER LAMARCA: I want to -- first of all, I want to commend the -- the group for -- for making these changes. I mean, it -- it -- there -- there is efficiencies. And -- and, by the way, I appreciate Mr. Rand sticking around to offer some much, much more, as we go through time --

COMMISSIONER FURR: Mayor?

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COMMISSIONER LAMARCA: -- group of points to myself. Yes, sir?

COMMISSIONER FURR: I'm going to -- I'm sorry. I'm going to have to --

MAYOR KIAR: Sure.

COMMISSIONER FURR: -- this is going to require six to pass this.

MAYOR KIAR: Is it six? Is it a super majority?

MS. ARMSTRONG COFFEY: I am so sorry. I wish I thought of this a little bit earlier today, but you do need six for the Board --

MAYOR KIAR: Oh.

MS. ARMSTRONG COFFEY: -- to put a Charter change on the ballot.

MAYOR KIAR: Let's defer it. Okay. Well --

UNIDENTIFIED SPEAKERS: (Inaudible.)

COMMISSIONER LAMARCA: Let me -- let me just give you the reason why -- why I pulled it other than -- other than to say that they -- they're doing a good job.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: We are -- do we have one on the phone?

MAYOR KIAR: Actually, wait a minute.

COMMISSIONER LAMARCA: Do we?

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MAYOR KIAR: Is -- oh, wait, before that --

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: -- Commissioner Holness, are you there?

UNIDENTIFIED SPEAKER: I think he just --

COMMISSIONER WEXLER: I think he just hung up.

MAYOR KIAR: He just did hang up. Oh, man.

(Laughter.)

MAYOR KIAR: Okay. Sorry.

COMMISSIONER LAMARCA: Okay. Well, something for us to consider because we can't technically vote on it, but we had --

VICE MAYOR SHARIEF: Call him. Yeah, yeah, she can call him.

COMMISSIONER LAMARCA: -- we had --

MAYOR KIAR: Before we do that --

UNIDENTIFIED SPEAKER: (Inaudible) call him?

MAYOR KIAR: -- let's call Commissioner Holness.

COMMISSIONER LAMARCA: (Inaudible.) So my comment has nothing to do with our

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vote, but it does have the Charter review. One of the Charter review members, who is the at large member, had the good fortune and the benefit of being appointed to the Circuit Court bench --

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER LAMARCA: -- last week, two weeks ago, and my understanding is he will have to obviously resign.

We need to -- when we have six members, we need to consider what to do there to replace that at large member. And I -- I would suggest, because we had a -- a list of qualified candidates, that if the second highest vote getter, I believe he had four out of nine votes, Aaron Dorel, would be interested in serving, I'd -- I would make the nomination for him. But we don't have to do anything here today, but just throwing that out there.

MAYOR KIAR: Okay. With that said, Mr. -- Sam or -- or Carlos, you all didn't sign in, but did you want to speak on this item?

MR. GOREN: We'd like to briefly, Mr. Chair.

MAYOR KIAR: Sure. Of course.

MR. VERNEY: And to -- to answer -- I'm not sure if that was a question.

Carlos Verney, Executive Director for the Charter Review Commission.

Just to clarify, tomorrow at -- at tomorrow's full CRC's meeting, incoming Circuit Court Judge Jose Izquierdo will be in attendance at that meeting. He will submit his resignation and -- and express some departing words at the CRC.

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So the resignation, the letter, we will have in our possession tomorrow and we will forward that letter on to the County Attorney's Office, as well as the County Commission and the Mayor as well.

MAYOR KIAR: Great. And just, I guess real fast then on -- on that issue, are you all going to be meeting throughout the summer?

MR. VERNEY: We are taking the month of July off. There are no subcommittee meetings and the CRC as a pull entity will not be meeting in July, either. We're going to resume our meetings back in August.

MAYOR KIAR: Are you meeting anymore in June, or is this your only meeting in June?

MR. VERNEY: We have our meeting tomorrow at 1:30 in Room 430. That is the full CRC. And then on June 21st, that's a Tuesday, the Human Services and Public Safety Subcommittee will meet in Room 301.

MAYOR KIAR: Does that mean -- do you need us to appoint somebody before -- I think we can probably do it after the summer, then.

COMMISSIONER WEXLER: I would --

MAYOR KIAR: Yes.

COMMISSIONER WEXLER: -- really suggest that since next week is really busy --

MAYOR KIAR: Oh, you -- you turned the mic on when you did that --

COMMISSIONER WEXLER: -- I'm saying that manage the agenda --

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MAYOR KIAR: Yeah.

COMMISSIONER WEXLER: -- I think it --

MAYOR KIAR: I know.

COMMISSIONER WEXLER: -- would really be good not to have another --

MAYOR KIAR: I agree.

COMMISSIONER WEXLER: Yeah.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER WEXLER: August is good.

MAYOR KIAR: Yeah, I actually agree with that.

So, with that said, did -- is Commissioner Holness on here? He's not on here.

So this item, we can't -- we -- I guess we just have to make a motion to defer?

MS. ARMSTRONG COFFEY: Correct.

MAYOR KIAR: So is there a motion to defer?

COMMISSIONER LAMARCA: Motion to defer.

MAYOR KIAR: Is there a second?

VICE MAYOR SHARIEF: Second.

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MAYOR KIAR: All in favor, signify by saying aye.

All opposed?

Show that the item is deferred.

VOTE PASSES UNANIMOUSLY.

(COMMISSIONERS BOGEN, HOLNESS AND RYAN WERE NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

MR. VERNEY: Thank you, Commissioners

MAYOR KIAR: Thank you all for hanging out with us today.

MR. GOREN: Is it going to be on next week? Is that the objective?

MAYOR KIAR: Yes.

UNIDENTIFIED SPEAKER: Yes.

MAYOR KIAR: It will be.

MR. GOREN: Thank you all very much.

MR. VERNEY: Thank you.

MR. GOREN: Have a great evening.

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MAYOR KIAR: Oh, you, too.

And so is it same for item Number 78? Would we need six for that?

UNIDENTIFIED SPEAKER: (Inaudible.)

MAYOR KIAR: Yeah, 78, we need six, too. So can I have a motion to defer Item Number 78?

COMMISSIONER WEXLER: Didn't that go on Consent?

UNIDENTIFIED SPEAKERS: (Inaudible.)

MAYOR KIAR: Did that go on Consent?

UNIDENTIFIED SPEAKER: Consent.

MAYOR KIAR: It did.

COMMISSIONER WEXLER: That passed already.

MAYOR KIAR: We're good to go on that. Excellent.

(COMMISSIONER BOGEN WAS NOT PRESENT FOR THE VOTE AND DISTRICT 3 COMMISSION SEAT WAS VACANT.)

NON-AGENDA

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MAYOR KIAR: So with that said, we're now on Non-Agenda. We made it here.

VICE MAYOR SHARIEF: Seriously, (inaudible).

MAYOR KIAR: Well, I'm -- I'm not going to say anything, but I want to give people the opportunity if they want.

COMMISSIONER WEXLER: (Inaudible.)

MAYOR KIAR: No, you can -- no, anybody -- I will stay whoever wants to stay. If you have Non-Agenda, I'll stay.

VICE MAYOR SHARIEF: No.

MAYOR KIAR: Commissioner LaMarca.

COMMISSIONER LAMARCA: I am heading to a Pompano Beach Highlands meeting right now.

I represented us well in (Inaudible) in -- in Wyoming, and I will be in --

MAYOR KIAR: Beam --

COMMISSIONER LAMARCA: -- Washington, D.C. on Wednesday and Thursday with the Port Everglades Action Team.

MAYOR KIAR: -- Beam, do you have any Non-Agenda?

COMMISSION MINUTES

COMMISSIONER FURR: I have about ten things.

MAYOR KIAR: Sounds good. You can go for it.

COMMISSIONER WEXLER: Talk to yourself, Beam.

MAYOR KIAR: Well, we're good. Okay. We are adjourned.

(THE MEETING ADJOURNED AT 7:07 P.M.)

(THIS IS NOT A VERBATIM TRANSCRIPTION OF THE MEETING.)