

CHARTER REVIEW COMMISSION

PUBLIC HEARING

CHARTER REVIEW COMMISSION

PUBLIC HEARING

MARCH 14, 2018

MEMBERS PRESENT:

Larry S. Davis

H. Collins Forman, Jr.

Cynthia Guerra

Suzanne Gunzburger, Vice Chair

James Gray Kane

Suzette Maylor

Lori Moseley

Burnadette Norris-Weeks

Eugene Pettis

Carlos J. Reyes

Grant Smith

CHARTER REVIEW COMMISSION

PUBLIC HEARING

MEMBERS ABSENT:

Cynthia Busch

David DiPietro

Thomas Fabricio

Roslyn Greenberg

Marilyn Leto

Thomas McDonald, Chair

Monica Navarro

Joseph Wells

CHARTER REVIEW COMMISSION

PUBLIC HEARING

Also Present:

Michael Cirullo, Esquire, Goren Cherof Doody & Ezrol,
PA, Counsel

Carlos Verney, Executive Director

Niki Donner, Assistant Executive Director

Sofia Gan, Administrative Staff, Charter Review
Commission

Robert Melton, Broward County Auditor

Raelin Storey, Director of Public Affairs, City of
Hollywood

Jodie Breece, Broward County Office of the Inspector
General

Carol Smith

Sylvia Meyers

Harriet Mathis

Nancy Cavender, The Laws Group

CHARTER REVIEW COMMISSION

PUBLIC HEARING

A public meeting of the Broward County Charter Review Commission was held at the City of Hollywood City Hall, Commission Chambers, 2600 Hollywood Boulevard, Commission Chambers, Hollywood, Florida, on March 14, 2018 at 6:30 p.m.

(The following is a near-verbatim transcript of the meeting.)

CHARTER REVIEW COMMISSION

PUBLIC HEARING

CALL TO ORDER/ROLL CALL

MS. GUNZBURGER: I'm going to call the Public Hearing to order, and thank all of you for coming, both my colleagues on the Charter Review and those who've shown an interest in commenting on the Charter items that are up for discussion and to go on the ballot.

I'm going to ask Nancy to please call the roll.

MINUTES SECRETARY: Yes, ma'am.

Cynthia Busch.

Larry Davis

MR. DAVIS: Present.

MINUTES SECRETARY: David DiPietro.

Thomas P. Fabricio.

H. Collins Forman, Jr.

MR. FORMAN: Here.

MINUTES SECRETARY: Roslyn Greenberg.

Cynthia Guerra.

James Gray Kane.

Marilyn Leto.

CHARTER REVIEW COMMISSION

PUBLIC HEARING

Suzette A. Maylor.

Thomas McDonald.

Lori Moseley.

MS. MOSELEY: Here.

MINUTES SECRETARY: Monica Navarro.

Burnadette Norris-Weeks.

Eugene Pettis.

MR. PETTIS: Here.

MINUTES SECRETARY: Carlos J. Reyes.

Grant Smith.

MR. SMITH: Here.

MINUTES SECRETARY: Joseph Wells.

Suzanne Gunzburger, Chair.

MS. GUNZBURGER: Present.

Thank you.

AGENDA ITEM II - PLEDGE OF ALLEGIANCE

MS. GUNZBURGER: I'd like us all to stand for the Pledge. Nancy, why don't you lead us.

(PLEDGE OF ALLEGIANCE MS. NANCY CAVENDER.)

CHARTER REVIEW COMMISSION

PUBLIC HEARING

AGENDA ITEM III - INTRODUCTION AND OVERVIEW OF PUBLIC
HEARING FORMAT - CHARTER REVIEW COMMISSION CHAIR -
THOMAS MCDONALD

MS. GUNZBURGER: Good evening. As Vice Chair of the Broward County Charter Review Commission, I would like to welcome you to one of the five Public Hearings being conducted by the CRC.

This hearing is an opportunity for us, the CRC members, to receive input from the public on the proposed amendments to the Broward County Charter that will appear on the general election ballot in November of '18.

In a moment, our general counsel will read the title of each of the resolutions into the record, which will be followed by a brief explanation of the proposed Charter amendments by our Executive Director.

In accordance with the CRC rules, each of these resolutions has been approved by an affirmative vote of at least 13 of the 19 members.

7

CHARTER REVIEW COMMISSION

PUBLIC HEARING

Once each of the resolutions has been read into the record, I will open the meeting to public comment.

Members of the public are welcome to speak on any of the resolutions that have been adopted by the CRC or any other matter which they would like the CRC to consider.

Please limit your comments to three minutes, and we will be timing you.

And in order to speak, you must fill out one of these slips, or I won't be able to call on you.

Note that tonight's hearing is not a special meeting, and no formal action will be taken this evening.

The CRC will conduct a final meeting in April at the conclusion of all Public Hearings to address any final business before formally transmitting our proposals to the County Commission.

Thank you.

Mr. Cirullo.

CHARTER REVIEW COMMISSION

PUBLIC HEARING

AGENDA ITEM IV - CHARTER REVIEW COMMISSION RESOLUTIONS

- READ TITLE OF RESOLUTIONS INTO THE RECORD

(CHARTER REVIEW COMMISSION GENERAL COUNSEL - DAVID
TOLCES)

- BRIEF EXPLANATION OF RESOLUTIONS

(CHARTER REVIEW COMMISSION EXECUTIVE DIRECTOR - CARLOS
A. VERNEY)

MR. CIRULLO: Okay. (Inaudible?)

MS. GUNZBURGER: Yes.

MR. CIRULLO: Okay. Thank you.

Resolution 2018-002, a resolution of the Broward County Charter Review Commission adopting a proposed amendment to Section 10.01 of the Charter of Broward County, Florida, entitled Broward County Office of Inspector General; providing for the Inspector General's discretion as to whether to commence an investigation if good cause exists that an entity or person over whom the Inspector General has authority has managed -- has engaged in misconduct or gross mismanagement; providing

CHARTER REVIEW COMMISSION

PUBLIC HEARING

for presentation to the electorate by the County Commission at a special referendum election to be held in conjunction with the November 2018 general election; providing the ballot title and summary of the chief purpose of the proposed amendment; providing for the County Attorney to re-number and re-letter the articles and sections in order to conform the amendments to the Charter; providing for severability; and providing for an effective date.

MR. VERNEY: This is CRC Resolution Number 2018-002, and what this resolution accomplishes, it changes the word shall to a may, to provide for the Inspector General's discretion as to whether to commence an investigation if good cause exists that an entity or person over whom the Inspector General has authority has engaged in misconduct or gross mismanagement.

MR. CIRULLO: CRC Resolution Number 2018-003, a resolution of the Broward County Charter Review Commission adopting a proposed amendment to Section 8.05

CHARTER REVIEW COMMISSION

PUBLIC HEARING

of the Charter of Broward County, Florida entitled Broward County Planning Council Powers and Functions; providing for revisions to administration of Planning Council's duties by providing for the Zoning Glossary to be contained in the County Land Use Plan, and at least one Planning Council Public Hearing for Land Use Plan amendments; providing for presentation to the electorate by the County Commission at a special referendum election to be held in conjunction with the November 2018 general election; providing the ballot language, a summary of the chief purpose of the proposed amendment; providing for the County Attorney to re-number and re-letter articles and sections in order to conform the amendments to the Charter; providing for severability; and providing for an effective date.

MR. VERNEY: This resolution would include the Zoning Glossary within Broward County's Comprehensive Land Use Plan and require at least one Planning Council Public Hearing to consider Land Use Plan amendments.

CHARTER REVIEW COMMISSION

PUBLIC HEARING

MR. CIRULLO: Resolution Number 2018-004, a resolution of the Broward County Charter Review Commission adopting a proposed amendment to Section 9.01 of the Charter of Broward County, Florida entitled Central Examining Boards; providing for the appointment of alternate members to the Central Examining Boards; providing for presentation to the electorate by the County Commission at a special referendum election to be held in conjunction with the November 2018 general election; providing the ballot title and summary of the chief purpose of the proposed amendment; providing for the County Attorney to re-number and re-letter articles and sections in order to conform the amendments to the Charter; providing for severability; providing for an effective date.

MR. VERNEY: This resolution would allow for the appointment of alternate members to the Central Examining Boards, also referred to as the CEBs.

The CEBs are responsible for ensuring the

CHARTER REVIEW COMMISSION

PUBLIC HEARING

registration and licensing of individuals involved with the construction trades. The CEBS provide Certificates of Competency. The CEBS ensure that individuals in the construction trades are properly insured.

The CEBS also provide the opportunity for the public to register complaints, mediate disputes, and hear construction-related issues.

MR. CIRULLO: CRC Resolution Number 2018-005, a resolution of the Broward County Charter Review Commission adopting a proposed amendment to Section 9.02 of the Charter of Broward County, Florida entitled Building Code and Board of Rules and Appeals; providing for a quorum of the Board of Rules and Appeals to be a majority of the total membership of the Board of Rules and Appeals; providing for presentation to the electorate at the County -- by the County Commission at a special referendum election to be held in conjunction with the November 2018 general election; providing the ballot title and summary of the chief purpose of the

CHARTER REVIEW COMMISSION

PUBLIC HEARING

proposed amendment; providing for the County Attorney to re-number and re-letter articles and sections in order to conform the amendments to the Charter; providing for severability; and providing for an effective date.

MR. VERNEY: This resolution would provide for a quorum of the Board of Rules and Appeals, also known as BORA, to be a majority of the total membership of BORA.

BORA is tasked with amending and enforcing provisions of the Florida Building Code.

MR. CIRULLO: Okay. Resolution Number 2018-006, a resolution by the Broward County -- I'm sorry -- resolution of the Broward County Charter Review Commission adopting a proposed amendment to the Charter of Broward County, Florida by enacting a new Section 1.07 entitled required posting of notices, agendas, and backup materials; providing that for all meetings subject to the requirement of Section 286.011 Florida Statutes that all notices, agendas, and backup materials shall be posted on the County or municipality's website

CHARTER REVIEW COMMISSION

PUBLIC HEARING

no later than 48 hours prior to a scheduled meeting;
providing for notice in the event of an emergency
meeting; providing for presentation to the electorate by
the County Commission at a special referendum election
to be held in conjunction with the November 2018 general
election; providing the ballot title and summary of the
chief purpose of the proposed amendment; providing for
the County Attorney to re-number and re-letter articles
and sections in order to conform the amendments to the
Charter; providing for severability; and providing for
an effective date.

MR. VERNEY: This resolution would provide for the
required posting notices, agendas, and backup materials
for all meetings subject to the sunshine law no later
than 48 hours prior to the scheduled meeting, and
providing for notice in the event of an emergency
meeting.

MR. CIRULLO: CRC Resolution Number 2018-007, a
resolution of the Broward County Charter Review

CHARTER REVIEW COMMISSION

PUBLIC HEARING

Commission adopting a proposed amendment to the Charter of Broward County, Florida by enacting a new Section 11.11 entitled Broward County Affordable Housing Trust Fund; providing for the establishment of the Broward County trust -- Affordable Housing Trust Fund; providing for a definition of affordable housing; providing for the purpose of the trust fund, revenue sources for the trust fund, the continuing nature of the trust fund, and for administration and oversight of the trust fund; providing for presentation to the electorate by the County Commission at a special referendum election to be held in conjunction with the November 2018 general election; providing the ballot title and summary of the chief purpose of the proposed amendment; providing for the County Attorney to re-number and re-letter articles and sections in order to conform the amendments to the Charter; providing for severability; and providing for an effective date.

MR. VERNEY: This resolution would provide for the

CHARTER REVIEW COMMISSION

PUBLIC HEARING

establishment of the Broward County Affordable Housing Trust Fund.

The Affordable Housing Trust Fund would provide a definition for affordable housing.

MR. CIRULLO: Resolution Number -- excuse me.

MR. VERNEY: The Affordable Housing Trust Fund would provide the purpose of the trust fund.

The Affordable Housing Trust Fund would provide the revenue sources for the trust fund.

The Affordable Housing Trust Fund would provide the continuing nature of the trust fund, and the administration and oversight of the trust fund.

And for the folks in the back who are controlling the PowerPoint, I do have the clicker and I'm able to control it from here.

Thank you.

MR. CIRULLO: Resolution Number 2018-008, a resolution of the Broward County Charter Review Commission adopting a proposed amendment to Section 4.01

CHARTER REVIEW COMMISSION

PUBLIC HEARING

of the Charter of Broward County, Florida entitled County Auditor; providing for changes to the composition of the body that appoints the County Auditor; providing for presentation to the electorate by the County Commission at a special referendum election to be held in conjunction with the November 2018 general election; providing the ballot title and summary of the chief purpose of the proposed amendment; providing for the County Attorney to re-number and re-letter articles and sections in order to conform the amendments to the Charter; providing for severability; and providing for an effective date.

MR. VERNEY: This resolution would provide for changes to the composition of the body that appoints the Broward County Auditor.

This resolution would replace the State of Florida Auditor General with the president of the Florida Institute of Certified Public Accountants.

This resolution would replace a president of

CHARTER REVIEW COMMISSION

PUBLIC HEARING

Broward County Community -- Broward Community College with the president of a local college or university as determined by the Broward County Commission.

If any of the five individuals comprising the body that appoints the County Auditor is unable to designate an individual to this board, the Broward County Commission shall have the discretion to appoint from a business that is within Broward County.

MR. CIRULLO: Resolution Number 2018-010, resolution of the Broward County Charter Review Commission adopting a proposed amendment to Section 2.01 of the Charter of Broward County, Florida entitled Composition, Terms, Qualifications, and Compensation of members; providing that County Commission districts may not be drawn to favor or disfavor an incumbent or political party, and that districts shall not be drawn to deny racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice; providing for

CHARTER REVIEW COMMISSION

PUBLIC HEARING

presentation to the electorate by the County Commission at a special referendum election to be held in conjunction with the November 2018 general election; providing the ballot title and summary of the chief purpose of the proposed amendment; providing for the County Attorney to re-number and re-letter articles and sections in order to conform the amendments to the Charter; providing for severability; and providing for an effective date.

MR. VERNEY: This resolution would provide for the codification of the Fair Districts Amendments into the Broward County Charter.

It would provide that the County Commission districts may not be drawn to favor or disfavor an incumbent or political party, and that districts shall not be drawn to deny racial or language minorities the equal opportunity to participate in the political process and to elect representatives of their choice.

MR. CIRULLO: Resolution Number 2018-011, a

CHARTER REVIEW COMMISSION

PUBLIC HEARING

resolution of the Broward County Charter Review Commission adopting a proposed amendment to Section 2.01 of the Charter of Broward County, Florida entitled Composition, Terms, Qualifications, and Compensation of Members; providing for the redistricting of County Commission districts following the decennial -- excuse me -- the decennial Census in 2020 and every ten years thereafter, or sooner if the County Commission determines that the districts have become unbalanced due to population shifts; providing for the engagement of a four-year college or university located within the State of Florida for the purpose of identifying and designating nine single member districts within Broward County; providing for presentation to the electorate by the County Commission at a special referendum election to be held in conjunction with the November 2018 general election; providing for the ballot title and summary of the chief purpose of the proposed amendment; providing for the County Attorney to re-number and re-letter

CHARTER REVIEW COMMISSION

PUBLIC HEARING

articles and sections in order to conform the amendments to the Charter; providing for severability; and providing for an effective date.

MR. VERNEY: This resolution would allow the County Commission to engage a local university or a -- or a four-year college within the State of Florida for the purposes of drawing nine single member districts in an open and transparent process.

MR. CIRULLO: Resolution Number 2018-012, a resolution of the Broward County Charter Review Commission adopting a proposed amendment to Section 10.01 of the Charter of Broward County, Florida entitled Broward County Office of Inspector General, revising the composition of the Inspector General Selection/Oversight Committee by replacing the United States Attorney for the Southern District of Florida or his or her appointee with an individual appointed by the Broward County Bar Association; providing for presentation to the electorate by the County Commission at a special

CHARTER REVIEW COMMISSION

PUBLIC HEARING

referendum election to be held in conjunction with the November 2018 general election; providing the ballot title and summary of the chief purpose of the proposed amendment; providing for the County Attorney to re-number and re-letter articles and sections in order to conform the amendments to the Charter; providing for severability; and providing for an effective date.

MR. VERNEY: This resolution replaces the United States Attorney for the Southern District of Florida with a member of the Bar, the Broward County Bar Association.

MR. CIRULLO: Okay. CRC Resolution Number 2018-013, a resolution of the Broward County Charter Review Commission clarifying the Charter by eliminating ineffective language and deleting language that is no longer needed as the entities referenced in the Charter are no longer in existence and serve no legally required purpose; providing for presentation to the electorate by the County Commission at a special referendum election

CHARTER REVIEW COMMISSION

PUBLIC HEARING

to be held in conjunction with the November 2018 general election; providing the ballot title and summary of the chief purpose of the proposed amendment; providing for the County Attorney to re-number and re-letter articles and sections in order to conform the amendments to the Charter; providing for severability; and providing for an effective date.

MR. VERNEY: This resolution would provide for clarifying the Charter by eliminating ineffective language and deleting language that is no longer needed, as the entities referenced in the Charter are no longer in existence and serve no legally required purpose.

The three entities that would be removed from the Charter would be the Department of Transportation, the Broward County Environmental Quality Board, and the Broward County Ethics Commission.

And those are your 11 proposed amendments to be placed on the ballot.

AGENDA ITEM V - PUBLIC COMMENT

CHARTER REVIEW COMMISSION

PUBLIC HEARING

MS. GUNZBURGER: Thank you.

Those of you that have come in late to the meeting from the public, if you have -- you must sign in and you must sign a slip if you wish to speak and address the Commission.

Thank you.

I have three people who are scheduled to speak, and I'll call you in the order that I received their slips.

The first person is Carol Smith.

MS. SMITH: Thank you very much, and welcome to all of the Commissioners here to the sunny city of Florida. I won't be able to be at the Coral Springs one, so glad to see you up here.

Obviously, you know already that I totally support the redistricting two amendments, and the third, housing trust fund. Those are great.

But I do have -- find four that are somewhat problematic, and I'd like to talk about those.

The first one is 002, changing shall to may. If

CHARTER REVIEW COMMISSION

PUBLIC HEARING

you have a good cause for a reason to investigate something, it would seem to me that you should investigate. And if you decide that it's not necessary, then you can drop it. But why change the word from shall to may to have the Inspector General investigate a situation?

The second one is for the Planning Council. What isn't obvious from the wording on the ballot is that you're not giving one -- at least one Public Hearing. You are reducing the number of Public Hearings from two to one. So, therefore, I don't like that. I think people need to have more input into their government, so it's needed to have that.

The one -- next one is 005, which is the Board of Rules and Appeals. And I think I was asleep when he read it, because I don't remember parts of it. But, anyway --

(Laughter.)

MS. SMITH: -- board -- Board of Rules and Appeals,

CHARTER REVIEW COMMISSION

PUBLIC HEARING

I have it on your list, so I know it's there.

Currently, there are 13 members on that committee, and nine alternates. But 13 members is the number. And a quorum is 11. And the majority of total which would vote in order to pass anything is seven.

You have reduced it to a majority vote of -- excuse me -- a quorum of 11, you've made the quorum seven. A majority of total membership is seven. And then you've reduced the majority to pass to four.

So instead of making this a really active group, and I'm assuming the reason is that they -- they have trouble getting a quorum, but let's try and get people to honor their commitment to a board rather than cut it down so you're not getting enough public input -- you're not getting a fair vote.

And the last one is the Oversight and Selection Committee of the Inspector General. The Charter already has in there a situation of appointment of someone who was delegated by who wasn't able to make the appointment

CHARTER REVIEW COMMISSION

PUBLIC HEARING

or didn't make the appointment. That language is already in the Charter.

We really don't need to waste one amendment. I mean, the voters are going to get awfully tired by the time they get to these amendments. Let's see which ones you can realistically cut from the number that you have on the ballot.

As one who goes out and talks about ballot amendments --

UNIDENTIFIED SPEAKER: Thank you.

MS. SMITH: -- we're really going to put people to sleep.

Thank you very much.

MS. GUNZBURGER: Thank you very much, Carol. You did a really great job in really examining it.

Sylvia Meyer.

MS. MEYER: I will decline.

MS. GUNZBURGER: Okay. Harriett Mathis.

MS. MATHIS: My name is Harriet Mathis. I've been

CHARTER REVIEW COMMISSION

PUBLIC HEARING

a Broward County resident for about 50 years.

I just want to thank you for being here and for putting this Affordable Housing Trust Fund into the -- the suggestion for a ballot issue.

This crisis is really serious in Broward County, and I'm so aware of the people that we count on for the fabric of the community, starting with the seniors who are living on Social Security and going right up to firefighters and teachers who can't afford to pay the rent.

So I commend you for setting up that trust fund and hope that other people and governments will put money into it, and we'll be able to get things going in Broward County, which is really important.

Also, I'm hoping that you will reconsider the idea of having an elected mayor in Broward County. We can't have a county as large as Broward with the budget that we have running without a CEO. We have a really good executive administrator, but we need somebody who is

CHARTER REVIEW COMMISSION

PUBLIC HEARING

going to sit at the top and not be borrowed from the affairs of his district to concentrate on where we want to go in the future and make long-range plans.

So if you get a chance to re-look at that, I would appreciate it.

Thank you very much.

MS. GUNZBURGER: Thank you.

AGENDA ITEM VII - ADJOURNMENT

MS. GUNZBURGER: This concludes the Public Hearing portion of the meeting.

Have you had -- any discussion among the members, or is that all we need.

MR. DAVIS: Can we vote on a mayor?

(Laughter.)

MS. GUNZBURGER: What did you say?

MS. MOSELEY: You don't want to know.

MS. GUNZBURGER: Oh, it says adjournment.

MR. VERNEY: Vice Chairman, we --

MS. MOSELEY: Yeah, that's it.

CHARTER REVIEW COMMISSION

PUBLIC HEARING

MR. VERNEY: -- the next item on the agenda is the adjournment, unless there's anyone else from the public who would like to speak.

MS. GUNZBURGER: There being none, the meeting is adjourned.

Thank you all for coming to Hollywood.

(The meeting concluded at 6:57 p.m.)