

**Summary of Discussion**  
**Broward County Charter Review Commission**  
**Administrative Issues/Governance Subcommittee Meeting No. 1**  
**Wednesday, April 11, 2007**  
**Broward County Governmental Center, Room 430**  
**8:00 AM - 9:30 AM**

**Members Present:**

Dr. Irv Rosenbaum, Chair  
Michael Buckner, Esq.  
Patricia Good  
Commissioner Hazelle Rogers, CRC Vice-Chair  
Burnadette Norris-Weeks, Esq. Vice-Chair  
Bruce Rogow, Esq.  
Richard Weiss, Esq.

**Members Absent:**

Mayor Debby Eisinger

**Others Attending:**

Pete Corwin, Assistant to the County Administrator  
Pamela Landi, Office of Public & Governmental Relations  
Chedley Etienne, Administrative Assistant, CRC  
Yolanda Grooms, Administrative Specialist, CRC  
Maria Gross, Assistant Director, CRC  
Phyllis A. King, Transcriber, PKING Consulting  
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 8:00 a.m. on Wednesday, April 11, 2007 at the Broward County Governmental Center – Room 430, Fort Lauderdale, FL.

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

Chair Dr. Irv Rosenbaum called the meeting to order at 8:03 a.m. He then requested the roll call by Phyllis A. King, PKING Consulting, Inc. Upon completion of the roll, the Chair recognized the presence of a quorum.

## **II Review List of Issues Assigned to Administrative Issues/Governance Subcommittee**

The Chair opened the floor for discussion of the list of issues assigned to the full Committee.

- a. Structure-form of government**
- b. Mayor: duties; strong vs. weak**
- c. Election of Commissioners**
- d. Census/Re-districting**
- e. Ethics**
- f. Budget/Finance**

Mr. Rogow asked what Structure-form of government meant in terms of the list of issues.

The Chair explained that it has to do with the Commission/Manager form of government that the County has adopted. He then advised that he believes the Charter contains an article on Separation of Powers- Administrative vs. Legislative.

Mr. Rogow asked what is the difference between Issues A and B.

The Chair replied that Issue B pertains specifically to the Office of the Mayor, current authority, and, how the Commission selects the Mayor and all things relevant to the Office of the Mayor.

Mr. Rogow stated that the two are related, if the Mayor becomes a Strong Mayor, then the Manager's role would be different.

The Chair agreed that the two are interrelated and suggested that the Committee could deal with them in an interrelated manner. He then suggested that if the matters are divided, the subcommittee could then discuss having a consistent system in County Government.

Mr. Weiss suggested that you can't discuss one without the other.

Mr. Rogow motioned that the AGSC should not discuss either of the issues; keep it the way it is... He further advised that there is no need for a Strong Mayor like they have in Dade County; we don't have 13 Commissioners like they have there, and we don't have the history.

The motion failed.

The Chair stated that a number of people are interested in speaking with the AGSC on both sides of the issues, inclusive of the Broward Workshop therefore, the issue will be addressed by the Committee. He then suggested combining A & B if no objections were made. There were no objections. The Chair reminded the dais that item C pertained to how Commissioners are elected; At-large vs. District and partisan vs. the non-partisan or a combination thereof.

Mr. Weiss stated that they are huge topics and he thought it would be helpful in terms of what we really want to discuss, the two items under Election of Commissioners.

Mr. Weiss stated that he would like to go to the first point and discuss the first combined issue.

The Chair stated that the Manager is the Chief Administrator Officer or an elected person is the Chief Administrative Officer.

Mr. Weiss requested clarification if the plan is to discuss Elected vs. Appointed CEO. The Chair responded that this was correct.

Ms. Norris-Weeks stated that she wants to know more about the topics and issues because there may be other ancillary issues that come up under the listed topics. She further stated that she likes what the subcommittee is doing as far as putting things in categories, but she feels it is too soon to box in the issues.

The Chair explained that the goal is not to box in the issues, but to develop the scope of work.

Mr. Buckner stated that the subcommittee decided not to do Constitutional Officers under Structure- form of Government. A discussion ensued with regard to what items fall within the list of Categories.

Ms. West inquired if the subcommittee will have the discussion in response to Mr. Rogow's earlier motion.

Mr. Weiss responded that it was decided that the door would not be closed on the issues.

Mr. Rogow stated that he is not against a discussion, but his mind is made up.

Ms. Norris-Weeks stated that she wanted to share a document that she has from Miami-Dade on the topic of Strong Mayor that she thought was very interesting. She stated that the document included information on term limits, requirements for the Mayor's position, etc.

Ms. West stated that she would make copies and share it with the subcommittee.

Mr. Rogow explained his reason for the earlier motion and advised the dais that he doesn't wish for them to think that he was just being hasty. He advised that he represented the Mayor and the effort to put the Strong Mayor on the ballot in Dade County; therefore he has first-hand experience with it. The situation in Miami-Dade is different than it is in Broward County and this is why he doesn't think that Broward County is in a position to move forward.

Ms. Good stated that Mr. Rogow made some interesting points in an effort to move forward.

The Chair stated the difference between Dade and Broward, and why Dade really is not all that relevant is the fact that they have a different legal basis in the Florida Constitution.

Mr. Weiss stated that he knows there's a difference in the way it is structured, but he does not feel that it is that different; he provided further explanation of his position.

Ms. Good stated that Dade had an Elected Mayor.

Mr. Weiss stated that the issues of doing good business in these places are pretty much the same; he explained that Dade County has changed significantly with the Strong Mayor.

Ms. Norris-Weeks asked if all these issues fall under Structure of Government, such as County Commissioners' general duties, how many County Commissioners, how they are elected, Single-member Districts and Terms. Are all of those categories generally under the Structure of Government?

The Chair replied that the Committee is looking at the broader issues and once the issues involved are discussed, then they can be further defined.

Mr. Weiss suggested the division of the issues into two parts; one part being how the Government is going to function (Administrative Function); and the second part would be a

separate topic dealing with the issues which are, how many Commissioners, Single-member Districts, Term limits, and Compensation for Commissioners (Legislative Function).

The Chair opened the floor for discussion with regard to *Census / Re-Districting*.

The Chair asked if it is the decennial or if it should be changed.

Mr. Weiss stated that he does not feel that he has enough information to make a decision on what issues need to be looked at with regard to the issue.

The Chair advised that the issue stems back to the fact of Broward County re-districting every 10 years. He stated that due to demographic changes two (2) years after the census, the districts are irrelevant. He advised that this subject is linked to At-Large vs. Single-member Districts; and whether districts should be of equal size.

Ms. Good remarked as to whether it should be done sooner.

Ms. Norris-Weeks asked Ms. West if she knew what the discussion was among the County Commissioners on the subject.

Ms. West advised that the Commission discussion was regarding, possibly adding the issue to the ballot prior to the Charter Review Commission. She stated that there was some concern with two (2) or three (3) Commissioners whose Districts are disproportionate. She said that she believed when the lines were drawn in 2002, it was +/- approximately 10,000 voters for growth. Ms. West added that it has gone down in some Districts and gone up in others, making it difficult for some of the Commissioners to serve their constituents properly, therefore they have discussed the need for adjustments in some of the Commission Districts.

Ms. Norris-Weeks suggested that maybe it happens in a way. The Commissioners are not drawing Districts in a partisan way beneficial for a *Commissioner*. She also stated that she would like to know more about what the Commissioners discussed.

Ms. West stated that she will provide the Captioner's notes and the minutes to the dais.

Ms. Norris-Weeks stated that this is important because the AGSC needs to track what is happening; she suggested that the AGSC might want to deal with whatever the Commission is doing in a different way.

Mr. Buckner stated that he does not believe the AGSC should touch the issue. He explained that with all the people who have been advocating for the position, they haven't addressed many different problems that might come up that he believes are fundamental. The first being data accuracy between the Census, the second being the frequency of re-districting, and thirdly, that the general public might see the issues as a situation of trying to manipulate the political process for a politician's own good.

Ms. Good stated that she believes that there is validity in the fact that there is tremendous growth out West. She stated that she does feel that there is a new balance there. She questioned if the individuals who live in those areas are being properly represented, and should they have to wait until the next census to have it re-done. Ms. Good advised that she would like more information as to how it is done, what the available options are, how the data is collected, and who would do it ,etc.

Ms. Norris-Weeks stated that she agreed with Mr. Buckner, and would not like to address it because she feels it will be addressed one way or the other, however, she does not want the issue to be ignored.

Ms. West advised that information is available and she will make it available to the Committee.

The Chair requested the item for a future agenda and asked Ms. West to disseminate the information to the Committee for their review.

The Chair opened the floor for discussion on Ethics.

Mr. Weiss suggested removing the ethics provision from the Charter and having the elected officials be governed by Chapter 112.

Ms. Norris-Weeks stated that she disagreed with Mr. Weiss' suggestion, advising that she wants the subcommittee to look at it because the Ordinance that is drafted, is way below what was actually anticipated.

Mr. Weiss advised that he agreed with Ms. Norris with regard to the way the Ordinance has been drafted because it does not do anything. He then asked Ms. Norris-Weeks what the unethical issues are that are not covered by the State Law that we feel need to be filled in by Broward County.

Ms. Norris-Weeks explained that the State law allows you to go very far and it is rare that there are any findings for anything, even when there are legitimate complaints that seemingly fall well within what the law calls for. She stated that she thinks that there are several areas that can be placed on the Agenda for discussion. She added that she believed there were comments at two of the Public Hearings, and it is something that people are interested in. She advised that there have been a number of articles about various things such as compensation, issues of company involvements, etc. which are addressed, but aren't necessarily things that the Commission on Ethics deals with.

Ms. Good stated that she thinks that the subcommittee has enough to deal with, and she does not know what the Chapter can do. She then requested the prioritization of the list of issues.

The Chair suggested that items D and E be discussed on the next agenda.

Ms. Norris-Weeks reminded the dais that the CRC had already voted to at least have some discussion about the issues and requested that they *all* be given consideration and go through the process.

The Chair asked the Subcommittee how they feel about discussing *all* the issues.

Mr. Rogow stated that he would put Ethics at number one, as he feels that it is the starting point and the greatest goal is to have an ethical government. He stated that he agrees with Ms. Norris-Weeks, that they should open the door and listen to people to see what they have to say.

The Chair agreed and added that the consensus is to prioritize.

The Chair moved on to Budget and Finance. He advised that Budget and Finance do not usually receive a lot of attention. He advised that Broward County has a separate Budget and Finance Office and it was dealt with in the MESC. In some organizations the duties of Budget and Finance are defined, and in some organizations they are consolidated, which are what he states the dais is dealing with; whether they should be one function, when and how their duties should be defined in the Charter. A discussion ensued with regard to the roles of the Budget and Finance Departments and the issues related thereto, during which Mr. Pete Corwin explained that Finance is a department that provides internal services, and budget is a management arm of the County Administrator that prepares and manages the budget throughout the year. He explained that the Budget Department has a staff of approximately 20, and they have a much different skill- set from the Finance Department. Following discussion, it

was agreed that Budget and Finance would be placed last on the list of issues and someone would be invited from the Budget and Finance Department to explain what the issues are and how the areas work.

### **III. Establish Scope of Work**

The Chair suggested the following **Scope of Work** based upon discussions and also asked for consensus of the dais:

1. Issues A, B, C
2. Census Issue
3. Ethics
4. Budget/ Finance

There being no objection, the above scope of work was established.

The Chair then suggested having and collecting input on an interrelated basis from different parties on item #1, since the issues are interrelated and arrange for more meetings. A discussion ensued to address the Chair's suggestions and consensus was attained.

### **IV. Review Dates of Up Coming Meetings**

Ms. West advised that the AGSC is currently scheduled to meet the 2<sup>nd</sup> Wednesday of each month at 8 a.m. It was agreed that multiple meetings each month will have to take place.

### **V. Determine Presenters for Up Coming Meetings**

The Chair stated that he will rely on Ms. West to manage the workload for the Committee. He then asked the dais for recommendations for speakers/presenters and opened the floor for discussion. During the discussion, Mr. Buckner suggested looking visionary at what the County might look like in 10/15/20 years. During the discussion, the dais agreed to invite Community Groups, the Broward League of Cities ;to have the Chair and Ms. West invite additional speakers and put together materials on the different forums, (i.e. National Civic League, Florida League of Cities, and Florida Association of Counties.)

## **VI. Discussion of Role & Function of County Government**

The Chair started the discussion on the Role & Function of County Government / Future of County Government - Defining Structure of the County. He stated that the 1st paragraph of the Charter really does not address the regional nature of the County Government. He advised that when the County Charter was put together, there was thought of a two-tier government. They came up with the Hester Plan when the majority of the County was unincorporated and still largely rural. He stated that Mr. Hester suggested no unincorporated areas, putting everything into the City and really having a two tiered government whereby the County would focus on the larger functions, and the City would focus on the municipal functions. The Chair advised that we have evolved to the point now, where the County provides some of those services to areas that use to contract with them. He advised that he would like to have some sort of discussion as he likes Mr. Buckner's Visionary idea- looking into the future at problems that we really don't have, but can be seen on the horizon of the larger issues of the County not being addressed. The County then becomes bogged down in the municipal issues. The Chair explained that his suggestion would be nothing more than adding verbiage to the point of setting an objective of the role and function of County Government as to whom addresses the regional services, whether it be Planning, Transportation, etc. He asked for suggestions and input from the dais. A discussion that included Mr. Corwin committing to provide an **Overview of Regional Services from Planning and Budget** to the Committee began.

Ms. Rogers asked where Emergency Services would fall in the scheme of things, and how do the County and Municipalities communicate. Mr. Corwin provided the Committee with a breakdown of the Regional Services, and their respective qualities of service and communications.

The Chair advised Mr. Corwin that the issue is not the County Control of the Common CAD / Closest Unit Response services, but the County setting a Standard for the service. He advised that before getting to the details, the Charter does not speak specifically to the nature of County Government. He stated that looking to the future; this can avoid a lot of unnecessary conflict.

Mr. Rogow stated that Mr. Buckner's question is very interesting with regard to the future. He inquired as to what the County staff thinks the County will be like in the future, which would give the AGSC a farsighted view, and then they can work their way back to see if anything can be done as a CRC to create a framework to address the future.

Mr. Buckner advised that there might be issues that he has already formed and has a good opinion of how he would actually go, but if he looked to 10 – 15 years in the future, it might influence the decision.

Ms. Rogers stated that some of the subcommittee members know the 5 to 10 year plans of the County; she further stated that municipalities must do a Comprehensive Land Use Plan that directs changes in designation. She added that since the Hurricane, each municipality is looking at having their own radio station. She stated that that she doesn't know the impact or how it will work, but in her opinion, it is a major disaster due to the additional cost to the municipality. She suggested County-wide services for this.

Ms. Norris-Weeks stated that she hopes whatever changes that the subcommittee recommends, are going to be changes that will be part of a living document of the Charter and will withstand the test of many years, but questioned the ability to guarantee this.

The Chair stated that there are two things that can be done. A projection of seeing a problem that has not occurred yet but will occur (i.e. the municipal radios) which is a little thing, but could cause mass confusion. He commented that he likes the idea of having a discussion based on where we will be years from now, as Broward County is going to grow and change. Redevelopment of corridors is haphazard, where you can see seeds of inconsistent development patterns which will tie into Charter issues, and the role and functions of government. He then asked what can be done to have a Charter that will be equipped to address the problems that will occur 10 years from now.

Mr. Buckner asked if there is an increase in population, should there be more Commissioners when looking at the Charter in the future.

Mr. Rogow offered that he does not feel there is a way to craft something that will address all issues in the future.

The Chair suggested that the subcommittee bring in someone from *Vision Broward* for a presentation.

Ms. West suggested, Mr. Devin Avery of the Broward County Economic Development Division, who she feels would be very helpful in providing information.

The Chair also requested copies of the Vision Broward DVDs for the Committee which has all the Vision Broward materials on it.

The Chair suggested a topic reclassification from **Structure-form of government** to ***Structure and Function of Government for Future Challenges***. There was no opposition from the dais.

He asked if there was any further discussion.

Mr. Weiss suggested that *Structure and Function of Government for the Future Challenges* should be discussed first, because once the functions are defined, then the discussion of the implementation details can occur.

The Chair stated that the very first Charter Review in 1975 looked at this issue and said the same thing.

Ms. Norris-Weeks stated that the subcommittee knows what some of the issues are, but there are very few things that can be done about them (i.e. Fire and non-coordination between municipalities, the major areas that County government now deals with in terms of regionalism).

Mr. Weiss asked the subcommittee to assume for example that there are only 5 functions of County government, Transportation, Human Services, Parks, Libraries etc., and theoretically let 5 Commissioners, giving each a Division like the City of New York, (he stated that he is not suggesting this scenario but offered) That, if you start with the functions that the government is to perform; the organizational structure should not drive the function ,but the function should drive the organizational structure. He suggested that the AGSC should begin with the functions that it sees County government doing, and then think about a form of government that implements properly and most efficiently with those functions.

The Chair added that sometimes there is a need to coordinate functions that seem to work okay most of the time, until disaster comes. He added that there is no way to anticipate the disaster, but he believes there is a way to make the structure function a little better, so that at the end of the day, someone is in charge of the different services that are otherwise independent.

Ms. Norris-Weeks stated that this is an exciting concept. Ms. Good added "what a vision."

Ms. Rogers advised that in 1996, Lauderdale Lakes was that form of government.

Ms. Norris-Weeks stated that more so than having a Commissioner assigned to an area, he is saying having a Commissioner of Transportation for the County, which County residents could elect. She advised that it is truly exciting, because when thinking about the functions of County government with a certain number of functions, having a person who is in charge of that, we as voters in the County elected them, just as we do with Constitutional Officers then there is no issue with what a District is receiving.

Mr. Weiss added you have a Strong Mayor in charge of Transportation, a Strong Mayor in Charge of Parks etc. or *Czars*. Mr. Weiss mentioned the Dade-County Transportation Czar, Mr. John Dyer.

*Mr. Weiss stated **for the record** that the reason he raised the issue is because he was suggesting the functions of County government and then an implementation through structure, as opposed to discussing a structure and then on the bottom of the list, decide the functions.*

Ms. Rogers stated that when working on Vision Broward, it was noticed that development would come before the County could come up with a Transportation Master Plan of Broward County.

Mr. Buckner remarked that after the Transportation Subcommittee, he is very disappointed with the elected officials of Broward County, because he foresees serious financial issues coming up within the next decade that have been passed along and no one has the political will to do what is right. He advised that it is going to be very difficult in the future for residents within Broward County.

The Chair added lost opportunities with Economic Development and the housing problems. He then asked if the County stops growing, "what do you do for jobs"?

The Chair advised that he likes the idea of the approach Mr. Weiss suggested; the *functions of County government and then implementation through structure*. He then requested a meeting with Vision Broward be scheduled.

The Chair asked if there were any further discussion from the dais. There being none he called for Public Comment.

Ms. Rogers suggested with regard to a Vision for Broward County, that the subcommittee should be addressing the kind of industry, or the economic engine that we would like to attract into Broward County that will create the employment we want to sustain us into the future. The

Chair mentioned that Ms. Rogers' suggestion is like Palm Beach County with Scripps, where they've selected their agenda. Ms. Rogers commented that she did not know what needs to be done to make it happen.

The Chair advised that it is that it is a governmental legal and structural thing. The real problem is that it would take a governmental vote, if something will be done to look at the future of the County.

#### **VII. Public Comment**

Ms. King informed the dais that Broward County is in the process of planning a Targeted Industry Study as the Economic Development Department is in the process of bringing a Consultant on board to do the work. The Chair requested information from CRC staff in this regard.

#### **VIII. Adjournment**

There being no further discussion and no public comment the meeting was adjourned at 9:33a.m.

The minutes of this meeting are recorded on CRC-AGSC CD # 4.11.07 (BCGV CTR)