

**Summary of Discussion  
Broward County Charter Review Commission  
Transportation Subcommittee Meeting  
Thursday, August 16, 2007  
Broward County Main Library  
8<sup>th</sup> Floor-Bienes Conference Room  
10:00 AM – 11:30 AM**

**Members Present:**

Michael Buckner, Esq., Chair  
Commissioner Ted Mena, Vice Chair  
Mr. David Esack  
Ms. H.K. "Petey" Kaletta  
Ms. Jodi Jeffreys-Tanner, via Telephone  
Bruce Rogow, Esq.

**Members Absent:**

None

**Others Attending:**

Yolanda Grooms, Administrative Specialist, CRC  
Maria Gross, Assistant Director, CRC  
Dan Glickman, Public  
Phyllis A. King, Transcriber, PKING Consulting  
Jacob Horowitz, Esq.  
Mike Sharma  
Ms. Lisa Vondrak, News-Abstracts.com  
Patricia G. West, Executive Director, CRC  
Scott Wyman, Sun Sentinel

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

A meeting of the Broward County Charter Review Transportation Subcommittee "Committee, Subcommittee, or TSC", was held at 10:00 a.m. on Thursday, August 16, 2007 at the Broward County Main Library, 8<sup>th</sup> Floor Conference-Bienes Room, Fort Lauderdale, Florida.

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

The Chair Michael Buckner called the meeting to order at 10:03 a.m. and requested the roll call by Alfreda S. King, of PKING Consulting, Inc. Upon completion of the roll the Chair acknowledged the presence of a quorum.

### **II. Approval of Summary of Discussion of August 2, 2007 Subcommittee Meeting**

The Chair asked the subcommittee if there were any corrections to the SOD August 2, 2007.

- **Ms. Kaletta referenced page 14 paragraph 4 – she explained for the record that “50” years was not literal.**
- **Page 14 paragraph 2 correct “their” to “there”**

Ms. West advised the Committee that staff decided to leave draft on the minutes, so corrections can be made. She advised that once the minutes are approved, she downloads them into a PDF file and the minutes are placed on the Charter Review Website; she appreciates the subcommittee catching any errors, and that staff will try to continue to do better.

**The Chair MOTIONED, and the motioned carried unanimously to approve the Transportation Subcommittee August 2<sup>nd</sup> Summary of Discussion, including the changes that were identified.**

### **III. Review and Discuss of Metropolitan Transit Authority Resolution Proposal**

The Chair advised the subcommittee that General Counsel has drafted, based upon the proposal that the TSC discussed during a previous meeting, the resolution and the purpose of the Charter amendment concerning the creation of the Metropolitan Transit Authority. He asked if there were any changes or amendments to the proposal as it stands now, as he would like to entertain them.

Mr. Mena advised that on the 1<sup>st</sup> page within line 4 from the bottom of the resolution, there is the word Re-ltter, he added that it is suppose to be Re-letter. He stated that he thought the word was related and was corrected by Mr. Esack saying that it was re-letter.

Mr. Mena inquired about page 2 and advised that he would like to see the word amended.

The Chair advised the subcommittee that the proposed Charter Amendment is in the TSC member packet.

Mr. Mena referred to page 2 section G of the resolution.

**Mr. Horowitz:** If I may, it actually is page 2 Exhibit A, the actual text of the amendment, not the resolution itself.

Mr. Mena referred to Exhibit A on page 2, Section G of the resolution. He stated that the members of the Board of Trustee should serve without compensation, but it states that they may be reimbursed (it's up in the air). He feels that they should be reimbursed for parking, mileage, and any expense; because they are not being reimbursed to be on this particular Board of Trustees Board; it should not come out of their pocket. He stated that too many times they volunteered to these board and they are not compensated. ***Mr. Mena advised that we would like to see the word "may" changed to "shall" or "should".***

***Mr. Esack suggested adding the word "will".***

The Chair asked the subcommittee members if they had any objections to Mr. Mena's change.

Ms. Tanner added that she feels that it will open up a can worms to all the Boards and things that people volunteer for. She does not want to see the TSC members in front of the line advising that anyone who volunteers should have to be reimbursed for any kind of expenditures.

Mr. Mena stated that a lot of the Boards that he serves on they get compensated for their expenditures; there are other Boards that get reimbursed, but it wasn't specified on the Metropolitan Transit Authority (MTA).

Ms. Tanner advised that Charter Review Committee gets reimbursed for parking and she feels that it's a touchy issue.

The Chair asked if there were any other comments.

Mr. Esack stated that he believes that Ms. Tanner's point is valid; that the subcommittee would have to get into defining necessary expenses. He added that he understood both sides, and stated that there are a lot of Advisory Boards and there are a lot of members of each Advisory Board and that number could add up. He explained that he believes it would probably better

without changing the language of the amendment; and suggested that the individual board members set their own rules.

The Chair asked the subcommittee if there were any more questions or comments.

Mr. Rogow asked what is multimodal.

The Chair replied that multimodal is using various different modes of transit, light rail, heavy rail, and buses.

Mr. Esack added Airport and Seaport transit.

Mr. Rogow stated that when most people look at this amendment on the ballot, they will not understand what multimodal means.

Mr. Esack advised the term multimodal has been in use before.

The Chair stated that Mr. Rogow is inquiring in terms of making the average citizen understand the language of the amendment. He advised that the subcommittee understands the language because these terms are used often within the subcommittees. The Chair added that he believes that Mr. Rogow has a good point as well. The Chair tasked Mr. Rogow what he believes would be good language in place of multimodal.

Mr. Rogow asked The Chair if he is talking about the ballot question itself.

The Chair replied yes, it is page 3 of the resolution, the second line of the 3<sup>rd</sup> page.

Mr. Rogow stated that comprehensive and regional carries with it, using all different forms of taking people from one place to another.

The Chair asked Mr. Rogow if he would like the language changed to “A comprehensive and regional Public Transit system”

Mr. Rogow replied, yes.

The Chair asked the subcommittee if there were any objections.

The Chair advised that multimodal will be struck from the second line on page 3 of the resolution.

Mr. Rogow stated that the word “and” shouldn’t be there, the verbiage should read “a comprehensive, regional public transit system”.

The Chair asked if the comma should be taken from in front of multimodal.

Mr. Rogow replied, yes.

The Chair asked if there were any objections to the change. – **No objections**

Ms. Kaletta referred to page 5 of the amendment, and asked, can the Advisory Council share the responsibility to educate and promote public transit, and if the language can be put in the amendment that it will be part of the mandate, as a Citizen Advisory Council. She added that the advisory Council not only gives advice, but they have the responsibility to share information, to help educate the public and encourage the use of public transportation. Ms. Kaletta advised that an advisory Council is one thing and suggested that the advisory Council have some responsibilities handed to them.

The Chair asked the subcommittee if there were any comments.

Ms. Kaletta referred to the paragraph which reads “It promotes and facilitates in the planning, development, financing, constructing, operating, reviewing, and making recommendations”. It says nothing about the advisory Council taking that information back out to the public and having some responsibility.

Multiple responses from the subcommittee at once.

Ms. Kaletta commented that the way she read the amendment was more promoting to the Council rather than what needs to be done, such as promoting the need for it back to the public

Ms. Tanner stated that “to promote and facilitate public involvement” sounds to her that it’s for the public.

Ms. Kaletta stated that if the Committee feels that the language is good enough, she just wanted to bring that issue up because it’s part of the reason why the penny tax did not pass before. It is part of the problems Broward County has with people using public transit. There are some people who need public transit and want to use it; there’s not a lot to promote the value of it and what can be gained by using it.

The Chair asked Ms. Kaletta what verbiage she would prefer.

Ms. Kaletta suggested adding a 3<sup>rd</sup> item that which would say, that the two entities can share the responsibility to educate the public and to promote public transit.

The Chair asked Ms. Kaletta if she agrees with the verbiage, “Educate the public concerning transit issues”.

Ms. Kaletta stated that – that will be fine.

Ms. Tanner suggested added the language to section 1 or 2 without adding a 3<sup>rd</sup> item.

Ms. Kaletta advised that the issue is important and needs to be added as a 3<sup>rd</sup> item.

Mr. Esack stated that advisory Boards and Councils are made up to be representative of the general public. So, the advisory boards currently in place, whether if it is the Marine Advisory Board or they represent Bobby Boater, Parks and Recreation or they represent Joe Q Public; advisory boards are representative of the general public.

Ms. Kaletta stated what better group of people to help give ideas on getting more support and education of the public than people who this subcommittee is talking about. She believes that they’re the one that could give the ideas.

The Chair summarized Ms. Kaletta’s recommendation of adding section 12.07-B-5, “Educate the public concerning public transit issues”.

Ms. Kaletta agreed with the new language that the Chair proposed.

Ms. Tanner asked Ms. Kaletta if she wanted the word promote added.

Ms. Kaletta asked the subcommittee members what is another word they can use for promote.

Ms. Tanner advised that the Council will be promoting the use of Mass Transit.

Ms. Kaletta suggested that verbiage “Educate the public and promote public transit”.

Ms. Tanner suggested strengthening number one; she would rather make the point stronger versus adding another bullet point.

**The Chair MOTIONED, and the motion passed unanimously to add to section 12.07 a new section 12.07 B-5 which will read “Educate the public concerning public transit issues”.**

The Chair referred to page 1 of exhibit A which is the actual Charter language, under article 12 where it says Transportation, he proposed to amend, to strike Transportation, and either add the Metropolitan Transit Authority or Public Transit as the title of article 12. The Chair asked the subcommittee for their comments.

Ms. Kaletta asked the Chair what is the actual difference between the two words Transportation and Transit.

The Chair advised that Transportation involves more than just Mass Transit. it involves other forms of transportation between Airport and Seaport, Roadways, and Highways. He added that this authority is only going to be dealing with Mass Transit issues, buses, possible rail, and any other types or forms that go into Mass Transit. He stated that as Mr. Glickman has informed him every meeting, there is a difference between Transportation and Transit.

Mr. Esack suggested Public Transit.

**The Chair MOTIONED, Ms. Tanner SECONDED, and the motion passed unanimously to strike Transportation and insert Public Transit for the title of article 12 of the amendment.**

The Chair referred to page 2 of the proposed Charter language, he read the 2<sup>nd</sup> line, "Being reimbursed for necessary expense occurred as an accident to the performance". He asked the subcommittee should it be occurred at instead as.

Mr. Rogow suggested that the Language read occurred incident to.

The Chair advised that he was striking the words "as an" from the language, then asked the subcommittee if there were any objections.

Mr. Rogow inquired about the reimbursement issue.

The Chair advised that the subcommittee move on from that issue leaving the language the same. He asked Mr. Rogow if he had any objections.

Mr. Rogow referred to the comments made relevant to necessary expenses.

The Chair stated that in every organization, you set forth an outline in terms what is going to go on, and then you leave it to the actual board to fill in the specifics as to what are necessary expenses.

Mr. Rogow agreed with the Chair.

The Chair asked the subcommittee if there were any other comments concerning the necessary expenses.

The Chair referred to paragraph H-3 on the second line after Broward County School Board; the word fails needs to be underlined. He referred to page 4 section 12.03 H-8 and read from the amendment. "The person appointed by the County Commission shall continue to serve until the expiration of the vacated member's term". The Chair advised that – that sentence should also be referencing when the other entities fill the vacancies. , The sentence should read, "The person appointed to fill a vacancy shall continue to serve until the expiration of the vacated member's term".

Ms. Tanner stated that it is not through the County Commission, it's just appointed to fill.

The Chair explained that there are other entities.

Ms. Tanner asked the Chair if he is striking County Commission from the sentence.

The Chair replied, yes. Strike-through the County Commission, and insert to fill a vacancy, because no matter what entity fills the vacancy, the person is suppose to fill the remaining term.

The Chair asked the subcommittee if there were any objections.

The Chair moved on to section 12.05; and advised that he would like to propose to re-number this section, since there is not a section B, there shouldn't be an section A. He would like to strike A and re-number 1-8, A will be replaced with the number 1 and so on.

The Chair asked the subcommittee if there were any objections.

The Chair stated that with the new paragraph A, which currently reads "Assume the powers, duties, and obligations of the various Broward County Transit-related departments and offices". He would like to get the subcommittee's feeling about going ahead and specify, "Assume the powers, duties and obligations of the Department of Transportation, including Broward County Transit. The Chair stated that the reason why he was thinking about that was, because Transit related to department and offices that could try to refer to although it shouldn't the MPO which is an independent entity. He would like to specify who the amendment is referring to, which is the Department of Transportation.

Ms. Tanner referred to Section 3.08 of the resolution which reads, "The Department of Transportation to provide for the transfer of all duties and responsibilities of the Department of Transportation to the MTA" and asked the Chair, if he would like to use that verbiage.

The Chair advised that what he would like to include was just to strike out various Broward County Transit-related department and offices, and insert Broward County Department Transportation including Broward County Transit.

Ms. Tanner agreed with the Chair.

The Chair asked the subcommittee if there were any objections.

The Chair advised that the new revised section 12.05 A, would read "Assume the power, duties, and obligations of the Broward County Department of Transportation, including Broward County Transit".

The Chair referred to section 12.06 paragraph C, where it has, "The County Auditor shall provide a copy of all reports involving over-site activities of the MTA to the Board of Trustees, the Mayor, County Commission, and Citizens Advisory Council". He stated that he has a question in his notes, whether or not such a report should also go to the other entities that are actually providing nominees to the Board through the School Board, the Broward County Legislative Delegation, and the Broward County League of Cities. He advised that after the County Commission, they should add Broward County Legislation Delegation, Broward County League of Cities, and the Broward County School Board.

The Chair referred to section 12.07 B-1 the second line, "The planning, development, financing, constructing, and operating process", He asked the subcommittee should the word process be processes plural, or just process.

Ms. Tanner advised that she believes the language is good as is.

A general conversation ensued.

Ms. West introduced Jacob Horowitz, Esq. (General Counsel) to the subcommittee.

The Chair asked Mr. Horowitz if he would leave the language the same.

Mr. Horowitz replied, yes.

The Chair referred to page 6 section 12.07 C second line, he then read “and the method and term of appointment of members of Citizens, he advised that the word “the” should go in front of Citizens. The Chair stated that he will read over the last sentence ,”The membership of the Citizen’s Advisory Council shall reflect a broad spectrum of interest, diversity, and geographical representation of Broward County” and asked the Committee should it be “of” or “in” Broward County.

Ms. Tanner suggested “of”.

Mr. Rogow advised that the word interest should be plural.

The Chair re-stated the change, “The membership of the Citizens Advisory Council shall reflect a broad spectrum of interests, diversity, and geographical representation of Broward County”. He asked if there were any objections.

Mr. Rogow asked the Chair what interests mean.

The Chair stated that based upon a previous conversation during the last meeting, the subcommittee was trying to come up with a broad definition, so that the TSC could leave it to the Board of Trustees, to further flush out in terms of particular groups. He advised that the Board of Trustees may want to have some of their members or representatives sitting on the Advisory Council. The subcommittee is trying to define this Council so that the TSC doesn’t get into any kind of legal problems. He added that the Committee wanted to have diversity in terms of racial diversity, and socially economic people who actually ride Mass Transit; he advised that’s why the subcommittee put the interest, diversity and geographically representation.

Mr. Rogow asked The Chair, will the public understand the language?

The Chair asked Mr. Rogow what he would recommend.

Mr. Rogow stated that he has no recommendations; he just feels that the language is aspirational.

The Chair asked the subcommittee is there a better way of wording that statement, so that it is not aspirational.

Mr. Rogow stated that it’s all aspirational.

Mr. Mena stated that he feels that it is more cultural, and suggested that the ADA should have a seat on the Citizen Council.

The Chair advised that Broward County is now a Majority- Minority County, it is important.

Mr. Mena added that it is a cultural thing, not a racial thing.

The Chair asked if there were any other comments.

Ms. Tanner advised that she is very pleased with the resolution.

The Chair asked if there are any more questions or comments before he moves on to the next item.

Mr. Rogow referred to the newspaper where he read that the County Commission and the Department of Transportation were working with the rail roads; and asked the Chair if he has heard of such a thing.

The Chair replied, no.

Ms. Tanner advised that they were discussing that issue in the County Commission meeting along with a couple of other issues.

The Chair stated that staff emailed the TSC, the scrivener notes of the last County Commission meeting regarding the bus fair increase.

Me. West advised the subcommittee that she sent it via email and it is not in their packets.

The Chair stated he would like for the subcommittee take a look at the Commissioner's meeting to understand some of the issues of the people who are actually riding Mass Transit. He added that one thing that he noted, is that Mass Transit hasn't raised their fares for 12 years and now they're raising it up to 25 cents more, and that is going to come on the backs of people who are actually riding the bus on an everyday basis. He stated that no where in the discussion, did the County Commission say that, "We need to step up and we didn't find dedicated funding sources, so that we won't have to continue raising fares", no where throughout the meeting was it mentioned. He advised that it was always more "well, should we cut more in terms of employees, or we need to keep things the way they are"? He stated that is one of the things that the subcommittee has heard from a lot of the speakers that have spoken before them is the

fact that things have really changed and the only way now for Mass Transit to get more funding is by increasing the fares.

He would like for the subcommittee to take a look at that to get an idea of what the general public actually thinks about Mass Transit.

Mr. Mena advised that there was talk of raising the fare on Community Buses; and stated that at a previous meeting, he asked Chris Walton what the increase would affect.

The Chair stated that there was a discussion at the County Commission meeting regarding how Mass Transit needs to look at those community buses. Why should the County pay for community buses only having 20 riders a day, when that money could be used for extending hours on existing routes of Mass Transit buses, doing other services, and provided more customer services.

Mr. Mena advised they only provide partials, because every City has contingency for that. In Coral Springs they have 3 lines green, blue, and red and some have increased in riders. The problem is that everyone wants the bus to come by their house, and that can't happen. Mr. Mena stated that he does not believe that a quarter increase in fare is going to be a big deal to the riders of Mass Transit.

The Chair asked if there were any other comments.

The Chair advised the subcommittee that he created a cover letter for the resolution, and asked the subcommittee to look over it; he will come back to it later on, if there are any revisions.

Ms. Tanner asked the Chair if the subcommittee was going to discuss the cover letter now, she agrees with the cover letter. She suggested adding the fact that the Airport and Seaport should be under the auspices of the County Commission or the Administrator, as a recommendation.

#### **IV. Public Comment Regarding the Metropolitan Transit Authority**

**Dan Glickman – Deerfield Beach - Public Speaker:** Pat West can correct me if I am wrong, for Mr. Esack and others. If you are on the Broward County Agenda, you can go to the main desk there and they should be able – if you park in the Broward County Office of Transportation, they should stamp your pass and you should be able to park for free.

Ms. West advised that the subcommittee members park for free.

**Dan Glickman:** Mr. Esack didn't know that.

Ms. West stated that she wasn't sure of the cost of parking in the Broward County Main Library.

**Dan Glickman:** First of all, I am very happy to see exactly what you have done, and I do appreciate it. I want to make a couple of comments. First of all, on the resolution itself on page one; you will see where it says amending section 3.08 Department of Transportation. Now I don't know actually what's in the Charter itself, but certainly anywhere in here, you refer to it as the Department of Transportation. In the Broward County Organization Charter, and I think it should be reflected in that respect, it is called the Office of Transportation not the Department of Transportation where it's appropriate to make such a change, when referring to the Office of Transportation as part of the County Government that it should be reflected as such. I don't want to be picky about it, but it just happens so frequently and so loud, that you may want to at some point in time be aware of that. Both of the things have been said, however on exhibit A on page 1 section 12.02 B, you have taken out from A, the word multimodal and then throughout the document there is reference to multimodal. I am not sure what you folks want to do with it, but for the purpose of consistency or not, you might want to at least review that. The real reason I wanted to mention B was because in it there are 3 places where Transit – it's a long sentence. I just wanted to say with due respect – because I think the whole thing is very, very good. That sentence might want to be tightened up, if at all possible to make clear to people what they are looking at if at all possible, because transit is mentioned 3 times there. Thank you for this, I think it's very good – just filled out a delegation form to appear before the Broward County Board of Commissioners. The various things that would incorporate here have not been done by the Broward County Board of Commissioners in one fashion or another. Mr. Buckner said the one thing they did not discuss was regarding the lack of the Broward County Commission's responsibility in the past. Just an example of that, 2 ½ years ago, I appeared before the Broward County Board of Commissioners. I said to them, you folks have this Mass Transit Division, wouldn't it be nice to have some sort of Mass Transit Advisory Board which would involve whoever you wish but include riders to give input. They have dilly dallied for 2 ½ years, and they still don't have it. I filled out a delegation request to appear before them to say, whether it be for oversight purposes, whether it be for check and balances, whether it be for one thing or another, what are you folks doing? I am not going to relay what I am going to say to them here, that's not really the point. The point is, this does a lot of good stuff, which should be done and I am very happy to see this whole thing, and I thank you all for it.

The Chair asked if there were any other public comment.

**Mr. Horowitz:** If I could actually add one point on that just for clarification, we've only struck multimodal from the ballot question, not from the actual text of the change.

The Chair asked if there were any other comments regarding the MTA proposal.

**V. Discussion of Request for Realignment at Airport & Seaport to Provide Authority for County Commission to Hire and Fire Directors of both Entities**

The Chair advised that the Charter Review Commission received a request from Vice Mayor Lois Wexler, and that the email is in their packets. Mayor Wexler is requesting that either the Administrative Governance or the Transportation subcommittee review the possibility of realigning the authority for both Port Everglades and the Airport, so that the Broward County Commission would have hiring and firing authority for the Directors of both the Port and Airport. This will result in the Port and Airport Directors reporting directly to the County Commission as the County Administrator, County Attorney, and County Auditor. He asked staff to research, dollars and. the information is in the subcommittee member's packet. He stated that what he did in terms of researching this for the subcommittee's purposes and discussion was looking at how the County Auditor is selected. That position is selected by having a Committee that actually nominates and provide names to the County Commission for the County Commission's selection. He added that what he did for purposes of the TSC meeting for the subcommittee discussion is ask the government to provide some stake holder that could possibly be part of such a Committee, if that is the direction of the County Commission. If the subcommittee looks behind the stake holder's information, there is the current governmental structure of Broward County. They will see the government structure, the County Attorney, County Auditor all report directly to the County Commission. That is what the Vice Mayor was requesting for us to consider. The Chair advised that the Administrative Governance subcommittee had a discussion on this issue and it was agreed that the request should go back to the Charter Review Commission for the full Commission to decide; he disagreed with them however, the full Commission decides how to handle this issue.

The Chair opened the floor for discussion of the Vice Mayor's request.

Mr. Mena questioned what the intent is of doing such a thing; right now the Office of Transportation is under the County Administrator, under a sub assistant County Administrator. He added that the County Administrator is professional that knows how to run a major

organization such as the County or a City. He asked what purpose it would serve to have the Office of Transportation or the MTA under the County Commission which is very political, he stated that he stands against politics because of that aspect of it; a lot of things have not been done. Mr. Mena added that he is leery that if the County Commission were to have their fingers on this particular MTA. It would become political.

The Chair advised Mr. Mena that it was the Airport and Seaport not the MTA.

Mr. Esack would like to get more information on the issue.

The Chair advised that there was a discussion in the Administrative Governance subcommittee meeting where it was agreed to invite Vice Mayor Wexler and any other Commissioners to come before the full Charter Review Commission to articulate their rationale.

The Chair asked if there were any other comments.

Ms. Kaletta advised that she had spoken with Vice Mayor Wexler and this issue was brought up, Vice Mayor Wexler had several concerns. She stated that Ms. Wexler advised that "there's so much dissension now and so many problems at the Airport. The Commissioners are the ones who actually get the heat from whatever is going on there, even though it is the Administrator who is basically making the decisions, however the Commissioners themselves are the ones who get the finger pointed to". Ms. Kaletta stated that was a part of her suggestion. She advised that Ms. Wexler was very concerned about the Administrator's responsibility to appoint or to recommend the hiring of the Seaport and Airport Authority, even though the Commissioners can veto any choice that is made without reason. She stated that Ms. Wexler also mentioned that when she was on the School Board, if it was within reason they could veto a choice that the Superintendent made but it had to be with reasons. Ms. Kaletta added that Ms. Wexler stated that if the Commissioners are going to have the responsibility of answering to the public about the questions on the Airport and the Seaport, then they should have the authority to hire and fire.

Ms. Tanner inquired about what kind of vote the Commissioners would have, would it be super majority or majority vote. It is not just one Commissioner that is going to be able to hire and fire; it would be the Commission at whole. When the Commissioners go through selection negotiation processes, it goes to the Committee and the Commission and they usually have to have a super majority vote.

**Mr. Horowitz:** I believe I am not 100%-- I believe it's a simple majority vote now as far as approval or disapproval of any nominee by the County Administrator. I don't think there is any thing as far as super majority or unanimous vote, but just simple majority now, as far as voting anybody up or down.

Ms. Kaletta asked if they can do it without cause.

**Mr. Horowitz:** I believe that's correct.

Mr. Rogow suggested having the discussion at the full Charter Review Commission when Vice Mayor Wexler is in attendance.

The Chair advised that he is looking forward to hearing what the Commissioners have to say. The Airport and Seaport are the two biggest engines in Broward County and it's already political. They are already having candidates for the Airport Director not wanting to apply for the Airport Director's position, because they have foreseen this as a political position. He added that he is from the private sector where if something doesn't work, then you fix the problem, but in government it seems like if something doesn't work, you go around the problem.

Ms. Tanner agreed with the Chair.

Mr. Esack stated that he had not read anywhere that discontent was expressed with the County Administrator specific to the selection process. If the County Commissioners are concerned about taking the heat from the public, then they need to turn the heat up on the County Administrator.

The Chair stated that he would love to be educated on the issue.

The Chair advised that at the next full Charter Review Commission there will be a discussion on this issue and it will left up to the will of the full Commission to either keep the issue at the full Commission level or send it back to one of the subcommittees.

The Chair asked the subcommittee if there were any other comments concerning item 5.

## **VI. Discussion of Transit- Oriented Development**

The Chair advised that there's going to be a joint subcommittee meeting with Land Use and Health and Social Services. He added that in preparation for that joint subcommittee meeting, he asked staff to provide in the packets, information on Transit-Oriented Developments (TOD'S)

in Broward County. He encouraged the subcommittee to begin reviewing the material, because this is a very important issue. He advised that down the road this is going to be something that if the MTA is created, the MTA would have to coordinate with the Cities, the Planning Council, and the County Commission, because in any area any region that has a successful Mass Transit system they have TOD'S and they use them effectively.

The Chair asked if there were comments.

Ms. Tanner stated that she feels that they are behind the curve on this issue, and this is an opportunity to catch up and move forward.

Mr. Mena stated that it goes back to the funding issues.

Mr. Esack advised that there have been approved TOD'S projects that are underway. Sheridan Village is working its way through the red tape process.

Mr. Mena believes that a part of the problem is Florida being so flat you can only dig so far into the ground, and that has been a major problem, because Florida has to build everything above ground and that takes billions of dollars. Mr. Mena advised that the MPO has some wonderful ideas, but there is a problem with funding; he added that he didn't know if they were going to get any further than providing new ideas.

Ms. Kaletta stated that she thought the MPO received money.

Mr. Mena replied no, it is on the list, but the Cities and the Counties have got the money to match it with the Federal Government.

Mr. Esack stated that part of the problem with Sheridan Village has been NIMBY; he added that Federal funding is in place and the project is moving along.

The Chair asked if there were any other discussion concerning item 6.

## **VII. Discussion of Summary of Issues Chart**

The Chair advised the subcommittee that there is an updated Summary of Issues Chart, which summarizes all the testimony and information that the TSC have collected during their meetings. The Chair asked if there are any questions concerning any of the issues. He added that staff did a good of summarizing the information before us.

The Chair advised the subcommittee that when he was reading the materials concerning TOD'S; there was information about accessibility and actually integrating Mass Transit with Housing and development. Some of the language stated, "You don't build new development so far away from where you are going to put Mass Transit", so that people can access it. That is something that Broward County didn't do when planning. He stated that in terms of going along TOD'S, if the County could get more toward that type thinking, it would address some of the concerns that Mr. Glickman presented in terms of Rights to public transportation.

The Chair asked the subcommittee if there were any comments or further discussion on the proposed Charter changes.

The Chair referred to the MTA change, he believes that the subcommittee needs to have a motion to approve the resolution 208001.

**Ms. Tanner MOTIONED, Mr. Esack SECONDED and the motioned carried unanimously to approve the revisions made to the Mass Transit Authority Resolution and forwarded it to the full Charter Review Commission.**

The Chair asked Ms. West if the MTA resolution would be the first presented to the Charter Review Commission.

Ms. West replied that she is not sure and will have to speak with the Chair. The full Charter Review Commission will dedicate one meeting to each subcommittee and their issues. She stated that staff anticipates having longer full Committee meetings. She advised that they're already situated in that room, because the 2 other subcommittees meet right after the full Committee.

The Chair stated that he would like to get some thoughts from the TSC, when the Charter Review Commission reviews this resolution and the proposed Charter language. He added that he would like to start off with the educational piece, because at the last full CRC meeting there were a lot of questions concerning Transportation and Transit related issues. He would like to be able explain, either by power- point or some other type of fashion, all the different acronyms that the TSC has reviewed. Of course the TSC knows them well, but the full Commission does not. He is also going to ask staff to invite Chris Walton and Roger DelRio. If there are any questions concerning Transit related issues that the TSC could definitely answer, but it would be more detailed from their staff if anyone has it. He stated that he will go through a summary of all the different things that the TSC has learned and the basis for it.

The Chair asked the subcommittee if there were any suggestions for the presentation for the full CRC meeting.

### **VIII. Further Discussion of Proposed Charter Changes**

- 1. Airport Operations and Governance**
- 2. Port Everglades Operations and Governance**
- 3. Right to Public Transportation**
- 4. Mass Transit Operations and Governance**
- 5. MPO Organization and Membership**

The Chair asked the subcommittee if there were any recommendations for changes to the resolution cover letter.

#### ***Mr. Rogow suggested these changes to the Cover Letter of the Resolution.***

- Page 2 of the resolution cover letter; he suggested that the word “The” be changed to “A”.
- Page 3 of the resolution cover letter; he suggested to add the words “the opportunity” behind the word “with”.
- Page 3 of the resolution cover letter; he suggested to strike the word “purpose” and add the word “goal”.
- Page 3 of the resolution cover letter; he suggested to add the words “the opportunity” in front of the word mobility.

The Chair asked if there were any other revisions.

Mr. Rogow stated that the resolution cover letter was nicely done.

Ms. West stated that it has been a pleasure working with the Charter Review Commission, she stated that she hope the rest of the subcommittees feel as strongly about the TSC issues.

Mr. Rogow asked how much it would cost to have the MTA.

Ms. West stated that she will work with the Office of Management and Budget; contact Ms. Olson and tell her what the TSC is recommending, and ask her to have that information available before the presentation. Ms. West advised that the MTA is just to take over what the

County is already doing, in terms of their Office of Transportation and the Broward County Transit.

The Chair advised that the MTA isn't paying for its board members.

Ms. West advised the MTA would have to pay if they travel.

The Chair asked if there is anything else that the subcommittee would have more information for the presentation.

Mr. Mena stated that Chris Walton is head of the Office of Transportation; he advised that he did not want Mr. Walton to feel that the MTA is eliminating his job.

Ms. West added that the MTA is not eliminating his job; the TSC is just offering a suggestion. She doesn't believe that it is an issue at this point. She has been in touch with Mr. Walton and he is on her distribution list in terms of, whatever she sends out he receives.

The Chair stated that the County Commission was talking about how they will receive monthly reports now on Mass Transit. He added that originally it was quarterly, but it was changed to monthly. He advised that this is an opportunity to have Mass Transit move ahead and enforce the issues.

Mr. Esack inquired about the Office of Transportation's budget.

Ms. West stated that it is easily accessible on the internet; she will send the Committee a link to the website. She advised that every Broward County budget is accessible via the internet.

The Chair asked if there were any other comments.

The Chair stated that the Charter does say on section 3.08 "Included Office of Transportation or a Department of Transportation". He suggested that the "Department of Transportation" be replaced with the "Office of Transportation or Department of Transportation" throughout the document so it is clear.

Mr. Mena stated that he disagreed; it should be the Office of Transportation to differentiate with the Department of Transportation of the State. He advised that he gets confused with the mixtures of the title.

The Chair advised that in the Charter it says the Department of Transportation.

Mr. Mena believes that they are misusing the word and suggested using the Office of Transportation.

Ms. West stated that the Office of Transportation came up after the Management and Efficiency Study recommendations. She added that the subcommittee can recommend that wherever it refers to the Department of Transportation, that it be amended to the Office of Transportation. Ms. West advised that the Charter is a working document; and stated that she will speak with Pete Corwin and staff to see if there is truly a difference between Department and Office.

The Chair stated that he wanted to make sure that the subcommittee is covering the actual entity that they are dealing with.

Ms. Tanner referred to the resolution; and asked if the Council would use the County Auditor or an Independent Auditor; neither is mentioned under section 12.06 Funding and Auditing.

The Chair stated that it was determined in a previous meeting to use the County Auditor.

Ms. Tanner asked if there will be an independent auditor used as well.

The Chair replied no, because if you look at the Charter, all the County entities are audited by the County Auditor.

Ms. West stated that the Broward County Auditor also works with outside entities.

The Chair asked if there were any comments.

## **VII. Public Comment**

Dan Glickman, Deerfield Beach – Public Speaker

**Mr. Glickman:** Thank you, I was going to say nothing, but something came up, so I really want to say something. I think you should also understand that there has been a cost of not having had an MTA. Yes, there may be a small cost involved or whatever number that might be appropriate. But there has been a big cost of not having had a MTA or equivalent. Three brief examples, when they did the report, they found out that when they submitted the millions of miles that the County should get credit for, and therefore get dollars for, had only submitted 12 million miles as opposed to the County Auditor's findings, that there were only 13 million miles. We did get dollars credit for a million miles. The second thing is if there was a proposal last year, which instead of being spilt 5 to 4, 4 to 5 of having a full penny, but instead, had been an

MTA, which said “Gee we can go that”, I think it’s a \$145 million a year we are getting this year. 30% of which would have been paid by non-residents, Businesses, Tourists, etc. We don’t have even a ½ penny, and that is certainly a significant measure politically from my point of view. We would be a washing fund if we had the ½ penny in that sense. The last thing I mentioned is that if there were an MTA, perhaps there would have been deficiencies that were realized for the various Community bus routes that do exist, whether it is 20 riders a day or less than the 5 per hour that they are suppose to do. I just wanted to mention that there is in my view, a real cost of not having had an MTA. Thank you.

The Chair stated that even with a dedicated funding source, we could have that \$100 million, but that’s not including the federal matching dollars that come along with having a dedicated funding source that we are losing out on, because we don’t have something like that.

The Chair added that staff will send an email link to the County’s Auditors Report on Mass Transit which was issued in January this year. It gives a good overview of what Mass Transit is, the dollars amounts, the budget.

The Chair asked if there were any other public comment. A general conversation ensued.

Ms. West advised that she spoke with Lori Mosley (CRC Chair) and she was concerned about the creation of the MTA, because there is a South Florida Regional Transportation Authority (SFRTA) in place. Ms. West advised Ms. Mosley of the plans for TSC

Mr. Esack suggested inviting Mr. Giulietti to speak before the Charter Review Committee.

Ms. Kaletta added that was something that has been clarified multiple times.

Ms. West advised the subcommittee that they need to know that these are the questions that people are asking.

The Chair asked if there were any other comments and then thanked the subcommittee.

## **VII. Adjournment**

There being no further discussion and no additional comments the meeting was adjourned at 11:30 am.

The minutes of this meeting are recorded on CRC-TSC CD # 8.16.07 (BCGV CTR)