

**Summary of Discussion
Broward County Charter Review Commission
Administrative Issues/Governance Subcommittee Meeting
Tuesday, August 15, 2007
Governmental Center, Room 409G
8:30AM – 10:00AM**

Members Present:

Dr. Irv Rosenbaum, Chair
Burnadette Norris-Weeks, Esq. Vice Chair
Michael Buckner, Esq.
Mayor Debby Eisinger
Ms. Patricia Good
Richard Weiss, Esq.

Members Absent:

Bruce Rogow, Esq.

Others Attending:

Chedley Etienne, Administrative Assistant, CRC
Roland A. Foulkes, Ft. Lauderdale, FL
Yolanda Grooms, Administrative Specialist, CRC
Maria Gross, Assistant Director, CRC
Jacob Horowitz, Esq.
Phyllis A. King, Transcriber, PKING Consulting
Alan Levy, Ft. Lauderdale, FL
Robin Rorapaugh, Hollywood, FL
Patricia G. West, Executive Director, CRC

(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 Administrative Issues / Governance Subcommittee "Committee, Subcommittee, or AGSC," was held at 8:30a.m Wednesday, August 15, 2007 at the Governmental Center Room 409-G, 115 S. Andrews Avenue Fort Lauderdale, FL.

Ms. West advised the Committee that Mr. Kurt Spitzer, Kurt Spitzer & Associates, Inc. will call in at 9:15 a.m. to ascertain if there are any questions.

I Call to Order/Roll Call

The Chair Dr. Irv Rosenbaum called the meeting to order at 8:48 a.m. He requested the roll call by Phyllis A. King, PKING Consulting, Inc. Upon completion of the roll, the Chair opened the floor to discussion and approval of the 8/7/2007 Summary of Discussion.

II. Approval of 8/7/2007 Summary of Discussion

Ms. Good requested the correction to her time of arrival located on Page 14 from 4:56 p.m. to 4:40 p.m. Ms. West advised that it will be changed.

Ms. Good MOTIONED, Ms. Eisinger SECONDED and the motion carried unanimously to approve the Administrative Issues / Governance Subcommittee August 7 Summary of Discussion.

III. REVIEW OF SUBCOMMITTEE ISSUES

Ms. West reminded the committee of its charge to review the following issues:

- Structure / Form of Government
- Mayor: duties; strong vs. weak
- Election of Commissioners
- Census/Re-districting
- Ethics
- Budget / Finance

Mr. Buckner and Ms. Weeks entered at this time 8:50 a.m.

She explained that at the last meeting Mr. Kurt Spitzer spoke to the Subcommittee about the Structure / Form of Government of which he provided a 9 page Memorandum which is included in today's Committee's folder for review entitled: *Issues Relating to the Districting System of Administrative Branch* and a chart entitled: *Charter Practices - Elected Executive Forms*. She advised the Committee that comments or questions should be addressed to him later this morning when he calls in.

The Chair proposed to proceed with discussions of the Administrative Issues before talking with Mr. Spitzer, beginning with the Structure / Form of Government. He opened the floor to discussion stating that recommendations were due by September 1, 2007; therefore decisions need to be made today.

Ms. Norris-Weeks reminded the Committee that the Summaries of Discussion from 5/31/07 and 6/13/07 were tabled until today's meeting. Ms. West advised that they will have to be considered at the next meeting.

Ms. West asked the Committee if they felt more meetings should be scheduled in order to have more time to work on the issues even after the September 1st date, if the full CRC sends the Subcommittee back to flush out issues.

The Chair advised that a general consensus needs to be determined today of where the AGSC is headed. Ms. West asked the Chair to direct the discussion.

The Chair asked the Committee if consensus is to defer the census / mid-decennial issue. *General consensus of the Committee was to strike ~~Census~~ from the list of issues [8:56am].*

Ms. Eisinger advised that she would support some form of districting and at-large. She reminded the Committee that it is a conversation that has been ongoing, discussions from the County Commissioners and their input and the parochialism concern. Ms. Eisinger stated that she'd like to see some form of mixed single-member districts and at-large as a proposal to the full CRC.

Ms. Weeks stated, looking at what the County Commissioners have said a number of them appeared to be saying that they didn't think that would be a good idea. Ms. Weeks stated **FOR THE RECORD: there was no consensus on this issue.**

Ms. Good agreed with the Ms. Eisinger. She stated that with all of the input the Committee has had she believes it would be beneficial to have a full discussion with the entire CRC, not just the Subcommittee. She stated other than the Strong Mayor topic that this is one of the major issues that the AGSC has dealt with. She thinks it would be beneficial to have more input from the full CRC.

The Chair asked Ms. West if the AGSC should bring forward a recommendation in favor of the concept.

Ms. West explained this is the discussion that the Committee needs to have. She posed the question: Is the Committee recommending a mixed form with a certain number of single member districts, a certain number of at large? She stated that the Committee must also think of what the discussion would be about an Elected, Strong or Weak Mayor. She stated that this all is a part of the conversation, as one lends to the other. If consensus is to present it, then she believes it all can be flushed out because it is not a decision just for the AGSC, but would have to come from the full CRC. Ms. West suggested that the Committee look at scenarios to see what works best. She stated looking at the issues, it is said that Economic Development is important; How does this play out with a Strong Mayor? How does it play out with a weak Mayor? Ms. West stated that when reviewing Mr. Spitzer's material, she noticed that he talked about having an Administrator, a person that is trained with credentials etc. Also, the question of whether or not they have one boss or nine bosses. Do you add more Commissioners or do you leave it as is?

Ms. Good asked if the AGSC can make a motion to move forward with the issue.

Mr. Weiss replied that the AGSC can do whatever it wants. He advised that before with the 2002 CRC the Committees did the work. Mr. Weiss suggested that as hard as it is decisions need to be made one way or another. He added that if the decision is not to do anything, then that's the decision. If the decision is to do something, then he suggested that there should be specific recommendations. Mr. Weiss stated either way, if someone from the full Commission wants to bring it up they will, even if the AGSC does nothing.

Ms. Eisinger stated that if a motion is made, it should be a specific proposal. She pointed out again that it can be altered by the full CRC. She stated an example of having 7 single-member districts and 2 at-large would be something of substance that could be debated by the full CRC.

Following an exchange between the Chair and Mr. Weiss; it was agreed that the recommendation submitted by the AGSC will be concrete, clear, well thought out and presented by the Chair with supporting explanations as to how decisions were made.

The Chair recommended giving the full CRC 2 or 3 alternatives if the direction is to go with a mixed system, with the 4th alternative being to stay with the single-member districts if they choose to vote it down. He explained that this particular issue has far reaching ramifications, and there is a big difference between 2 and 3 at large and 9 and 11 Commissioners.

Ms. Weeks respectfully disagreed and suggested the issue be put on the table until the conversation is exhausted and come up with recommendations.

Mr. Weiss agreed with Ms. Weeks; he explained that presenting a specific recommendation would not preclude other discussions at the full CRC. He suggested that the report should include supporting discussions/information and outcomes.

The Chair asked if consensus of the AGSC is to come up with a recommendation. Ms. Eisinger, Ms. Weiss and Ms. Weeks agreed.

Mr. Buckner suggested the approach be the same as with the Non-interference issue which is to have general counsel develop proposed Charter language which provides a starting basis and makes it easy for the full CRC to revise.

Mr. Weiss and Ms. Weeks agreed.

Mr. Buckner explained that based upon all the discussions and identification of the issues in particular parochialism and the lack of leadership he would be more inclined to go towards the Elected Executive system. He stated that he feels that if you have a County-wide Elected Executive that it would balance off any type of parochialism with single-member districts. He however, would be willing to look at a mixed-system, if at least some of the at-large seats or residence areas had some minority interest which would protect the minority groups.

Mr. Buckner stated looking at it as a visionary, Broward County is going to become more and more diverse and looking 5, 10, 15 years down the road, he would make sure that the at-large seats do not water-down the single-member district seats. Mr. Buckner stated that in terms of leadership, having an Elected Executive would provide the type of leadership that the County is lacking – not slighting any of the current County Commissioners. He believes it's because

Broward is no longer an Suburban County. A lot of our problems are resulting from a lack of leadership that is if we had a stronger Mayor, however, none of the options discussed today will solve all the problems. In terms of structure, how can it work more effectively?

Mr. Weiss agrees with Mr. Buckner depending upon the people elected. He advised that he has been in circumstances where there has been a Strong Mayor. Ms. Eisinger pointed out that there is a difference between Strong Mayor and Elected Mayor. Mr. Buckner explained that when he talks of an Elected Executive, he is talking of a separate Branch.

Mr. Weiss explained, calling it a Strong Mayor for the moment, that he has been in situations where there was an unbelievably Strong Mayor. He provided an example of Ilene Lieberman when she was Strong Mayor in Lauderhill. She was honest; she had political savvy to get re-elected and get things done, and she was a great Administrator. He continued on with examples of Mayors, Non-Strong Mayors, and Managers that he stated are all very, very, good and concluded that it doesn't really matter; what matters is the people that you elect. Mr. Weiss explained that he does not like the parochialism and he is concerned about the minority representation. But he stated that the bottom line is, if people elect the wrong person, then they are in no better shape than we are if they choose the right County Administrator; this is where he is - on the fence.

Mr. Buckner stated that with any Elected Executive, he would want to specify in the Charter that there be a Professional Administrator who works for the Mayor with confirmation by the County Commission. He still believes that although you have a Strong Mayor, the County Commission still needs to be involved. All the major hires still need to be blessed by the County Commission. There still needs to be limits on the Elected Executive, as he does not think it should be an all-powerful position, because it could lead to a bad situation if the wrong person is elected.

Mr. Weiss advised that it is not a great situation when the Administrator does not know who they work for.

Ms. Eisinger stated that the format of Strong Mayor or Elected Executive is that that Mayor is in charge. She stated in certain circumstances it could work well, but she can't support it because you don't know who is going to be that Mayor, and it is going to be left up to the Electorate. She explained that sometimes the voters don't always know who is the most qualified. She

advised that it becomes a popularity contest and who runs the best campaign, and is not necessarily the most qualified.

Ms. Eisinger stated that something she can support, which she thinks should be looked at, as everyone needs to be sensitive to minority representation, she totally supports the Weak Mayor and voting a Mayor County-wide with single-districts for the remaining positions which may be a way to go. She stated that it is one vote, but it is a Mayor for the 4 year term, rather than rotating every year. A person voted by the electorate, rather than by the Commission itself; it shares equal in terms of the hiring and firing of the Administrator. Ms. Eisinger said if the AGSC is going to move in that direction and take a position, she probably feels pretty strong in this direction.

Ms. Weeks stated that some would argue that currently with the number of Commissioners that we have, that it is chaotic right now. She stated that she cannot imagine adding three additional Commissioners. Ms. Eisinger stated that she does not support adding any additional at all.

Ms. Weeks explained that she thinks balancing that with perhaps a Strong Mayor is what Broward is missing. She stated that she as well as Mr. Weiss have seen good and bad Mayors; having some powers where you have checks and balances against some of the things that Commissioners could do, to check the powers of the Mayor would be good. She explained that she needs to see it in writing (visually); then requested Mr. Horowitz make notes and perhaps before the next meeting come back with different ideas of things that were said, to try to come up with something.

Ms. Good requested decisions first, before having Counsel begin drafting things.

[Mr. Spitzer joined the meeting via telephone at this time – 9:21 am]

Ms. West introduced Mr. Spitzer and asked if he could hear the Committee.

Mr. Spitzer: I can hear several people.

The Chair stated that the discussion will continue and recognized Mr. Buckner.

Mr. Buckner used the President of the United States and the Governor of Florida as examples of strong positions with checks and balances, i.e. the President and the U.S. Congress. He stated that this same type of philosophy can be placed upon an Elected Executive who has

much less power than the President, but has greater direct appeal to the populous. Broward County is yearning for someone to take the lead on **local** issues such as yesterday's County Commission meeting on the bus fare increase. There are numerous issues which can be pointed out, where the lack of leadership from a strong executive could have made a difference. Mr. Buckner stated that he has a problem with the Elected Mayor sitting with the same body, where they will be voting on policy that they have to take back and actually implement.

Ms. Good asked Mr. Buckner to clarify his position. A brief discussion ensued between Mr. Buckner and Ms. Good regarding an At-large / County-wide Mayor and a counter-balance of single-member districts. Ms. Good asked what if you have a bad County-wide Mayor. Ms. Weeks responded that this is a chance you take and is the whole argument; the pros and cons.

Ms. Good advised that based on the information provided by Mr. Spitzer that she agrees with Ms. Eisinger's suggestion.

Ms. Eisinger asked the Chair if she could ask Mr. Spitzer a question. The Chair replied yes.

Ms. Eisinger advised Mr. Spitzer that there is a concern, if the single-member districts are changed to any other combination that the AGSC wants to ensure that there is minority representation. She referred to his previous presentation and the discussion of Hillsborough and Pinellas Counties, that they did redraw the districts and they have a combination. They made sure that the districts were drawn to ensure that there is minority influence which is a big concern. She stated personally that she is an advocate of maintaining the system as it is, without going to a Strong Mayor form or going towards the combination of districts. She does not advocate enlarging the districts by any means, as more than 9 would have financial implications; so she would stick with 9, however the system is restructured.

Mr. Spitzer: I could comment on that question Mr. Chair or I could go through my memo. I'm glad I called in; I've enjoyed listening to the conversation so far. Some of these options beginning on page 8; if I could go through, that I think that would address some of your concerns. I've tried to lay this out in terms of going to the most significant things over the current system. There are different options that you have in between there. Of course, you know one option is not doing anything; you know you don't have to do anything if you don't want to, but I could go through those if you want.

Mr. Weiss advised that he appreciates the offer to go through the memo, but it is not necessary. Ms. Weeks agreed.

Mr. Spitzer: Regarding the analysis of Hillsborough, I'm not sure what the demographics of Hillsborough County are. There was also a separate project which was responsible for re-districting Pinellas County. I can tell you that at the time that we redistricted Pinellas County, that it had a minority population of 9% county-wide. We were able to, however, draft a minority influence district which was basically in the St. Petersburg area, in one (1) out of the four (4) single-member districts. Pinellas has 7 County Commissioners, 2 African-American, one is elected from the St. Petersburg area and one is County-wide.

The Chair suggested moving the issues along. He stated that the whole concept of a Weak Mayor is that a Weak Mayor is somewhat of a term that probably doesn't apply. Richard Dailey was a Weak Mayor. He stated that sometimes Strong Mayors can't get anything done because they function in a fragmented government, which was the case of the Mayor of New York until recently. Forms of government are a great model, but he suggested that an *Elected Mayor who speaks to policy, who stands out there and deals with the County, is a spokesman of the County, of an Emergency and could serve Broward County well.* He added that an Elected Mayor gives leadership. The Chair suggested that the Committee should consider a directly Elected Mayor who has strong executive powers as a Strong Mayor.

Mr. Weiss asked what duties the Mayor would have.

The Chair responded, the Agenda, a Spokesperson for the County to every other level of the government – Tallahassee, Washington, no Veto power.

Mr. Weiss advised under the current situation, the Chair of the County Commission has certain powers which are listed in the Charter. He asked what other powers the proposed Mayor would have in addition to those powers currently in the Charter.

The Chair advised that he thinks certain powers currently in the Charter need to be clarified. He thinks the leadership role for the Mayor is very important. The Mayor is the representative for the County.

Ms. Eisinger advised that the powers become clear-cut when the Mayor is elected for a four year term by the majority of the electorate, which is really a significant difference.

Mr. Weiss read from Section 2.04 Mayor – Duties and Responsibilities from the Charter. He reminded the Committee that the powers of the Mayor were increased during the last CRC.

Ms. Weeks advised that this still wasn't enough, and advised that the issue could indeed be the length of time in office and maybe the powers are good powers for a 4 year term voted upon by the voters.

The Chair stated that this was his point. Continuity and the ability to devote and if the person is elected at-large for a 4 year term, they will be given more independence to exercise leadership. Rather than worrying about offending their Commission, they'll exercise some authority.

Ms. Weeks stated that even with staff, they will be able to depend on consistency, know how the Mayor works, and that things will not change within the next 12 months, etc.

Ms. West advised that with staff, there is always the concern that the person is not going to be there, or the Vice Mayor is in the background. The working relationship with him/her always has to be good. She added that people need to have consistency, direction, goals, and have the time to accomplish them.

Mr. Weiss pointed out that there is no prohibition in the Charter against a person serving consecutive terms as Mayor. Ms. Good stated that this is a good point. Continuity is a big issue, and maybe the ability of the person serving more than a year would certainly provide leadership to the County and address some of the concerns that everyone has raised without having to revamp the whole system. Mr. Weiss pointed out that if the County Commission elects the Mayor for 4 years, that half the people on the County Commission would not have the opportunity to vote for Mayor.

Ms. Eisinger suggested looking at restructuring the districts and looking at eight (8) single-member districts and one (1) at large and then everyone will have two Commissioners on the County Commission vs. one.

Ms. Weeks asked what is wrong with the Mayor being elected at-large and basically serving in the additional at-large seat.

Ms. Eisinger advised that they are currently talking about a Mayor/Manager form of government, not Strong Mayor.

Ms. Weeks stated that to stick with the power currently in the Charter and have that Mayor be elected County-wide for a 4 year term, you could still have the single-member districts just as they are now with a Mayor elected County-wide, keeping the districts as they are now.

Ms. Eisinger and Mr. Weiss explained to Ms. Weeks that the districts would have to be restructured because there are 9 districts, if the change will go to 8 plus one, a district will have to go away. Ms. Eisinger explained that the districts can be redrawn with the sensitivity to ensure minority representation. She stated looking at future demographics of course Broward is one of the fastest growing counties becoming majority-minority.

Mr. Weiss suggested ; end the debate. When he brought up the fact that Broward County is a majority-minority County, the next day in the newspaper there was an article. We are truly a majority-minority County. He advised that the article has also been provided in the committee's folders.

A MOTION was made by Ms. Eisinger to restructure the County form of government to have an at-large Mayor who is voted by the electorate every four years and maintain eight (8) single-member districts and the jobs in the Mayor would remain as currently defined in the County Charter, SECONDED by Ms. Good.

The Chair called for discussion.

Mr. Buckner stated that he believes that future Charter Review Commissions will be coming back and revisiting the issue, because he does not believe the position as he is hearing it,, is going to be enough in terms of providing the necessary leadership for Broward County, but he admitted that he could be wrong.

Mr. Weiss stated that this is the way the last CRC approached this issue, by taking baby steps.

Mr. Buckner explained that he just does not wish the County to be limited by having a Mayor that can't go far enough. However, he stated in terms of baby steps, the philosophy might be correct. He is not in favor of sometimes just taking incremental steps, when you can just take the big step and go ahead and make it happen.

Mr. Weiss pointed out that nothing dealing with the basic running of County government would be changing. Because the Mayor would not have to hire and fire anyone, the staff would continue to work for the County Administrator.

Mr. Buckner stated that right now even with a Mayor elected County-wide, he or she would still sit with the County Commission and if an issue comes up, there is no-one held accountable, which he states is the problem with Broward County government. Ms. Weeks stated that you would still have the Mayor blaming the Commission and vice-versa.

A general discussion ensued regarding accountability.

Ms. Eisinger advised Mr. Buckner that in an ideal world she would agree with him, but she stated that she agreed with Mr. Weiss with baby steps. She stated that she would support trying this concept first. She advised Mr. Buckner that she understands his comments about accountability but not knowing who that Mayor is going to be, could be devastating to the County, if it is the wrong person. She stated at least this way, the Mayor still maintains one vote, and is equal on par, and there are 9 people you can point the finger to who are elected people in office.

Mr. Weiss pointed out that every protection put in place decreases the ability of that person to do what they really need to do. He stated every time that you require a department head to get approved by the County Commission, you decrease the Mayor's control and ability to take responsibility for what's going on.

Ms. Weeks requested Ms. King read back the Motion on the table. The Chair restated the motion. Ms. Weeks asked Ms. King to read exactly what it says.

Ms. King: Right now it says exactly what the Chair just said. It says Ms. Eisinger MOTIONED to restructure the form of government to one at large Mayor with 8 single-member districts.

Ms. West asked if this happens in 2008, when would it be effective.

Mr. Spitzer: That depends upon which of the seats become the at-large seat and how you drive the transition for it. But you could theoretically make it effective January 1, 2009.

Mr. Weiss stated that if the Committee was concerned that it had not done enough and thought it wished to have a group reexamine the decision after a shorter period of time to see if it was working, they did not wish to wait six years to figure out that enough wasn't done. He stated that the fun thing of writing a Charter is that you could place a clause there that says that a Special CRC review should take place at XYZ time.

Multiple members on the committee disagreed.

Ms. West reminded that the full Commission will be reviewing the recommendation. She pointed out that the County Commission could also put an item on the ballot as well, in terms of how they want it to look.

Mr. Spitzer: Correct, they could.

Ms. Weeks asked how long is the County Commission cutoff to add additional items.

Mr. Horowitz: To add an additional item? There is a certain period of time they have to add items; it's their prerogative.

Mr. Weiss stated that they can do that anytime they want.

The Chair called the question, reminding the motion on the floor is to have a County-wide (at large) elected mayor, eight-single member districts, 4 year term.

The Committee asked for additional discussion.

The Chair stated that his view is that Broward County government is changing, not only hugely demographically, but the government itself has changed. It has evolved and there are no unincorporated areas. The regional issues are important because there is no governmental coordination, and everyone is tearing up roadways in every part of the County. He added that there are a lot of problems out there that are bigger than cities and communities. The Chair advised that he is not adverse to the Strong Mayor as they run big cities, but that he does not think that Broward County today is a good fit for a Strong Mayor; it needs some change and some elected leadership, and an elected County-wide Mayor would be a good bridge to see where we are going. *The Chair suggested that a good step is to move ahead and take a look at an Elected Mayor.*

Ms. Good asked how many seats there would be.

Multiple responses were 8 and 1 plus re-districting.

Ms. Weeks stated that she would be in support of the motion, which is what she was saying earlier, but she just did not know how it would work. She stated that her concerns are the districts, and she would want there to be some language about how those districts are drawn.

Ms. Eisinger and Ms. West both advised that they can be. Ms. Eisinger reminded the Committee that language has been drawn up to make sure that there is minority representation., She added that she thinks everyone is sensitive to that.

The Chair stated that as long as the record reflects this, then he believes that everyone will be comfortable.

Mr. Weiss asked if the Elected Mayor should have a term of 2 years or 4 years. Ms. Eisinger advised that he/she should stay for 4 years, simply because of the cost of holding an election. Mr. Weiss pointed out that Commission terms are staggered and there would be an election anyway. The Chair advised that the whole idea is to give someone a chance to develop.

The Chair asked for a roll-call vote on the Motion.

Ms. Weeks clarified that redistricting and setting procedures is a part of the motion.

Mr. Horowitz: The single-member districts do include re-districting.

The Chair asked Mr. Spitzer if he had something to say.

Mr. Spitzer: Very quickly, at your last meeting I mentioned in my memo that the criteria for re-districting and the re-districting process is sort of a separate issue, but could be added with any of these issues including the one that's on your table right now.

Ms. Weeks explained that this is what she was concerned about, as she was not looking to have a district where all minorities are in this certain district and that's only where it is.

Ms. West explained that our Community is no longer like this. She stated that all the statistics show that the County is very diverse.

The Chair stated that demographics from the decennial census exercise were very interesting about the County as a whole.

Mr. Weiss suggested that general counsel should be directed to come back with language on districts as well, and a discussion should take place on the Committee about what that language should say.

The Chair agreed and requested the roll call vote.

A MOTION was made by Ms. Eisinger to restructure the County form of government to have an at-large Mayor who is voted by the electorate every four years and maintain eight (8) single-member districts and the jobs in the Mayor would remain as currently defined in the County Charter, SECONDED by Ms. Good.

Michael Buckner	No
Debby Eisinger	Yes
Patricia Good	Yes
Bruce Rogow	Absent
Irv Rosenbaum	Yes
Burnadette Norris-Weeks	Yes
Richard Weiss	Yes

MOTION passed 5 in favor to 1 opposed.

Mr. Weiss suggested that the Committee should look over the powers in the Charter to see if there is anything they might wish to adjust. He believes that the Committee should also make sure that everyone carefully understands what Ms. Weeks is talking about to ensure that the language that is drafted is thoroughly discussed.

Mr. Buckner MOTIONED, Ms. Weeks SECONDED and the motion passed unanimously to extend the meeting of the AGSC – 10:05 am.

Mr. Horowitz: We could put together some language and send it out for everybody to review and meet again to come up with some other ideas specific to redistricting.

Mr. Weiss stated that he wished to have further conversations with Ms. Weeks and general counsel to further understand what her concerns are. He questioned if there is a concern that the minority seats will be diluted, and that minorities will not be electable.

Ms. Weeks stated that she does not wish to have a district drawn that is so broad that it says “here’s your minority district, for whatever that minority group tends to be.” She stated also what’s happening in the County is changing.

Mr. Weiss asked Ms. Weeks what she would like to happen. Ms. Weeks stated that she would like for there to be the possibility of at least maintaining the minority representation on the Commission now, whether Hispanic or African-American, but at least being able to increase that minority representation.

Mr. Spitzer: In that order to get a better feel, you'd have to look at the demographics.

Mr. Horowitz: You should be able to redraw the County into 8 districts in a number of different ways.

Mr. Spitzer: To be clear, you can't redraw the County. You can put criteria in there, but it's the County Commission that redraws the County.

Mr. Horowitz: The redistricting would have to be approved, but there may be a number of different ways to redistrict to be considered.

Mr. Spitzer: Of course there are, there are many different ways, then you could have some guidance in the Charter as to what the criteria are.

Ms. Weeks suggested adding the districts to the Charter as mentioned before.

Mr. Spitzer: I don't think you could do that.

Mr. Weiss stated that he does this in City Charters, but he wants to get an opinion from Mr. Goren as to whether it could be done in the Broward County Charter.

The Chair asked if everyone is in agreement that another meeting is necessary. Consensus is to hold another meeting.

Ms. Good requested additional information on redistricting and whether an educational institution could be utilized in terms of recommendations.

Ms. West asked if you have to deal with the census or registered voters.

Mr. Spitzer: Registered voters are one of many things to consider, but at the end of the day they need to be as equal in population in terms of people, not voters.

The Chair stated that if looking at numbers reviewed earlier or if looking at maintaining or increasing minority access,. the idea of larger County-wide districts may also increase the access depending upon how it is drawn. It is not necessarily an exclusionary mechanism, but rather may be an inclusionary mechanism when looking at demographics. He added that our population is greatly dispersed and may make drawing small district boundaries difficult, but maybe something to talk about is the idea where you have larger districts in the County. He suggested keeping the options open.

Mr. Weiss asked Ms. Weeks if her concern is that all minorities will be put in one area and that will preclude election of another minority.

Ms. Weeks advised that it is the same argument that people had about Democrats and Republicans, where some Democrats would argue that to draw districts a certain way, you actually lost representation. She stated that it's the same thing and she does not want that to happen with this.

The Chair stated that this discussion should take place at the next meeting.

Mr. Weiss stated that help is needed with this one.

Ms. West advised that help will be provided between Mr. Goren and Mr. Spitzer.

Mr. Spitzer: Let me ask you this. What is the African American population of Broward County?

Ms. West advised that it will have to be provided as it is located in Broward by the Numbers. She advised that information will be obtained from Urban Planning, University of Florida and/or FAU to get the right information, so there is no question that it came from a reliable source.

IV. DISCUSSION REGARDING INFORMATION FROM KURT SPITZER

- A. Ethics
- B. Parochialism
- C. Duplication of Efforts
- D. Leadership / Responsibility
- E. Influence – is there any administrative problem
- F. Economic Development

Ms. Eisinger suggested crossing off Parochialism, Leadership/Responsibility, since they have been addressed.

The Chair stated that the items the Committee will deal with at the next meeting will be Demographic information, Ethics, and Parochialism. He stated that he believes duplication of efforts has been addressed and the Census has been removed. He stated that influence goes along with Ethics, and Economic Development goes along with creating some sort of statement in the Charter which talks about the larger County-wide responsibilities, which could be handled last.

The Chair determined that the Committee is down to three topics:

Ethics

Redistricting

Regional Economic Development

Next Meeting

The Committee determined that the next meeting will be held on Thursday, August 23, 2007 from 3 p.m. to 5 p.m.

Ms. West asked everyone what they need from staff.

Mr. Horowitz: We'll have a resolution for you then, something to work from.

Ms. Weeks requested specific demographics.

Mr. Spitzer: The more detail that – and what I mean by that, if we could obtain this information in a census block or census track-like format, that would be very helpful.

Ms. West stated that she is sure staff in Urban Planning could help.

Mr. Spitzer: To overlay the existing districts on top of that demographic data would be very interesting to see.

Ms. Weeks advised that this is exactly the discussion that she did not wish to have. She stated that she thought that redistricting was done with in the beginning.

Ms. West advised that what was dropped was the mid-decennial census.

Ms. Weeks advised that she understood, but her thought was redistricting generally. She stated that Mr. Weiss is right, that expert assistance is needed.

Mr. Weiss suggested that legal criteria be obtained from Legal Counsel.

Mr. Spitzer: I thought that having the data available would be helpful, not that – and this is my opinion, but I think – not that you could draw the districts, but that you would be able to theoretically have an idea as to what they might look like or how many minority influence districts the County Commission might be able to draw. They need to be contiguous; they need to be equal in population, you try to avoid splitting neighborhoods and cities; you try to not have a diluting affect on the minority population. There are other criteria that you could put there. The dominant criteria are that they have to be as nearly equal in population as is practicable and there is some variance over the average that you can exceed or be under.

Mr. Weiss stated that he is concerned with criteria over which the CRC has control. He asked if the CRC has the ability to throw the entire process to the University of Florida, FAU or Nova. Does the CRC have the ability to provide the County Commission with three options and they must choose?

Ms. Weeks stated that this question was posed by her at the last meeting and Mr. Spitzer advised that it could be done.

Mr. Spitzer: I think you could do that. Brevard County has an independent group that comes back to the County Commission with a few different options. At the end of the day, it's the County Commission that still approves them and says that meets the requirement of law. I think you could do that, or you could, as you have been talking about, hand it to some other entity to come back with some options. Like UF, FAU or Nova, but it has to be the County Commission that approves it.

Ms. Weeks stated that this was another question, does it have to be the County Commission that approves. Ms. West stated that she believes Mr. Goren stated this before, that it is law that they would have to.

Mr. Horowitz: I know with cities, generally they can present a number of scenarios. Pembroke Pines recently redistricted and they submitted 4 different scenarios.

Mr. Weiss stated that the law of the cities is that you can put the districts in the Charter and the voters can approve them.

Ms. Good inquired about language on Ethics and Conflict of Interest from General Counsel. Ms. West advised that she will inquire on the status from Mr. Goren.

The Chair requested that the Non-interference clause be added to the next Agenda.

V. DISCUSSION REGARDING REQUEST FROM VICE MAYOR WEXLER RE: REVIEW OF REALIGNMENT

Mr. Buckner asked for opinions from the AGSC members regarding Item V, taking away from the County Administrator, the power to hire and fire the Airport and Seaport Directors.

Mr. Weiss advised that the Airport and Seaport Director would work for the County Commission, like the County Administrator. Ms. Weeks stated that she is concerned if the Committee would have enough time to discuss the issue.

Ms. West advised that she sent an email to Mr. Buckner and Dr. Rosenbaum because she received an email from Vice Mayor Wexler asking if the Transportation and Administrative Governance subcommittees would consider that issue. She added that she is not sure if the issue should go to the full Committee and then be kicked out to the subcommittees.

The Chair advised that he believes that is the proper procedure because it was decided that the subcommittees would spend time on issues and there has to be 10 votes for the full Committee to discuss the issue. Mr. Buckner advised that the Transportation Subcommittee has already been charged with the Airport and Seaport Governance issue. Ms. West stated that issue is related to the Administrative Governance Subcommittee.

The Chair asked if anyone had any comments on the issue.

Ms. Eisinger advised that she believes that it is an important topic, she can support looking at options, and perhaps it should be on the same level as the County Administrator and separate from the County Administrator. She stated that she would certainly support looking at the issue. Ms. Weeks advised that she felt that she did not have enough information on the issue.

The Chair stated that he believes the Committee needs to be open minded about the issue because Broward County is a regional County government. He advised that the Committee has no understanding that not everything has to be under the County Manager. He believes that this is an interesting concept and the Committee should discuss it further.

Mr. Weiss stated that he does not want to waste time and that he agrees with Ms. Weeks that he does not have enough information on the issue. He suggested returning to the full CRC for direction.

Ms. West stated that she will speak with The Chair of the full CRC and she will direct her on how she would like to handle it.

Ms. Eisinger suggested inviting Vice Mayor Wexler to the next full CRC meeting and then discussing the issue at that time. Ms. West advised the Committee that Commissioners have contacted her about coming back before the full CRC. She believes there will be 3 or 4 Commissioners at the next CRC full meeting.

Mr. Weiss added that if the subcommittee decides to go ahead and look into the issue there is a lot of work and restructure of government involved. Ms. Weeks advised that the subcommittees are trying to get work done and everyone is under a time crunch. She asked what happens when other Commissioners come forward.

The Chair stated that Mr. Buckner's concern is very important because the Airport and the Port are the economic engines of Broward County and this a big issue. He suggested that the Committee needs to do whatever it can to move the issue forward.

Ms. Weeks advised that she feels the proper place would be before the full CRC.

The Chair advised that there were no further discussions and opened the floor for Public Comment.

VI. RECOMMENDATIONS FOR PROPOSED BALLOT LANGUAGE INCLUDING THE FOLLOWING TOPICS / ISSUES

No Discussion.

VII. PUBLIC COMMENT

Mr. Rowland Foulkes: Good morning, my name is Rowland Foulkes and I want to thank you all for inviting me to come share with you some of my thoughts on the proposal that I presented to you all in February regarding the Elected Strong Mayor for Broward County, and the expansion of our districts from 9 to 11. Again, I heard discussion this morning and I feel half appreciative of...

Mr. Weiss recognized Mr. Foulkes' official badge and asked him what organization he is representing.

Mr. Foulkes: I was born and raised in Broward County; I am speaking as a citizen.

Mr. Weiss inquired about Mr. Foulkes' badge.

Mr. Foulkes: I serve on the Diversity Advisory Council – I am here as an individual, also as someone a part of the One Mayor for One Broward Coalition. Looking at this current district, no one that I know can make sense of this; no one feels that it makes sense.

Ms. West inquired about the document Mr. Foulkes referred to.

Mr. Foulkes: This is how the County districts are set up; this is the way it looks. This is from the Broward County Socio- Economic Data by Commissioner District Broward Report #6, Revised, April, 2002. This is what we have now. I am not sure where this group was going to go with a restructuring of this, but in February, we offered and again in 2001 and 2002, something that makes sense to not just me or the Coalition, or others in the community. Broward County first of all is expanding population-wise. We have already mentioned that demographically, we have seen some tremendous changes, not only in diversity but in growth – population growth since 2000, that's continuing. We have people moving in now from Miami-Dade over the last few weeks. The idea of expanding the Commission districts from 9 to 11 is to accommodate that future growth, we're not there yet, but surely in the next 10, 15 or 20 years. You can go to Broward By the Numbers. They have projections for the next 50 years on what the population will look like in Broward County. Increasing it from 9 to 11 will provide opportunity for individuals from certain minority groups to have a chance to be elected to office and represent, hopefully, diverse communities.

Blacks are not just in one part of Broward County, Hispanics are not just in one part of Broward County. They are spread out throughout, except for maybe places like Hillsborough Beach in the North, and maybe parts of Parkland and Weston. Again expanding from 9 to 11 would accommodate future growth of this County population-wise, and also allow for more persons to have the opportunity to run for office. Right now, we see in the County Government, in the Courts and other branches a rotating of seats, people moving from one position to the other. I will use Lori Parrish as an example; she moved from the School Board, to the County Commission, to the Property Appraiser. We have people like that, and again that's not expanding opportunity for people to run for office and to serve this Community.

So again, this is hopefully opening up the process and the opportunity for a diverse group of people to run for Office. I understand there is a cost issue, but again that can be worked out by our budget department. NACO has produced a list of Counties throughout the Country, state by state that has elected officials, and this list has about 350 – I downloaded this November 16th 2006, and you have terms such as Mayor, Board Mayor, and City Environmental Administrator for Alaska, Arkansas and other Southern Cities. They have County judges, these are all elected. You have County Executive Officers in California, a Mayor and Chairman in other places. In Kansas, you have a Mayor/CEO, County Judge Executive, so you have a diverse group of elected CEO's of Counties.

I hope that you will get beyond the semantics of Weak Mayor, Strong Mayor, and Elected Mayor. What we are talking about is an Elected Mayor by the community, with all the powers thereof. I would ask you all, why not have the kind of government that we have at the national level? We have Executive, Legislative, and Judiciary. At the State level, we have an Elected Governor, we have Elected Legislators, and we have a Supreme Court. Why not have that same kind of structure in a more formal way at the local level? Broward County is at such size now and of such influence that we deserve to have that kind of government. In February, I gave you all some proposed ballot language for the Executive Office. Broward County shall have a Mayor Elected County-wide and limited to two terms of 8 years in office, the Chief Executive Officer serves at the pleasure of Broward citizens. By the way, Broward citizens are more intelligent than you give them credit for. I think you need to understand that people in this County do care about their community, do care about who is elected, and are ready for changes in many of the positions that we currently see. The Mayor is empowered and authorized to lead, to direct, to give vision to, to speak for and to represent a Unified One Broward County.

Mayoral power and authority are balanced by the advise and consent of Broward County's Commission, Judiciary, and Mayor's Advisory Council. The Mayor's Advisory Council is separate from the Broward League of Cities. This is a new body, comprised of each Mayor of our municipalities, so we have 31 municipalities now. So, it would be 31 Mayors meeting regularly with this Elected County Official, this Mayor. That's another source of information, another source of influence, another source of collaboration that we are proposing and that's what we are asking for. That's what I ask for as a citizen of this Community for over 50 years. At the same time, I've lived in over 20 different cities around the nation. Let alone, other cities in 70 countries on 5 continents and I've seen all types of government. I think knowing what I know, Broward County is ready to have a Strong district-wide elected official.

Given the population expansion, lastly, we need to consider expanding our districts and again having them – whoever is elected Commissioner, be concerned not only on their particular district, but also key economic engines of our Community, the Beach, the Ocean, and the Everglades and the marshlands. Currently, Commissioners who boarder either of those ecosystems have more concern about those, than the others. Well this way, every Commissioner will have a stake in whatever is involved with the Oceans and the Marshlands. You have this in your packet, and again I want to thank for including this information. I have a frequently asked question document about this proposal and who the Coalition members are.

Ms. Eisinger asked Mr. Foulkes not to misunderstand her comment. She explained that she definitely does not question the intelligence of the voters. She stated that she would like to see more people out there voting as she certainly hopes it was not misunderstood.

Ms. Weeks asked Mr. Foulkes if members of One Mayor for One Broward are listed on the information he provided.

Mr. Foulkes: Yes.

VIII. ADJOURNMENT

There being no further business or public comment the meeting was adjourned at 10:39 a.m. The minutes of this meeting are recorded on CRC-AGSC CD # 8.15.07 (BCGV CTR).