

**Summary of Discussion**  
**Broward County Charter Review Commission**  
**Wednesday, May 9, 2007**  
**Broward County Governmental Center**  
**115 South Andrews Avenue- Room 430, Fort Lauderdale, FL 33301**  
**10:00 AM – 1:00 PM**

**Members Present:**

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

**Members Absent:**

David Esack  
Bruce Rogow, Esq.

**Others Attending:**

Devin Avery, Vision Broward  
Mayor Joy Cooper, Hallandale Beach, FL  
Pete Corwin, Assistant to the County Administrator  
Lamar Davis, Hollywood, FL  
Ed Curron, Lauderhill, FL  
Chedley Etienne, Administrative Assistant, CRC  
Ellen Feld, Esq.  
Tom Gallagher, Pembroke Pines, FL  
Dan Glickman, Deerfield Beach, FL  
Samuel Goren, Esq., General Counsel  
Yolanda Grooms, Administrative Specialist, CRC  
Maria Gross, Assistant Director, CRC  
Alain Jean, BSO

Alfreda King, Transcriber, PKING Consulting  
Phyllis A. King, Transcriber, PKING Consulting  
Dr. Wayne Lee  
Joseph Lello, BSOFR  
Bruce Moeller, Ph.D.  
Richard Moss, Pembroke Pines, FL  
Tony Stravino, Deerfield Beach, FL  
Dan Sullivan, Hallandale Beach, FL  
David Tolces, Esq; Assistant General Counsel  
Lisa Vondrak, News Abstracts  
Patricia G. West, Executive Director, CRC  
Don Widing, Okaland Park, FL  
Mel Wilson, Esq., Special Counsel

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

A meeting of the Broward County Charter Review Commission (“CRC” or “Commission”) was held at 10:00 a.m. on Wednesday, May 9, 2007 at the Broward County Governmental Center – Room 430, Fort Lauderdale, FL.

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

The Chair Lori Moseley called the meeting to order at 10:06 a.m. in the presence of a quorum and requested the roll call by Patricia West, CRC Executive Director.

### **II Approval of April 11, 2007 Summary of Discussion**

The Chair requested a **motion for approval** of the CRC April 11<sup>th</sup> Summary of Discussion.

**A motion was made by Ms. Tanner; seconded by Ms. Good. The Chair called for all in favor, I’s were stated and the motion was approved unanimously.**

Mr. Maus arrived and joined the dais at 10:10 am.

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

The Chair advised that she had no report at this time. Ms. West provided a brief overview of items included in the dais folders which included:

- CRC April 11 Summary of Discussion
- Memorandum No. 2007-002 from Sam Goren, General Counsel – re: Retainage of Mel Wilson, Esq. of Williams, Wilson & Sexton, P.A.
- Engagement Letter from Williams, Wilson & Sexton, P.A.
- Broward County Commission proposed Vision and Goals
- Memorandum No. 2007-003 – supplement to previous 2007-001 re: MPO
- Memorandum No. 2007-004 – re: Discretion to Approve or Deny Comprehensive Plan Amendments
- All Subcommittee Summaries of Discussion
- Subcommittee Meeting Schedule

Ms. West asked the dais for comments with regard to the volume of paper related to the subcommittee reports. She reminded them that copies of each subcommittee report was provided and advised that they could be forwarded electronically. She left it up to the dais to determine if they would like to receive hardcopies at the full Commission meetings. She reminded the Commission that deadlines have been established as to when subcommittees are to submit their proposed recommendations. It was established that February would be the deadline to begin work on the ballot language.

The Chair reminded everyone of the reminders located at the bottom of the CRC Agenda.

**[End of Executive Director’s Report]**

**IV. Approval of Engagement Letter for Legal Services – Williams, Wilson & Sexton, P.A. – Fire Rescue Issues**

The Chair recognized Mr. Goren.

Mr. Goren advised the dais that Mr. Wilson’s law firm has been engaged in connection with issues and matters relating to Fire Rescue and associative activities. He reminded as stated during the last meeting of the CRC with regard to those matters, that there are vast differences of opinion between the Broward League of Cities from several years ago and the then Charter Review Commission. He stated for the record, and as a matter of full disclosure that his Law Firm serves as Counsel for the Broward League of Cities. A number of cities in Broward County who may have differing interest in the context of what the CRC may consider doing in the

context of Charter-related review and/or potential Charter Amendments. He stated in connection with the subcommittee currently meeting, dealing with the subject matter and having disclosed his relationship in that regard, as well as the Chair having a relationship with the League of Cities, it would be ethically appropriate to engage outside Counsel which is the premise that was considered by the board when hiring Mr. Goren's firm. Mr. Goren advised that Mr. Wilson's firm had interviewed with the CRC previously, and having had the competency, ability, background, knowledge, and experience as well as Mr. Goren's personal knowledge of Counsel, he highly recommends engaging Williams, Wilson and Sexton, P.A. for that purpose. Mr. Goren then provided an overview of Mr. Wilson's personal background, advising that he has served as General Counsel for the DOT for many years here in Broward County and has a wide variety of experiences in the governmental sector. He stated that he is very much aware of the subject matter and is certainly able and capable to fulfill the needs and obligations of the CRC.

A conversation ensued between Ms. Good, the Chair, Dr. Lieberman, and Mr. Goren with regards to rates and reimbursements, clarification of the conflict of Mr. Goren's firm, and whether Mr. Wilson would be utilized for subcommittee meetings. The Chair advised that was to be determined for clarification later in the meeting. Mr. Goren advised the dais that Mr. Wilson and his firm is engaged for the purposes described in his letter of engagement, then he would be available to the full Commission on an as needed basis to respond to either written or oral questions and any subcommittee activity if requested.

The Chair asked Mr. Wilson to provide a brief synopsis of his background.

**Mel Wilson, Esq. – Williams, Wilson & Sexton, P.A.**

Mr. Wilson advised that his law offices are located in Fort Lauderdale and Tallahassee. The firm has 8 lawyers and is in its tenth year as a law firm. He advised that his firm represents both governmental and corporate entities with a high level of corporate work. He explained that he has been in Broward County since 1987 beginning with the Florida Department of Transportation which he left approximately 5 years ago and opened the Fort Lauderdale office.

The Chair called for motion to accept Mr. Wilson as Counsel.

*Mr. Goren MOTIONED with a codicil that when firms were interviewed by the Charter it was specifically recognized that Mr. Goren would have conflicts of interest from time-to-time and it was a specific recommendation of the CRC Legal Subcommittee that Mr. Wilson's firm as well*

*as one other firm would be utilized. Ms. Tanner SECONDED the motion and the Chair called for a tally by roll. The motion passed unanimously by those present to approve Mr. Wilson and the Law Firm of Williams, Wilson & Sexton, P.A. as Legal Counsel for matters relating to Fire Rescue and associative activities.*

In light of expected matters during today's proceedings the Chair requested Mr. Wilson to remain.

#### **V. Discussion of Engagement of Legal Services for Subcommittees**

The Chair gave Mr. Goren the floor to open discussion. Mr. Goren stated for the record that Subcommittees had to have meetings and have been performing their jobs and providing reports. He reminded the dais that the direction of the Commission based on the previous meeting was, unless and until a subcommittee had a specific need for legal services, General Counsel would not be attending subcommittee meetings however would respond on an as needed basis. To this extent, Mr. Goren advised that he offers his firm as well as Mr. Wilson's firm to assist when needed. Mr. Goren advised that the Land Use Subcommittee (LUSC) had several legal questions posed by the Chair which have been responded to which are included as the backup materials provided in the dais' folders today. Mr. Goren again reminded the dais that Legal Counsel will not be in attendance at subcommittee meetings unless directed or authorized to do so by the Chairs of those subcommittees. The Chair added for clarification that the CRC legal needs of the Subcommittees must go through the entire board to decide. Mr. Goren stated that if there is a desire for a Subcommittee to have a lawyer present for a perspective meeting that certainly the full Commission is the proper place and venue to ask the question about engaging for that particular purpose.

Dr. Lieberman requested that Mr. Wilson attend the Public Safety Subcommittee Meetings. He clarified that it may not be necessary to attend all meetings, but requested that Mr. Wilson be in attendance at the next several meetings.

Mr. Mena expressed concern with having to wait a full month for full CRC approval. He suggested tacit approval as needed, and having the particular Chairs direct their questions to whoever would be responsible. The Chair explained that this lends to a budgetary issue and informed the dais for the record that Mr. Wilson is only engaged for Public Safety and all other

issues are to go to Mr. Goren. She advised that if tacit approval is given, then there would be no way of keeping track.

Ms. West explained the procedure to the dais advising that generally questions are posed and forwarded to her and she emails General Counsel at that time for written responses. The Chair reminded everyone that the conversation surrounds the physical presences of Legal Counsel at the meetings. A discussion ensued with comments by Ms. Good, Ms. Kaletta,

Suggestions were heard from Ms. Good regarding reduction of cost via memo vs. attendance. Ms. Kaletta's concern is regarding delayed responses from legal due to monthly authorization by CRC vs. September deadline of Subcommittees. Mr. Trower and Subcommittee will review Discussion Summary, and potentially difficult areas are found by General Counsel during their reviews. Mr. Goren regarding non-sizeable time limits of Summaries. Mr. Ketcham suggested leaving the determination of need open to General Counsel's discretion. Ms. Rogers addressed the process utilized with the MESC. Ms. West advised that CRC staff does not have the required expertise; therefore she would like it to be okay to direct the questions to General Counsel and then move forward.

Mr. Mena inquired if Mr. Goren has the same conflict relating to Police, and the Chair confirmed that there is not conflict. He expressed concern that no Police Department representation has been present at meetings. Ms. West advised that Alain Jean is present and would be present as representative of BSO at future meetings. She also advised that the Chief of Police of Lauderhill would be a representative on behalf of the Police Chief's Association at the Public Safety Subcommittee meetings.

The Chair reminded the dais that a motion was made and passed with regard to the process of requesting legal assistance (**located at Motion No. 2 of the April 11 full CRC Summary of Discussion**). Therefore, there was no need to readdress this issue.

#### **VI. Discussion of Invitations to County Employees to Speak Before CRC Subcommittees**

The Chair opened the floor to Mr. Buckner. Mr. Buckner advised that an issue arose post second meeting of the Transportation Subcommittee (TSC) that he feels the entire CRC should hear about and discuss due to potential impacts to the type of testimony received from County Employees. He then requested that Ms. West provide a summary of the facts thus far, and he would expand upon her comments.

Ms. West advised that the acting Director of Aviation appeared before the TSC and at that time he was asked his opinion on what he thought would be the best way to operate an enterprise such as the Airport. She advised that he provided his opinion in terms that he thought that Independent Airport Authorities were able to do a better job, because they could operate as a business as opposed to a policy group. Ms. West advised that this seemed to cause some concern among County Commissioners. She advised that during the evening post TSC meeting, she was contacted to provide the minutes of the meeting verbatim relating to the Acting Director's response. The Acting Director stated that "I might get fired for making this recommendation". Ms. West advised that there was a lot of excitement, but it quickly died down. She advised that she informed Mr. Buckner of the request from the County Administrators' Office, so that people would be aware that County employees are requested to appear before the CRC, to give sometimes what might be their personal opinions;, which might not be the opinion of the people for whom they work. Ms. West stated that as a person who works, it is important that employees know the company line, and then make their decision as to whether they want to answer the question.

Mr. Buckner added that to some people it may not seem to be a big deal, but the Charter is asking County employees to come forward and to provide full information to enable decision-making. He expressed his disappointment that politics may have gotten involved with the issue dealing the question of creating an Aviation or Seaport Authority for those various departments. He stated that if County employees come forward, it is his wish that they feel comfortable and feel that they can share anything they feel is necessary, including their professional personal opinions. He advised that employees should not feel as though when returning to their offices, they will receive a call from the County Administrator, or that they will have County Commissioners calling the County Administrator to find out what was said at a particular subcommittee meeting. Mr. Buckner added that if a County Commissioner or County Administration has a problem with anything discussed at the TSC dealing with any type of Aviation or Seaport Authority, then they are invited to visit the TSC meetings. As monitoring County employees might impact the flow of information between Subcommittees, whereby County employees will go before the Subcommittees watching what they say, for fear of "big brother watching" every word spoken before the Subcommittees.

The Chair advised that she plans to meet with the County Administrator regarding this issue. She stated that she also understands as an elected official the perspective of the County Commissioners. She reminded the dais that everything stated in the dais airs throughout the

County anyway which makes the process a little more difficult. She advised that the issue discussed by Mr. Buckner could be a renegade instance, as none of the other Subcommittees have had any issues thus far.

General statements were heard from dais members with respect to concurrence with Mr. Buckner's concern. The Chair advised that she does not feel there should be an on-going problem. Concern was also expressed with the way the incident happened, and the timeline as to whether the information was leaked by a member of the CRC. The Chair advised that as appointees of the County Commission, dialogue could happen when questioned. She added that it is a fine line to walk which is why it was brought up at today's meeting.

## **VII GUEST SPEAKERS – Mayor Joy Cooper, President, Broward County Fire Rescue Council**

The Chair welcomed and introduced Mayor Joy Cooper.

Mayor Cooper advised that the CRC had tasked looking at fire issues and communications as a whole, and delivery of services. She advised that she did not sit through every hearing, but she was requested to sit in on those hearings by the President of the League of Cities at the time. She advised that at that time there was a Joint Task Force being held by many stakeholders including medical professionals, Fire Chiefs, BSO etc. to actually evaluate every aspect of Fire Rescue and Delivery and Emergency Services. She advised that there are volumes of information available addressing every single aspect of Emergency Delivery Services. She advised that she has certainly seen a major fire in a condominium where there was a coordination of services, not only between municipalities and the County, but also with Dade County. She advised that while there are still some glitches in the system, the expertise and the know how to address them does exist. Mayor Cooper advised that there was a tremendous amount of effort put forth in the Task Force. She advised that there was concern from the municipalities regarding unfunded mandates that would potentially come forth through the CRC. She advised that there were a lot of "chief's in the kitchen", suggesting level of services, minimum standards, etc. She advised the dais that we have many capable chiefs and many capable departments, and one size does not fit all with Municipal Fire Services.

Mayor Cooper stated that the discussion at that time became heated, and she advised that she had a concern because she had to wear two hats. She advised that her goal as an elected

official of a municipality is to preserve 'home-rule' powers and authority. She advised that Elected Officials for the municipalities are bound to provide the safety and services required for the residents; it is not taken lightly, and she feels this is done in an excellent manner and they were preserving, not having unfunded mandates. She stated with this said, she had deliberations with the President and some of the Executive Board that if she needed to testify in front of the previous CRC, that she could not stand and be in deniable that there had to be a coordination of communications countywide. Mayor Cooper advised that this is what made the League of Cities and the CRC in agreement, and through negotiations to agree that this needed to be worked with. She advised that she was not saying that it was not there, but it could be better coordinated, have better technology and it could be seamless. She stated that as a result, the CRC has the current Charter which was passed Countywide: *mandating the County to implement county-wide communications to facilitate (not mandate) closest unit first response.* Mayor Cooper advised that there has been, and she noticed in the CRC backup, that there has been discussion and she feels that the demarcation with Communication needs to be worked on. She added that as with everything, it is going to come down to funding. She then reminded the dais of the threat of tremendous budget cuts that will cut very deep with services, both at the municipal level, as well as the County level. Mayor Cooper advised that BSO has been working closely with the Fire Chiefs Association and Rick Carpani has been working directly with the Fire Council. He has been tasked with ensuring that the work product be completed. She advised that she has been tasked as Chair to get the presentation to the County and discuss where they are and what has been meshed. Mayor Copper stated that her Fire Chief (City of Hallandale) has been working to try to facilitate other communications with municipalities and is almost ready to roll out an Interlocal Agreement to facilitate communications.

Mayor Cooper then provided an overview of Funding and the CAD system. She suggested that the CAD somehow gets linked countywide in order to know where each unit is. She advised that it needs to be unified and in every truck. She stated that the other thing that needs to happen is to coordinate existing services without duplication, and work with municipalities to encourage the coordination. She advised that she is not an expert in the numbers yet, but the budget will be key. She stated in summary that she believes things are in the works and are being coordinated towards it, but suggested that the CRC needs to advise the voters that this is a County responsibility, and actually get the expertise of where the demarcation must be to ensure that countywide the technology, services and infrastructure are uniform for each municipality, which is where the difficulty lies due to the different municipal implementations.

She advised that a goal of the Fire Council is to help coordinate those efforts to ensure that someone does not feel that they are getting less than what is unified. She advised that another glitch is that some municipalities have already invested a major amount of money in their infrastructure. One municipality being Pembroke Pines, but she added; there is reassurance that they are working very closely to coordinate the efforts.

The Chair asked Mayor Cooper if she believes that the Fire Rescue Council needs to stay in existence because the job is not done. Mayor Cooper responded yes, however as far as when it is coordinated and completed, is the task of the CRC to ensure that funding and demarcation of the infrastructure takes place. She added that the CRC should also consider long-term funding and maintenance.

The Chair then asked Mayor Cooper to address the Fire Rescue Council. Mayor Cooper responded that it goes back to the needs of the community. She advised that flexibility is always the concern when referring to the minimum and national standards.

**Mr. Benson joined the dais at 10:59 am.**

Ms. Rogers asked Ms. Cooper for an alternative view in response to her opinion with regard to her "one-size does not fit all" comment... Mayor Cooper advised that Hallandale has a full-service Fire Station and it goes back to choice. Ms. Rogers asked for communication system clarification. Mayor Cooper advised that one is a Human resource, and the other is Infrastructure resource; she advised that she believes it is quite difficult when you begin meshing the two when you cannot have a one-size fits all system. Ms. Rogers also asked questions regarding mutual aide, cross-training and regional fire services. Mayor Cooper advised that each of her departments is cross-trained with the exception of a few Engineers. She added that they have all been phased-in either through retirement, or encouraged personal career development to get others in. She advised that she would have to address whether she thinks Fire Services should be regional or would have to be addressed in a global perspective. She advised that in her experience she does not believe, based on services, that everything is better, bigger. She informed the dais that many communities had begun to contract, or began flipping contracts with BSO. She advised that it was the first time in her history that she had never spoken with the press. She advised that she had the opportunity to travel by car to many municipalities along the East Coast, and through that experience she realized why she moved to Hallandale Beach. She advised that Hallandale is a hometown, full service and global, when

it comes to a lot of services. The bigger picture does not necessarily provide the best or most cost-effective service.

Ms. Tanner asked Mayor Cooper what her suggestions would be regarding changing or adding a requirement of minimum standards to the Charter. Mayor Cooper suggested that the CRC get as much input from every Fire Chief in order to gain a broader perspective from each of the Fire Chiefs. She also suggested that the dais become educated as to why adding minimum standards to the Charter would not work.

Mr. Weiss posed a series of questions to Mayor Cooper regarding how **Charter language; Page 14, 5.03A** is being interpreted. He asked if the language is not clear, if it is so complicated that language could be clear, what she believes the section requires and where is the glitch/problem in terms of implementing what the Charter says. Mayor Cooper replied that her personal interpretation of what transpired is that she believed when she voted, that the funding and the infrastructure would be in place to facilitate closest-unit first response. She stated that she feels very strongly because of this. She reminded the dais that using words such as “*mandate or requirements*”, the CRC will end up in the fray of the ‘home-rule’ issue. Mr. Weiss pointed out that today’s discussion is the exact discussion from 5 years ago. He asked Mayor Cooper what she thinks the problem is. Mayor Cooper responded that she does not think that it has not happened. She advised that she thinks that changes within BSO have caused it not to happen. She advised that she is very confident in Mr. Carpani and his passion for the issue. Mayor Cooper advised that Mr. Carpani is from an outside private industry and is bringing a desire to make it work and get it implemented.

Mr. Weiss then read Section 5.03 directly from the Charter focusing on communications infrastructure. He asked Mayor Cooper if she thinks the issue is the definition of ***no time limit***. Mayor Cooper responded yes, but advised Mr. Weiss that his questions are making her think out of the box as to what her responses would be. She then restructured her response and advised that she would hate to place a timeline because there are always going to be glitches. She suggested that the Charter not pressure people, and she believes this is why the Sunset Clause was there. She advised that she believes that the two glitches are the demarcation and the funding, and long-term funding for the maintenance of the system, where it stops and what it actually entails. Mr. Weiss asked if the word *infrastructure* is also unclear. Mayor Cooper replied yes. Mr. Weiss requested that Mayor Cooper think about what needs to be done to

Section 5.03A, does it need to be changed, and if so how would she suggest it change. Mayor Cooper requested the opportunity to get back to the Commission with a response.

Dr. Lieberman stated that the language of Section 5.03D of the Charter allows the FRC to offer recommendations. He asked Mayor Cooper if an Amendment of stronger language in this section would help the FRC accomplish the goal of communication. Mayor Cooper replied that the FRC recommendations as a Council are recommendations directly to the County Commission. She advised that she would have to think about this issue as well, and suggested the CRC would have to debate this issue among the dais and the Attorneys.

Mr. Trower asked Mayor Cooper about prior infrastructure funding initiatives brought forward by the FRC. Mayor Cooper explained that there have been changes in BSO's personnel and that she believes Mr. Carpani is ready and planning to analyze the funding and make a presentation to the County Commission. She advised with the clause in the Charter, that there is at least some push to ensure it is completed and oversight that the FRC can make recommendations. Mr. Trower asked if the County has rejected the suggested infrastructure in the last five years. Mayor Cooper replied no, that they have been working in a coordinated effort through BSO to work through communications and it is starting to roll-out. Mr. Trower asked for clarification that infrastructure is the County's responsibility for funding and staffing is a municipal responsibility. Mayor Cooper agreed.

Mr. Maus asked if the communications infrastructure will replace what municipalities currently have in place. Mayor Cooper deferred the response to Mr. Moeller and the technical expertise required to respond. She advised that she has been hearing concerns over where it should stop, and the need to clarify the demarcation points; which is where she suggests the language might need to be. Mr. Maus then asked if there has been any discussion of a joint funding proposal. Mayor Cooper advised that they have been making infrastructure improvements to the CAD and software. She informed the dais that the County has been putting in funding and making investments into the system (towards this goal). The Chair added but not owning.

Ms. Rogers asked Mayor Cooper if the FRC has any recommendations which can be shared with the dais that have been brought forward to the County which have not been funded. She also inquired if there are any vacancies on the Council. Mayor Cooper advised that the seats were filled and the FRC is in the process of reassigning, because of the transfer of leadership of the League. Mayor Cooper suggested to the Commission that they also look at EMS / Medical

and the possibility of a countywide infrastructure and CAD system which she believes would be an expansion. Ms. Rogers asked if Mayor Cooper if she believes the position of the Chair and Vice Chair of the League needs to be changed, because no other position states that it has to be the Vice-Chair of the Chair. Mayor Cooper advised that she interprets the language as the Chair or Vice Chair of the actual Committee. She advised that she did not really scrutinize the language as far as the appointment. She offered to study the language and get back to Ms. Rogers.

Ms. Good asked if the FRC has looked into an amount with regard to funding. How much the County will need to set aside to provide the infrastructure? Mayor Cooper advised that a concrete proposal is in the works.

Ms. Kaletta advised that Mayor Cooper is using the word, *Sunset*, but it is not in the Charter language. The Chair advised that *sunset* was part of the dialogue that did not make the Charter. Ms. Kaletta reminded that the Charter continues and nothing has to be done to ensure its continuation. A discussion ensued between the Chair and Mayor Cooper clarifying where Mayor Cooper might have picked up the word *sunset*.

Ms. Norris-Weeks also inquired as to a funding range. Mayor Cooper advised that the goal is to roll it out through the County. She suggested the CRC have Mr. Carpani make a presentation. Ms. Good asked, assuming funding would be in place, if the FRC has looked at a timeframe for implementation. Mayor Cooper advised that they are actually half way done. She stated that I-595 South is totally interoperable, with the exception of One Pines, and they are now working in the Northern areas which can be reviewed with Mr. Moeller for specifics.

Ms. Good pointed out that the Charter states that the providers will utilize the elements of the infrastructure but no timeframe is defined. Mayor Cooper responded that this is indeed a timeframe matter, and equitability should be key. She suggested that everyone should be on the same level playing field which is "where it gets a little muddy".

Ms. Norris-Weeks asked if there has been dialogue of where the funding will come from, whether it will be a dedicated source, or if a special assessment is required. Mayor Cooper advised that there has been speculation if there should be a Fire Assessment District, but she does not know. She stated whether a Special Taxing District or surcharge, this is something

that would have to be debated. Ms. Eisinger added that looking at property tax reform, no-one knows what the financial impacts will be.

The Chair provided clarification on Mayor Cooper's comment of everyone being equal (on a level playing field). She explained that each municipality has their own equipment. She stated that the issue was for the County to provide something that would join it together without taking over a City's equipment. Mayor Cooper replied that this will be a technical issue. She stated that her concern would be the equitable distribution of the infrastructure that makes it an equal playing field for every provider.

Dr. Lieberman asked about a question from a previous meeting, regarding the status of funds derived from traffic tickets which were to fund communications. Ms. West responded that she posed the question based on her experience as a Lobbyist 4 years ago when lobbying for the County. She advised that there was a piece of legislation that would allow Counties to add an additional 50 cents to help fund the infrastructure for communications, but she is not aware of what has happened since. She advised that the response from Mr. Corwin at that time is that this is not being done.

Ms. Kaletta asked if BSO, Fire Departments own or just man the equipment. Ms. Eisinger explained, if a City is a contract City, it all depends. She advised that her City owns the property, and BSO owns the Fire Rescue equipment and the manpower. Ms. Eisinger advised that the big issue is compatibility.

Ms. Rogers asked if there is a document that lists the priorities, mission, goals and timelines of the FRC that the Charter can see, if what is in place is truly working. Mayor Cooper stated that the FRC is advisory to the County. She stated that the FRC has made progress and will continue to do so; however the FRC is not tasked with a deadline to implement it. She stated that she has faith in the coordination of BSO, what they are trying to do and accomplish, and the structure itself.

The Chair thanked Mayor Cooper for appearing.

**Dr. Wayne Lee, Phoenix Physicians, LLC, Emergency Medicine in Broward County**

The Chair welcomed Dr. Lee.

Dr. Lee thanked the Commission and provided a brief overview of his background and expertise. He has been in Broward County since 1972. He advised that he is currently Chief of Emergency Medicine for the North Broward Hospital District, and the Chief Medical Officer for Phoenix which provides Emergency Physician Coverage for Emergency rooms on the Southeastern Coast of the United States. Dr. Lee advised that he started Oakland Park Fire Rescue, and is also currently the Medical Director of seven (7) Fire Rescue Systems; the most recent being the Seminole Fire Rescue System as well as Davie, Plantation, Sunrise, Coral Springs, Oakland Park and Margate.

The Chair asked what the role of the Medical Director is in relation to the Fire Department. Dr. Lee advised that his primary responsibilities include: Quality Oversight which is the most important role, setting standards, guiding protocol issues through development and interpreting when not clear, Paramedic selection, probation vs. full active status, equipment recommendations (what they should have on the emergency vehicle), medications (what they should not have on the emergency vehicle).

Dr. Lee advised that he is blue collar, and some recommendations might be far below the dais. But he is very active in EMS on a daily basis and he has a perspective of issues on both sides. Dr. Lee advised that the system is not broken; he explained that rescue system performance is at a high level and the County demands a high level. He explained that comparing Broward's rescue system to a more rural County would not be a fair comparison. He suggested that communications do need to be and should be seamless. Dr. Lee advised with regard to minimum standards, that he believes Broward County needs more because we are a sophisticated system, and the levels of service should be the same regionally. He advised that he has always been very pro-municipal rescue, which lends itself to a unique service. He recognized that it might not be cost efficient, but it is the proper way. He stated that there should be a controlling authority that would begin to address a second set of minimal standards in terms of response, training standardization, and standardization of drugs, equipment performance and skills.

Diversion Issues – Dr. Lee advised that there is a “No Diversion” policy in Broward County, which he explained does not mean that the Hospital cannot divert, but it means that the hospital cannot say diversion. He stated that there is a desire for the Hospitals to advise what their issue is through real-time communications (i.e. a system for the Hospitals to Communicate with EMS better.) Dr. Lee suggested a real-time capacity board - or - Centralization of Hospital Status, for routine care, trauma, strokes, and cardiac catheterization. He also suggested real-time Medical Director Control, where for difficult issues; an EMS Medical Director can be made available to speak with real-time.

Helicopter Transport – Dr. Lee advised that his comments may not be entirely accurate, but stated that helicopter transport is primarily for trauma patients, and has limited use for other patients with similar needs to be transported, including heart attack patients, acute stroke, cardiac catheterization patients and myocardial infarction patients. He stated that now that we have a number of Cardiac Catheterization and Stroke capable hospitals. The rules are in place where Paramedics bypass hospitals and go directly to these hospitals, which works most of the time, but not all of the time, so he suggested the expansion of helicopter transport.

Dr. Lee suggested patients who arrive at hospitals without Cardiac Catheterization capabilities, who need to be transferred to facilities with those capabilities, should be able to be heliported. Dr. Lee advised that it is not uncommon to receive a 911 call for inner facility transports which impacts on the system’s ability to be able to respond to patients calling from homes and other places which he explained has been a point of confusion which needs to be clarified.

Dr. Lee advised that the State is just beginning to standardize data collection. He explained that data is important for performance focus in certain arenas. He explained that there is not much done on a local basis therefore data is limited to the individual systems, so there is no comparative analysis of performance. Therefore he suggested improvement upon our data keeping capabilities and the how it is used.

In summary, Dr. Lee stated we are very good in Broward County but at the same time there is opportunity for improvement as standardization in training, minimal standards, gear and equipment and drugs begins.

The Chair called from questions from the dais.

Dr. Lieberman asked Dr. Lee how he sees the suggested Capacity Board for hospital staff working and if it is something that should be a part of the Amendment process.

Dr. Lee suggested that there are solutions available via the internet where hospitals can post their status on the internet. He stated that this is already in place in other areas. He advised that he agrees with closest unit response and what is in place in terms of mutual aide seems to work fairly well but what he dislikes is sending high-level / sophisticated systems to low-level calls. He advised that the ability to do call prioritization where calls that need paramedics, fire rescue and gear and equipment vs. people who need first aide and transport with less sophisticated gear and equipment would be useful. He advised that this is in place in Houston, TX.

Ms. Rogers inquired about jurisdiction. Mr. Lee advised that a few years ago a recommendation was made for a separate governing body with authority with the ability to facilitate these particular issues.

Ms. Kaletta asked Dr. Lee if he feels comfortable that municipal coordination would be sufficient in the event of another major hurricane. Dr. Lee explained that through Wilma he was very proud of EMS and Hospitals and it was very difficult. He advised that if Wilma were to happen again today he is sure that performance would be better than it was then. He added that there are issues that are always looked at in the event of hurricanes. He advised that he is appointed to the Broward Regional Planning Council's (BRPC) Task Force for Pandemic Plan. He stated that he is very concerned out this because there are a lot of issues of how EMS would respond in those situations. Particularly as it relates to the hospitals, which goes, who does not, who to respond to and who not to respond to. He stated that this will be very difficult to figure out unless there is some coordinating body. He stated that EMS was initially left out of this Plan originally and as it has evolved they have moved EMS into place. He stated that he thinks with a hurricane we would do well but other situations we might not do as well. Ms. Rogers asked about Lessons learned in 911. Mr. Lee replied while it was not a lesson in 911 but from his understanding Communication was the weakness and he believes that it is currently pretty good but could be better.

Mr. Mena inquired about minimum standards. Mr. Lee advised that the State does have standards that list what has to be on the trucks and what has to be done in terms of Paramedic training certification etc. He suggested equipment standardization where everyone uses the

same equipment for the most part. Mr. Mena asked if this is what was meant by minimum standards. Dr. Lee advised that he wants minimum standards above the minimum standards that we have and he wants to better standardize some of the drugs, equipment etc.

Mr. Mena expressed concern of where the budget would come from for minimum standards for equipment and drugs. Dr. Lee responded that he is not sure.

Mr. Trower asked Dr. Lee if there is a regular Medical Director's Meeting which might take place on a regular basis, he added that it sounds as though some things could be accomplished via dialogue with other Directors. Dr. Lee responded there is an informal meeting with some participation which is not mandatory. He advised that the Fire Chiefs have an EMS Chiefs Subcommittee which is held monthly and many Medical Directors attend that meeting. He also advised that the Broward County Medical Association has an EMS Committee meeting which Medical Directors attend as well but there is no formalized meeting in terms of a reporting mechanism or authority.

Then Chair thanked Dr. Lee for presenting. She then recognized Chief Bruce Moeller.

### **Chief Bruce Moeller, Broward County Fire Chiefs Association**

Mr. Moeller thanked the dais and advised that he is present representing the Broward County Fire Chief's Association as he is the former President of that group and was involved significantly during the previous Charter review Commission. Mr. Moeller advised that he wanted to speak on two subjects the first being:

**Communications** – Chief Moeller advised that he is a member of FRC with Mayor Cooper. He advised that the system has quite a bit of integration and works well in that regard. He added that Broward County is in much better shape. Broward County launched in 1992 a 23 Channel / 800 MHz trunked radio system, which serves as the backbone / Communications infrastructure by which **every Fire Rescue Agency can and does communicate on**. The System is now expanded to 28 Channels. He stated that it is not 100% seamless all the time as there are patches, but everyone can talk. He explained that every Fire Rescue Agency in Broward County utilizes as their primary method of communications 800 MHz technology and all of this technology will work together in varying levels. He added that Pembroke Pines does not use this system as their primary method but they do have 800 radios by which they can communicate. Mr. Moeller stated that he understands that Pembroke Pines is in discussions

with Broward County/BSO to see if they wish to move onto the system. He advised that there has been significant improvements in the amount of interoperability from a radio perspective in the 5 years that the FRC has been around he stated that the City of Fort Lauderdale, Hollywood, Plantation have all been tied into the County system. He advised that Coral Springs, Margate and Coconut Creek jointly share an 800 MHz system and have had conversations with the County. He advised that Coral Springs is in communication. Mr. Moeller advised that dais that the FRC has carefully looked at the manner in which the systems are constructed in case of mutual aide. Mr. Moeller stated that there are continuing efforts that need to be made one of which is the CAD (Computer Aided Dispatch). He provided examples of Miramar, Sunrise and advised that some have not moved over because of technical issues. He added that he wanted to inform the Commission that there has been a lot of work in this area, it has been significant, substantive and there has been movement and there is more to be done.

**Policy and procedure** – Mr. Moeller advised that this piece is his argument from a structural standpoint. He suggested that a structure should be created by which the individual municipalities, Broward County/BSO can work together to provide services in a more integrated and seamless fashion. He suggested in order to do this it would take Policies and Procedures which he thinks is beyond the ability of the structure of the Charter to provide; but he added by using the professional associations; Fire Chiefs, Police Chiefs, Emergency Coordinating Council this might be possible.

**Minimum Standards** – Mr. Moeller advised that he feels that this issue also goes beyond the structure of the Charter. He explained that he is very active nationally as he sits on the Board of Directors for the Research and Policy Institute, he is Director at Large for the EMS Section of the International Association of Fire Chiefs and involved on a National Fire Protection Association (NFPA) committee which writes recommended standards dealing with incident management qualifications. He explained that the NFPA has a large number of Standards dealing with the Fire Service. He described NFPA 17-10 which talks about deployment and organization of *Career Fire Departments* and although it is not required from a national perspective most departments use the great majority of these standards and look to them for guidance. He advised the dais that professionally the State Fire Chief's Association along with the Department of Emergency Management have plans that are well utilized dealing with emergency response (i.e. Hurricanes). He advised that there is a Statewide Emergency Plan

which has been merged with our Local Plan for mutual and automatic aide. Explained why Fire Stations have numbers associated.

Chief Moeller advised that ultimately the issue boils down to Policy. We have 31 municipalities, 22 Fire Rescue Agencies serving a population of 1.8 million in a region. He advised there are seams and unless a dramatic change in policy occurs. He stated that he does not know how to get pass some of the seams unless a dramatic change in policy takes place to say rather than allowing a municipality or individual entity to decide how they want to structure, fund, organize, and deploy their Fire Rescue Services. He stated that if the discussion is that things are that bad (he explained that he does not accept the premise) but if it is the belief he stated then the bigger step must be taken because trying to do this through a Charter process he suggested is dangerous because there is no way to cover every eventuality. Chief Moeller suggested that the question is “Do we need to reconsider the structure of basic governance here in Broward County? Do we need to say that individual communities should not be able to decide how they run Fire Rescue systems and in fact we should have a Regional or County-wide system?” He stated that at some point this is the logical conclusion to the discussion and the argument.

Chief Moeller advised that Fire Rescue Services in Broward County are among the top in the nation. He advised that Post Incident Analysis (PIA) are discussed after significant events where they come together within jurisdictions as well as across-jurisdictions to discuss what did and did not go well in an incident; which is what has lead to the improvements made to date and they will continue.

Ms. Tanner asked Mr. Moeller if he thinks it would be beneficial to strengthen the language in the Charter to protect the future. Chief Moeller responded that this depends upon the change proposed. He explained that the issue becomes sustainability, succession planning for future generations. He again advised that he does not believe that the Charter is the place for that. He stated that NFPA 17-10 is probably one of the worst documents he has ever seen and he absolutely believes the Fire Service needs it, but he explained that where it is now is not right. He explained that the science and data are not there to support it and it has not yet matured.

Mr. Trower asked Mr. Moeller in terms of jurisdiction under what authority does a City establish a Fire Department. He explained that under the Charter the County provides Fire Departments in unincorporated areas. Mr. Moeller replied that each individual municipality Charter / Ordinance provides them. Mr. Trower then confirmed that a City could opt to establish the

Department and put them in any way, shape or form. Mr. Moeller responded that some Cities contract it out. Mr. Trower asked if the municipalities have to go to the State to get the Charter. Mr. Moeller replied that they do not.

Dr. Lieberman asked if Miami-Dade follows NFPA 17-10. Chief Moeller replied that he does not believe so. He advised that he believes that Miami-Dade Fire Rescue has a goal towards 17-10 but countywide there are not standards that he is aware of.

Ms. Rogers asked Mr. Moeller if there is anything necessary for emergency vehicles with regard to Transportation getting from point A to B. Chief Moeller informed Ms. Rogers that Broward County has a satellite-based system called Traffic Preemption (product by 3M) and corridors already exist along Broward Blvd., Sample Road and Hollywood Blvd., towards the Trauma Centers. He stated that Broward County is currently in Phase II deployment. He explained that the vehicles have GPS locators and there are radio transmitters' which sends a signal to the traffic signal and clears traffic in the intersection. Ms. Rogers asked if Broward County is funding this infrastructure from a regional approach. Chief Moeller advised that individual intersections are funded by Broward County and some Cities are looking at a few intersections that are critical to them. He advised that the equipment on the trucks however is the responsibility of the individual cities. He explained that this is not unlike the demarcation that Mayor Cooper mentioned. Ms. Rogers inquired as to who is having this dialogue. Chief Moeller advised that the group includes BSO, the Public Safety Communications Working Group.

Mr. Mena asked Mr. Wilson if he was aware of glitches in the system. Mr. Wilson replied that he is not familiar with it. Mr. Mena then advised that he wished to hear from Mr. Goren. Mr. Goren advised that he could defer this to a later time, but advised that there are apparently glitches/communication disconnects in the system.

The Chair thanked Chief Moeller for appearing.

**[End of Speaker]**

## **VIII. SUBCOMMITTEE REPORTS**

### **Administrative Issues / Governance (AGSC) Report – Dr. Irv Rosenbaum, Chair**

Dr. Rosenbaum advised that the AGSC is having public input and inviting Commissioners to speak via formal letter. He advised that the next meeting will surround the discussion of role and function of County Government and duplication of services, parochialism and the census. He advised that the AGSC also plans on increasing the number of meetings in order to get the work done.

### **Health / Social Services Subcommittee (HSSC) Report – Wil Trower, Chair**

Mr. Trower advised that the HSSC has had one meeting and is in the process of making arrangements to meet with a couple of other individuals regarding housing and homelessness as well as some of the Children's Services issues.

### **Land Use Subcommittee (LUSC) Report – Commissioner Hayward Benson, Vice-Chair**

Commissioner Benson advised that the LUSC has met on three (3) different occasions and has major presentations from the Broward County Urban Planning and Redevelopment Department, the Broward County Planning Council and a presentation from the private sector Ms. Shelley Eichner representing the League of Cities. He advised that the dais feels that they have received input overload and it is now to for the LUSC to make an assessment as to where they are. He advised at the next meeting they intend to go back to look at the issue prioritization and at that time the next speakers will be determined.

### **Public Safety Subcommittee (PSSC) Report – Dr. Mark Lieberman, Chair**

Dr. Lieberman advised that the PSSC has held two (2) meetings and the third is scheduled for this afternoon. He advised that Mr. Moeller was the speaker at the first meeting and covered the same issues discussed at today's CRC meeting. He advised that Ms. Kandel, the Public Safety Program Manager for Broward County Emergency Operations Center. He informed that dais that everyone is invited to the 2<sup>nd</sup> Annual Hurricane Expo on June 2<sup>nd</sup> at the EOC in Plantation and for more information they should see Ms. West. He informed the dais that Ms. Kandel provided an overview of the operations of the EOC and advised that one problem area that they are working on is Vulnerable Populations and Pre-identification of people before

disasters. Dr. Lieberman advised that the PSSC discussed the possibility of an amendment that puts a specific position in charge of a disaster and possibly making it the Broward County Emergency Manager and possibly adding the organization of the EOC in the Charter as well. He stated that consideration of giving Broward County FRC more authority is also possible. He advised that Mayor Carol Armstrong and Fire Chief Robert Putney of the City of Plantation are scheduled presenters at today's meeting.

### **Transportation Subcommittee (TSC) Report – Michael Buckner, Esq., Chair**

Mr. Buckner advised that the TSC has met twice. He advised that Mr. Bob Bielek of the Broward County Aviation Department provided presentation concerning the FAA Draft Environmental Impact Statement which is being used for the environmental process for the Airport Expansion. He advised that the dais discussed future growth of FLL and coordination between Airport and Seaport if possible. He stated that the TSC is discussion alternative governing structures possible for the Airport and Seaport. He advised that Mr. Roger Del Rio, Acting Executive Director of the MPO provided a presentation to the TSC on May 3<sup>rd</sup> explaining what the MPO is reports and work products that the MPO produces including the Long Range Transportation Plan and Transportation Improvement Plan. Mr. Buckner advised that the TSC also discussed possible revisions to the MPO representation. He then advised that future meeting invitees include representatives from Port Everglades and that invitations have been extended to the Mayor, Vice-Mayor and various County Commissioners to update any comments made during their presentation before the full CRC.

**IX OLD BUSINESS** None

### **X NEW BUSINESS**

Mr. Trower advised that dais of an issue relating to an upcoming meeting. He stated that he has spoken with Mr. Goren with regard to a potential conflict of interest in relation to the Broward Workshop and Dr. Rosenbaum and advised that he plans to leave the meeting. Dr. Rosenbaum stated for the record that he does not plan to speak on anything that will come to a vote. Mr. Goren advised that the potential of walking away from the dais for an hour or so is something which is frowned upon for bodies such as the Charter, where the fiduciary obligation is to be present and perform the functions. He advised that the entity being described is a private non-profit and in the event that there is an appearance that Mr. Trower would like to

avoid having he could certainly step away which is different than doing so here legally. Mr. Goren advised that Mr. Trower is disclosing on the record as part of his duties on the Charter. Dr. Rosenbaum reassured the dais that he plans to be very careful and does not wish to create any situations where negative images are created.

Mr. Benson thanked the staff for the tea.

#### **XI PUBLIC COMMENT**

None

#### **XII ADJOURNMENT**

There being no further discussion the meeting was adjourned at 1:04 p.m. The next meeting of the full Charter Review Commission will be held on Wednesday, June 13, 2007 at 10:00 am.

The minutes of this meeting are recorded on CD # 05.09.07 (BCGV CTR)