

BROWARD COUNTY COURTHOUSE TASK FORCE MEETING
June 30, 2009

PRESENT: Commissioner Ilene Lieberman, Chair
Margaret Bates, Broward County League of Cities
Scott Chitoff, Brinkley, Morgan
Greg Durden, PA
Howard Forman, Clerk of Courts
Jose Izquierdo, Izquierdo and Marin
Chuck Morton, Chief Assistant State Attorney
Linda O'Neil, Judicial Assistant to Judge Robert Lee
Eugene Pettis, Haliczzer, Pettis & Schwamm
Chief Judge Vic Tobin, 17th Judicial Circuit

ALSO

PRESENT: Pete Corwin, Assistant to the County Administrator
Purvi Bhogaita, County Attorney's Office
Mona Gordon, Facilitator
Ruth Myles, Facilitator
Katherine Burnell, County Administration
Brad Seff, Real-Time Reporter

A Broward County Courthouse Task Force meeting was held at 10:00 a.m. on June 30, 2009, at the Broward County Main Courthouse, Fort Lauderdale, Florida.

(A sign in sheet reflecting those present is filed with the supplemental papers to this meeting.)

(The following is a near-verbatim account of the presentation :)

COMMISSIONER LIEBERMAN: I want to thank all of you for being here this morning, to go through the final meeting of our task force. Today we have got a power point presentation. You should have received a questions and responses sheet. I want to remind you of a couple of quick things today.

First of all, we have our handy sign in sheet that will be going around, so the only way Katie -- Katie, raise your hand. Katie is here taking minutes today. The only way Katie will know you are here is if you sign in, so please make sure you do that.

Secondly, if you have a cell phone, I would appreciate it if you would put it on silent or vibrate mode so it doesn't, in any way, interrupt our meeting.

Third, usual standard procedures apply, which means we're going to let Pete finish his power point presentation, so you can write your questions down. We're not going to interrupt him. We're going to let him do that, and then you can ask questions afterward.

Other than that, I think we're ready to go.

The first order of business is to approve the minutes from our April 3rd meeting. You have summary minutes. There are full verbatim minutes on our web site at www.broward.org. In the interest of saving some trees, we gave you summary minutes.

MAYOR SEILER: I will move them.

COMMISSIONER LIEBERMAN: We have a motion by the Mayor.

JUDGE TOBIN: Second.

COMMISSIONER LIEBERMAN: Seconded by the Chief Judge, to approve the verbatim minutes. Are there any changes, corrections, additions? Seeing none, all those in favor signify by saying aye. All those opposed? Show it passes unanimously.

We're now going to review the questions and responses. Pete, are you ready?

MR. CORWIN: I am. Thank you all for rearranging your schedule to be here today. The only reason I say that is Judge Weinstein rearranged his schedule to be here, at our previously scheduled time and he regrets he can't join us.

What I'd like to do is briefly review the questions and responses that you may have had a chance to go through. First of all, it's always nice to start with some good news. Thanks to your hard work, the legislature approved the increase of the \$15 court facilities fee. The governor signed it, and a week ago, the Board of County Commissioners passed an ordinance to implement it. A couple of things that are interesting about that. We won't need to bond it in our performers, if you will, as we look ahead. We had said we will bond that and raise about \$60 million. Until we do that, that money, that cash will be sitting in a reserve to be used for the support project costs.

The second thing included in that legislation were several options. The one the Board passed was option A. Option B is a courthouse facility surcharge, and we could take this out and the Board could pass that as an option some time in the future. Now when that happened a couple of years ago, we weighed the pros and cons of doing that, including, based upon how that fee is allocated and the amount of money that could be conceivably raised, so it's nice to have that option. That is obviously good news for starters.

Secondly, there were questions from the task force last time about clerk space that could be impacted by e-filing, in the future, and obviously the more e-filing, the fewer people that have to come to the courthouse. You will hear a presentation shortly on that.

Now we went back to the 2006 master plan and we found 9200 square feet allocated for active files, plus 4300 square feet for public space. Now that may sound like a lot, but that is spread out over nine functional areas. So when we do the program which is the first phase, which will be in the Board's agenda August 4th, the first thing

they would do is review the program, work with the Clerk and see what that actual number is. It could be in the neighborhood of -- let's say 20 percent less. That could save about 2000 square feet.

Secondly, a simple question and answer. In some respect, how many Judges currently are assigned a courtroom and chambers, recognizing that in the new courthouse they will be assigned an office and a courtroom with no chambers. According to our count, there are approximately 39 chambers in the courthouse. This is a question I believe that came from the workshop we had with the County Commissioners a month or so ago. The plan is to divert money that could be set aside for a new jail in order to fund the courthouse and add cash to the project. What we did was show the average daily jail population over the past several years. You can see the dip that started in 2008 after a peak and thanks to the efforts of the Chief Judge and other agencies, their efforts helped reduce the jail population significantly, where we think we can live within this population. But the other reason for not doing it is we simply can't afford, with the state caps on spending, to operate it, 30, 35 million dollars a year to operate the building, and we do not have funds to operate it. The cap to (inaudible) the stockade is fully operational. Our cap is closer to 5800. Currently the inmate count is about 5000. So we believe it's possible to do you that.

The task force has wrestled from day one, with the need to make the project smaller and yet not make it so small you will cut a ribbon and be out of space the day after. The current recommendations are 719,000 square feet. As you recall at our last meeting you recommended a (inaudible), which makes sense. That compares to 893,000 square feet in the 2006 master plan. The courthouse would be smaller. It still

calls for 75 judicial officers, with county satellites. That is consistent with the master plan. It should take us through the year 2020. Shell space which is not included in that, if it's used only for judicial officers, Judges and Magistrates, it could easily take us, as we believe, to 2030.

Now that said, I'm sure the Clerk is thinking what about space needed to support those Judges. Naturally we have to address that. That shell space would be our Judges, our support space or other options that we will have once this courthouse is filled out. We believe that the consultant meets the challenge to fit everything in that amount of square feet, that we could go at least until 2020 and 2030 if we will build out the shell space.

A couple of other things. First there was a question from the Mayor, what about the regional conflict council. The Board of County Commissioners has taken the position that as a state funded mandate, they should fund it. At this point in time the state is funding it. They are renting space on Las Olas, 7000 square feet. If a court tells us otherwise, naturally we would have to pay lease expenses or adjust the space program to meet that need.

The second issue or question was a federal courthouse. The federal government, once they have money -- right now they don't. It's much easier for them to site anything than it is for local government, and there is land, as you know. There is plenty of land south of the (inaudible), to have a court complex. There was an issue regarding a county owned building a few blocks from here. Our Board, last Tuesday, voted to continue to try to sell that property. One of the Commissioners had questions, and staff justified the recommendation to sell it by saying it's just not worth fixing up. It

would cost over \$400 a foot to renovate it. One of the Commissioners remarked, "Oh, just like the old courthouse," and it is just like the old courthouse. From our perspective, its highest and best use is to be torn down.

There has been considerable discussion on the advantages, disadvantages of having a separate PD and state attorney building. As we see it, phase 1, which is the current plan, it makes sense to put, or to leave, let's say the state attorney in the east wing and coordinate the PD on the third floor of this building, so that you don't have to incur the cost of renovation in building new spaces, but in the future, that space, especially the space here that the PD occupies along with the space the state attorney occupies. In the future those are potential court rooms.

We have looked at this building and could we get 10 more courtrooms in this building and naturally, if the state attorney moved out of the new structure 20 years from now or whatever, we could create more courtrooms, but for now we recommend that they stay where they are, except for the state attorney. When we tear down the old courthouse, they go into the new courthouse.

We brought you a project schedule last time that didn't look like this. The interim report reflected a more aggressive project schedule with the objective to take advantage of the soft construction market. This has been modified a little bit. The end data is basically the same. The start date is the same, August of this year, in terms of doing the program and the scheduling. I believe this phase -- the design phase ended up being two months longer. It simply allows time for the program to get started and time for staff to review the various projects that are produced. So the schedule end date is the same.

We have also allowed for a quarter, which is optimistic on our part, but given the relationship with the city, we will meet with them next month to start regular meetings with them, and we believe if we work closely with them, we can, in fact, permit this in a very quick period of time. We're going to work towards that end and that is what the project is based upon.

The rest of the project schedule remains the same in terms of what we talked about before. Other questions that came out of the last task force meeting, one was the impact of a proposed constitutional amendment. The state doesn't feel like they have gone far enough to restrict our ability to meet the basic services. In 2010, voters will be given another shot at restricting services

One portion of the question, I don't believe will be that significant. If they are going to say non-Homestead property which are now capped at 10 percent growth per year, would go down to 5 percent. Now when we return to having the tax roll is growing, I think we will all be feeling a lot better and we can live with that, smaller growth. That is not what we're looking at right now. We're looking at restricted tax rolls.

The second portion of that proposed amendment is designed to give first time home buyers a break. \$100,000 additional Homestead exemption over five years, (inaudible), and after five years it's zero. That bill not on only reduces the increase in the home, which happens when people trade houses. Naturally that increased Homestead exemption will be very similar to amendment 1. We don't have an exact number. We know it's (inaudible). We also know that statewide about 18 percent of home sales are first time home buyers, so it's not a niche market that will have an impact, if it passes.

Another question was the impact on the millage. These numbers are based on a flat goal. We know that is not going to happen next week. Just for the sake of comparison, if the roll is the same, the millage increase to 133 million of non-voted debt is about .061. The millage increase over three years from the debt we're taking off the tax bill is \$3.6 million. The millage decrease over the three years is .244.

Then finally there were a couple of questions the Board workshopped about, the costs estimate for the courthouse project itself. We're working towards a \$273 million project. That is an all inclusive project, includes soft costs, security, in essence, all in.

One of the most basic assumptions we're using right now for planning purposes is that the actual construction portion of that costs estimate is \$270 per square foot, but we will work with our consultant and their team to hit or exceed a lesser number. It will be either cheaper or come in at that number. That is what we're working towards. Before I get into the next slide, any questions? If will are no questions, I will turn to the next --

COMMISSIONER LIEBERMAN: I'd like you to finish your presentation because I think there are going to be questions.

MR. CORWIN: Okay.

The next issue is, you asked about the federal stimulus legislation, from day one, what is in it for us? Build America bonds can be used with any credit line. The build America bonds do offer a possibility for lower borrowing costs. You can save money. The way this works is, the B A B and the recovery zone bonds, which was underneath the stimulus package legislation -- you use the bar code, send it in and they send you a check every year, which is a discount bond on your debt service. So the risk associated

with the build America bonds is, someday they may not send you that rebate check. The legislation right now calls for it and it is a great deal. It is something that we will take advantage of. Two types, the discount -- to keep it simple on build America bonds, which is unlimited, is 35 percent. You get a 35 percent discount on your cost of borrowing. The discount on recovery zone bonds which (inaudible), which is 45 percent. There is an increased discount if we go in this direction. This is obviously a decision for the Board of County Commissioners. This project, courthouse project could be eligible for this.

The Convention Center, they have other options as well. Even if we went in this direction, there is an opportunity for borrowing costs. To keep it simple, which I need to do when we get into financing, we have a lot of flexibility and we don't have to commit until the market conditions are good, or as good as we think they are going to get. So the next 24 months, we could fund the project in any number of ways. We could use cash. We could use commercial paper or bond participation notes, especially if there was an opportunity for positive arbitrage or make the decision to hold on to cash. Cash is king, and one of the things we will recommend to the Board on August 4th, is a motion to declare intent to borrow, which will permit us, even if we use cash, with this declaration of intent, we could in sense pay ourselves back and give us cash. We will ask our Board to pass that.

One thing that is important to notice that if we want to take advantage of recovery bonds, the Board will have to make that decision before the end of 2010. Unless the legislation changes, that will be our window of opportunity. So short term funding options, would be use cash. We talked about it before. We have at least two years

before we have to borrow, but there are funding options between now and then. After that, we would look for the best long term funding. The closer you get to -- when you look for the right market conditions and you have the cash, you get the best cost of money.

You could have 100 percent of the project funded with bonds. The downside of that is if there are no funding restraints and you have to pay them back. Some day you have to pay them back. So this is not something that we would recommend. It would be what we talked about, a blended approach, where we pay cash for some and probably borrow about \$208 million, recognizing the \$75 million that you repaid with that courthouse facility fees and the rent savings we get from getting out of our leases. That leaves that number we talked about before, \$133 million to be supported by property taxes. That leads to what the Board of County Commissioners mentioned in a workshop. Their decision will be GO or non-voted debt. If the task force has taken a position of non-voted debt, the pros and cons of the two -- one thing that came up at the workshop and was left out of the equation is that a GO issue, one of the advantages is you can fund it without funding a reserve. Now essentially you translate that into how does that impact the project. If we have to borrow for a reserve, a reserve you have to maintain for 30 years, that would cost us about \$750,000 per year, every year, in debt service payments. Another option is to build up money for a reserve, going back to say that \$15 which is implemented -- in three years, we have that reserve, if we save the funds that we generate. So there are different ways to get there but GO is a lower cost of funds, lower interest, a little less cost of issuance that is not significant in a project of this magnitude.

Non ad valorem debt has a higher cost of funds. The build America bonds can be applied to either type, which means if the voters approve in August of 2010 -- remember in December 2010, the deal goes away. The Fed's have a timeline. Then you can take advantage of lower cost of funds and the rebate. If the voters didn't approve it, let's say they tried or didn't try. It wouldn't matter. If two years from now we go non ad valorem debt, non-voted debt, if we can do build America bonds, the cost, the amount of money is about equal to a GO debt, without build America bonds. It's that good a deal.

Again, I mention the risk, and the risk is the rebate could end.

With that, I'd be happy to answer any questions.

COMMISSIONER LIEBERMAN: Okay.

Before I recognize anyone for questions, we have had some people who have joined us since the meeting started. There is a sign-in sheet. Please make sure you sign the sign-in sheet.

Questions for Pete? Howard.

MR. FORMAN: Who are candidates right now for the bond program? Is the hotel --

MR. CORWIN: This is unlimited. Remembering the difference between this and this is really that 10 percent rebate, between 35 percent and 40 percent.

COMMISSIONER LIEBERMAN: And the repayment obligations are different because the Convention Center hotel can use TDT dollars.

MR. CORWIN: But the only ones that we can see, and this is clearly a policy decision for the Board, for this pot of money would be the courthouse or Convention Center.

COMMISSIONER LIEBERMAN: And the reason I asked Pete to take a look at that is because of all the discussion the task force has had about non-voted debt and there is subsidization of these costs in the federal act, and so he has got to weigh -- as we get closer in time, what the actual true cost of issuance will be under each scenario, the courthouse, using a general obligation bond, using build America bonds, any combination thereof. He is going to do that analysis.

MR. FORMAN: When we were the first task force for the Board of County Commissioners, there were some Commissioners sentiment, let's put it on the ballot anyway, and I told them we could possibly do it without a bond issue.

COMMISSIONER LIEBERMAN: I think it all depends as we get closer in time to financing. I guess for me the courthouse is a necessity because it's definitely at the end of its useful life. I don't have to tell all of you. You are in and out of it on a daily basis, and early on, we had Pete show us the difference between the cost to renovate the courthouse versus building the new one and it's cheaper to go that route. That being said, I don't have a crystal ball and I can't tell you how the voters will vote, but what is Plan B if they put a referendum on the ballot and the voters say we don't want to use the general obligation bond for \$133 million, which is so much less than what they were faced with originally.

Does anyone in this room believe we have any option to continue operating the courthouse in its present condition?

So Plan B for this task force is you have all been recruited for the speaker bureau. Any questions? Okay. Mayor, you had a question.

MAYOR SEILER: I have a problem with the timeline, because I know when you sat down with city staff, you guys eliminated a lot of issues between the county and the city, because I was at that meeting and I was expecting the timeline to be even shorter. I assume none of these delays are not as a result of the city at all?

COMMISSIONER LIEBERMAN: And Pete, I actually made lines on my drawing, moving the dates up.

MR. CORWIN: Time is obviously going to be dependant upon the contractor selected. Construction is the biggest (inaudible). Not just permitting but bidding. We're leaning towards, and the Board will be asked to proceed in this direction, leaning towards a prequalified bid, a two-step bid process. We would like contractors to say we can do it, to get rid of the possibility of a low bid. (Inaudible) and that process would occur here, during those three months, along with permitting which we could not wait for the contractor. We would have our design consultant.

COMMISSIONER LIEBERMAN: Let me follow-up on his question.

For me, the first part of that two part process qualifications – you don't need to complete design documents to be able to do that. That is just evaluating who is qualified to go to stage two. You wouldn't do the bid, and we would have to check with the county attorney until you had your documents.

MR. CORWIN: We would have no time built into this process, waiting or hiring that contractor. It all simultaneous, as you just described.

COMMISSIONER LIEBERMAN: So the only thing that would happen, the evaluation should happen prior to complete design, and then the bid would not occur until after the design was complete.

That being said, Pete, I thought there was an awful long amount of time for design, especially because the Mayor has said he had worked with us to expedite the site plan and --

MAYOR SEILER: But staff has already done that. Pete sat down with them and they have already shortened up a lot of that.

MR. CORWIN: We have not built in any extra time, if you will.

Let me try to explain this first part of the project.

Basically if the Board approves the agreement which has been negotiated, and we're just getting the paper ready, it could get to work immediately.

The first step is to do the program and come back and as they are doing this. They will work with design firms, so when they walk in and say they need, say 400,000 square feet for this function, one of the important things we want to do -- because it's going to be less than in 2006, show them how it will work to make that happen. There needs to be a picture, if you will.

COMMISSIONER LIEBERMAN: Okay. Well, the representative from (inaudible) is here. Come forward and identify yourself for the record.

MR. MACIA: Enrique Macia, representative from (inaudible).

MS. GLADSTONE: Nina Gladstone.

COMMISSIONER LIEBERMAN: So share with us how we can expedite the design phase, because this diagram shows almost 18 months for design.

MR. MACIA: We had meetings with the city and (inaudible) and there are other issues that are effecting the schedule. (Inaudible). We would like to start as soon as we can. (Inaudible).

COMMISSIONER LIEBERMAN: Katie says she can't hear you.

Can you guys please stand.

MR. MACIA: Sorry. I will repeat again and I apologize for not speaking louder. We have had extensive discussions with county staff. We have had very successful meetings with city staff. I think there are certain issues in terms of construction, program manager -- the programming design phases. We have previously indicated that we would go as far as you need us to go. I think we would be able to start the design phase parallel with the programming phase, but there are some issues as far as bringing (inaudible). We can start as soon as you want us to.

MS. GLADSTONE: We had previously committed to a 12 month schedule. I think there has been some time added to that for the county, as Enrique said, bring in a construction project manager. (Inaudible) and then there has been some time for staff to review our drawings. (Inaudible).

MR. CORWIN: The two issues is one, to let the programmer work for about a month, six weeks before schematics would start, and then built in is about a month of review time. Now in reality, it's not like they would stop drawings and wait two weeks. A lot of people are out working, but it allows another way to look at, as we and our consultant teams review the drawings -- there could be changes and input that we give because we're looking at it, along with our construction management, for ways to reduce the cost. That is the element that they bring to the equation. I can say that this

program -- we have worked with Nina to reduce it. We met last week and said we could do a lot of things overlap and we squeezed it down to what you see here which represents, compared to what we looked at, an increase of two months for those two factors, allowing time to get a construction manager on board. Not the guy that is going to build it, but a construction manager to help us review those drawings, starting at the schematic, and then our team, the construction manager looks at them. They keep working, but if he finds anything, they fix it. The only difference from the county report is this two month process. I believe the last time we were here was --

MAYOR SEILER: This seems like we're going in the wrong direction. We were here last time and we were talking 18 months to two years, and there was discussion that the city might have been the cause of the delay, so we get the city staff to sit down with county staff and sit down with them. The city has essentially set up a monthly meeting with you guys to fast track this and essentially looked at waiving a number of items, and as indicated, they can get everything done in under a year. So if the city just knocked off six months to a year, why are we backtracking here? And you're going to bring in a construction manager. A construction manager needs to move quickly. For us to take a year, six months to a year off the city and delay the project, makes no sense to me at all. I think that -- I'm hearing from them they can do you it in a year. I think the county needs to now step up and say, look, we can get a construction manager in here and get this done. We have to capitalize on two things; one, this is stimulus. At the end of the day, this is stimulus and our local economy needs it, our city needs it, our county needs it. The users of the courthouse need it, and we need to get this thing going.

Secondly, it will be cheaper to do it now than wait, so I don't understand how we're backtracking on the schedule.

I suspect the Chair might agree with me on this.

COMMISSIONER LIEBERMAN: I will take it a step further.

If this construction manager at risk is going to be on the August 4th agenda -- what is the minimum amount of time it has to be advertised? I know who the construction manager firms are. We have done other construction projects. What is the minimum amount of time? How quickly can we do the evaluation?

MR. CORWIN: Off the top of my head, I can't answer that question.

What I can do is take your direction and see how you --

COMMISSIONER LIEBERMAN: So the Mayor moves that we expedite the schedule for getting a construction manager at risk to reduce the design time to more than a year.

Do I have a second?

MR. DURDEN: Second.

COMMISSIONER LIEBERMAN: Any other questions?

MR. CORWIN: Okay.

COMMISSIONER LIEBERMAN: I have a couple of questions.

On page 2 it says the current jail population is 5017 inmates, but the stockade is fully operational, the jail capacity is 5788. Assuming the worse case scenario, the sheriff closes the stockade, the Board doesn't take over the jail and the stockade for operations. How does that impact the time line for building a new jail?

MR. CORWIN: Well, no matter how that works out and from where I sit, closing a stockade isn't a reasonable option given the federal Judge oversight, but even if it's closed, and in my judgment it will only be closed for a short amount of time. It is much cheaper to reopen it and get this cap then to build a 1000 bed facility. It's still a jail.

COMMISSIONER LIEBERMAN: Okay. Can we also, and maybe we ask the Chief Judge to look into this. We received an analysis about a month ago about an indigent bond program we have to fund some money to, as a way of reducing jail capacity for people who are not a threat, but just have no money, and so can you look at that to see whether that will work to keep the jail, because the key to using that jail money for the courthouse is to keep the jail capacity under the numbers in the federal order.

JUDGE TOBIN: Excuse me.

We need to look not only on indigent or not. These cases earlier, to have a case longer for 50, 60 days when it could be worked out in 30, that reduces that jail cap by a ton of days. I am not talking about at back end. At the back end we're already dead. We're in a trial that is going to last a month, but in the front end, on those smaller cases, we need all the parties to come together. We need direction from the County Commission. We need to get it going.

COMMISSIONER LIEBERMAN: With all due respect, I'm having a hard time understanding why you need direction from the County Commission. The Court function is a state function. You are the Chief Judge. Chuck is here from the state attorney. Howard unfortunately got stuck. He called our office a few minutes ago. Isn't there something between the three of you?

JUDGE TOBIN: We have viewed --

COMMISSIONER LIEBERMAN: Because the County Commission will say to you, do it.

JUDGE TOBIN: I'm ready to do it. Lets go, but I need a forum to do it in, other than a public safety coordinating council that has no authority to do anything. The County Commission --

COMMISSIONER LIEBERMAN: Can you issue an executive order?

JUDGE TOBIN: I don't want to be ordering people to do things.

COMMISSIONER LIEBERMAN: Why? That is why you are the Chief Judge.

JUDGE TOBIN: I think it's important we work together, because people push back when you order.

COMMISSIONER LIEBERMAN: Chuck, will you work with him?

JUDGE TOBIN: They are.

MR. MORTON: I have no idea what he is talking about.

JUDGE TOBIN: That is why you should have come on the jail trip to Palm Beach, instead of sending Marcus.

MR. MORTON: Okay. That is fine.

JUDGE TOBIN: They have put a Circuit Court Judge out at their first appearance hearing.

COMMISSIONER LIEBERMAN: Sounds like its right in your ballpark.

JUDGE TOBIN: I'm on board.

COMMISSIONER LIEBERMAN: Good.

JUDGE TOBIN: It's a little difficult over video and 200 square feet. We will get it done.

COMMISSIONER LIEBERMAN: Okay.

On page 3 of 7, question 9. I don't remember who, on the task force, asked the question about the building we own. I think it might have been Howard Finkelstein. The building that we own on Federal Highway, and Pete, you have a renovation cost of \$423 per square foot, but the construction cost from the courthouse is only \$270 per square foot. Is this doable, to demolish that building and build a building for the state attorney, the public defender and of course with regional conflict counsel. Is that too far away?

MR. CORWIN: I don't believe the site could handle it. I wouldn't want to speak for the state attorney or PD, but based previous similar conversations; I believe they would say it's a little bit too far from the complex.

COMMISSIONER LIEBERMAN: Are there any court related services in this building or in leased space that could be moved to that location, if a building were built, because the problem is the market has dropped, and the amount we would get for selling the building now, it's a great buy --.

MR. CORWIN: I think the other reason we would recommend doing that (inaudible), is even if we built on the site compared to renovating it, I'm sure it would hit closer to 400. Parking is also a problem. It could meet the needs of a niche market, if you will, but in the scheme of things, I don't see that as worthwhile.

MAYOR SEILER: What is the current parking there?

COMMISSIONER LIEBERMAN: Would you like to be recognized?

MAYOR SEILER: Madam Chair.

COMMISSIONER LIEBERMAN: Yes, Mayor.

MAYOR SEILER: What is the current parking there?

MR. CORWIN: We park underneath and I.

SPEAKER: It's two floors underneath.

MR. CORWIN: It's limited.

COMMISSIONER LIEBERMAN: And the Mayor and I already asked our questions on reducing the time.

Are there any other questions on Pete's report? Anybody? Scott?

MR. CHITOFF: One question regarding -- on the timeline, there is some courthouse arguments starting towards the end of construction of the courthouse building and going another six months beyond that.

Why wouldn't it be started earlier?

MR. CORWIN: Until we finish working with the city and so forth, I think we can wait but the real answer is we don't know what the real need is. This courthouse garage would give us 1000 spaces and 400 would replace the west garage. This is needed really for future growth, as more Judges are needed and more staff is needed, but you are correct.

COMMISSIONER LIEBERMAN: Any other questions? Mayor.

MAYOR SEILER: Pete, what happened with that parking, where you talked about west of Andrews, on a short term.

MR. CORWIN: We had a lot rented for 100 spaces and at this point in time we think it will be sufficient. I do need to follow-up at our next meeting with city staff on the other lot across from Publics.

MAYOR SEILER: Is that all it would give us is another 100?

MR. CORWIN: Give or take. Maybe 150 at the very most. But that would be very helpful, as we're waiting for that.

COMMISSIONER LIEBERMAN: Any other questions for Pete? Anybody? Okay. Howard, you're next.

MR. FORMAN: I wanted to have an update on the technology program. Debbie Hitchcock is here. She is going to give you a power point presentation.

COMMISSIONER LIEBERMAN: Thank you.

MS. HITCHCOCK: My name is Debbie Hitchcock. I have been here about 25 years. I'm a project manager, currently working with the technology department. I'm working with the document management system and some sub-systems such as e-filing, e-reporting, e-citations. With me today also is Alyson Edwards. She will be helping with the question and answer session. She is our management technician, systems manager and she is concentrating on our new uniform case management system and some other projects such as jury system.

(Power-Point Presentation taking place.)

(A copy of the power point presentation can be viewed at www.broward.org/courthouse.)

COMMISSIONER LIEBERMAN: Thank you, very much for your presentation. We really appreciate that. Before I open for questions, I asked Mr. Corwin if we could

have a copy of the Clerk's presentation for the members of the task force. I kept thinking maybe I missed a document, and so Pete has advised me it will be e-mailed to all of us and posted on our web site at the www.broward.org/courthouse, along with all of the power points we have had today.

Now I'd like to open for questions. Mayor.

MAYOR SEILER: In 2011 when all this is implemented, what are the space constraints then? It seems it me like we would have substantially less space or need substantially less space; am I correct?

MS. HITCHCOCK: It depends on what the courts decide to do with the, I believe with the physical case files, whether we still need it store those and use those as the document record or use images.

MAYOR SEILER: Let's take the Federal Court for an example. What is their procedure or policy with respect to physical files? E-filing works great. The system works very well for everybody, and I don't think they require a hard copy on file, so why would we -- I think we have to anticipate we will be using a lot less space. Your biggest space consumer is going to be, computers.

COMMISSIONER LIEBERMAN: Howard, do you want to answer that?

MR. FORMAN: Let me try to answer that.

The answer to your question is, well, it's a hard question to answer. Probably yes, but probably not that much and I will tell you why. This is going to be, when you finish all your technology plans, you assume less people will have to come to the courthouse to do business, which is I think the goal of everybody around this table. When you compare, when they built the federal system and I saw (inaudible) when I first

ran for Clerk of the Court 10 years ago, I fell in love with it too. You had one nationwide system. You have a lot less cases in federal court then you do in the 17th, or the 11th or the 15th or anything dealing with south Florida. You may have less people waiting on people. I think once the big foreclosure problems lessen, you might see a movement of that happening. Right now we need every window we could possibly get because we're not paperless yet. When we're paperless, we probably will see less foreclosures at that time, hopefully, and you will have a lot more people using all the electronic products and not have to come in. I can't answer that question right now, you know. It will probably be less, but I couldn't say 5 percent. I couldn't say 2 percent. I couldn't say 10 percent. I just don't know, but also you're really getting -- you could have a lot more people working, taking care of your servers and working on your computers too. You're going to retrain a lot of people that are living in the paper world today, to live in the electronic world.

MAYOR SEILER: One follow-up.

How much file space do you have right now for files? For the hard copies of files, how many thousands of square feet do you have?

I think Pete gave us a number earlier, but I'm not sure if that included storage.

MR. CORWIN: These are active files. The active file number in the master plan was about 9000 feet as I recall. That is in the courthouse, not in storage.

MAYOR SEILER: I have to believe -- if we're not required to keep hard copies on file, you're not going to need 9000 square feet for storage.

MR. FORMAN: Hopefully not. The bulk of our files that we have are in the north satellite courthouse.

MS. HITCHCOCK: We have a facility at the north regional courthouse. Our warehouse division is up there. We have about 112000 cubic feet of files, court files. We do annually purge what we're allowed to purge.

MAYOR SEILER: Are you also putting some of that on line?

MS. HITCHCOCK: We were, up until May have this year. Because of budgetary problems, we had to eliminate that division in May, and we're no longer imaging there.

MR. FORMAN: What we're planning to do -- you know everything looks simple, but what we're planning to do with our imaging, is once we get our odyssey system in, which is probably a year, year and a half from now, we're going to have to start redacting in January 2011, so we're going to have your (inaudible) system in, which is really your backbone of your whole technology system and we're going to go image at the counter, and we're going to perform all those functions at once. Also, when your case maintenance system is in, all of the technological products that you have, your e-filings and everything, will all kind of be on the same system. When we started three or four years ago on all this, we had a little money to do it with at the time and we started purchasing all these systems. It probably takes a good five years to do it. By the time we started in 2005, 2006 -- by 2011, we ought to be finished with all of it. It's really hard to tell how much more space we're going to have or how much less people we're going to have. A lot of it is going to depend on the cooperation of the judiciary too, if they are to get all their files in electronic form. This is something I'd like to discuss with the Chief Judge. I could write him a letter and say as of this certain date, this is going to happen. That probably occurred in the Fort Myers circuit, and I don't think it was the most

diplomatic way it was handled. I want to make sure that all the Judges here will be ready to accept it.

COMMISSIONER LIEBERMAN: I think the Chief Judge has a question.

JUDGE TOBIN: I have a question.

With this odyssey system, I know you are working with JIS --

MR. FORMAN: Yes.

JUDGE TOBIN: -- to a certain extent, but I was told this was coming on board in July 07, that it would be a few months out before odyssey came on board, so we're getting dated with this odyssey. What does it do for us? What is odyssey? Does anyone know what it does? What does it do?

MR. FORMAN: It's basically your back bone.

MS. HITCHCOCK: Odyssey is our key maintenance system that replaces our current main frame system. Odyssey has the technology to build upon it with the document management system and the redaction and the e filing and all of that. The main frame can't support that, so odyssey -- and when you do start imaging, you will be able to look at docket events and there will be little icons over there and a piece of paper over there.

JUDGE TOBIN: So when the Sheriff starts, for instance, is he going to be integrated -- if it's a he, by then it may be a she -- but is the Sheriff going to be integrated, so when they start booking someone in, it starts creating something over at the Clerk's office?

MS. HITCHCOCK: Absolutely, real time. It's not an over night batched process like it is now.

JUDGE TOBIN: The 100,000 or so square feet in the north, at one time I thought was an issue for the courts, that we wanted more courtrooms at north. The fact of the matter is, we don't have parking, so it doesn't matter, and I'm not sure how much time we should spend imaging all files that we can, at some point, retrieve.

COMMISSIONER LIEBERMAN: With the exception of the felonies.

MR. FORMAN: That is why we changed our --

JUDGE TOBIN: So this is no room for county -- if no matter what we do, the county has told me to forget about the building --

COMMISSIONER LIEBERMAN: It's dead space anyway. The only issue --

JUDGE TOBIN: -- it's an old building and it's no good.

COMMISSIONER LIEBERMAN: -- the only issue would be those felony files that have the 75 year time frame, and depending what volume they are in, but the ones that have a shorter destruction period, they are off site and the issue is this courthouse here.

Can someone explain it me the difference between the system you have taken and Pacer (phonetic spelling) and why we didn't use Pacer which has been in existence for three years and is a successful --

MR. FORMAN: It's been operated by (inaudible) for years. We have looked at it.

COMMISSIONER LIEBERMAN: I'm sorry. More than three.

MR. FORMAN: Yes, 10 or 11 I think.

COMMISSIONER LIEBERMAN: So why would we not have simply used the Pacer system which is a successful system, already in use and people are familiar with it from the federal courts?

MR. FORMAN: See, like I said, the federal system is a unitary system. In Florida you don't have one.

COMMISSIONER LIEBERMAN: Here's the issue.

Did the Federal Court tell you you -- did the Supreme Court tell you, you can't use Pacer?.

MS. HITCHCOCK: Pacer is their system.

MR. FORMAN: Pacer is the federal.

COMMISSIONER LIEBERMAN: You said it's a question for the Supreme Court. I assumed you meant the Florida Supreme Court, and they said we couldn't --

MS. HITCHCOCK: The Pacer is not a Florida system. It's a national, Federal Court system. We just can't say we're using your system.

MR. CHITOFF: I think the question is, is there an ability to lease Pacer from the federal government?

COMMISSIONER LIEBERMAN: Exactly.

MS. HITCHCOCK: Well, Pacer is inter faced with their case management system, which is a national system, so we would have to take it and start to interface it with our system here if Broward County.

MAYOR SEILER: If it's worked at the federal level all this time and it's worked with obviously a much bigger market place, if you will --

COMMISSIONER LIEBERMAN: It's nationwide.

MAYOR SEILER: -- nationwide. Why did we just not take the Pacer system, implement it here and say, you know, it works. It's been tested. We don't have to re-invent the wheel with a new system. That is what I never understood on this computer

system. When you look at Pacer, who has been so successful, I have never had a problem.

MS. HITCHCOCK: And they are completely paperless. Our Supreme Court, even though they say we could do e-filing, is still requiring us to do paper filings.

MAYOR SEILER: Isn't that because we haven't shown a system that works? If we had a system in place that worked as well as Pacer, I'm certain our Supreme Court Justices would have said fine, let's move to the paperless system. The problem is we haven't had a uniform system statewide that has worked as well as Pacer.

MR. FORMAN: That's exactly it. You have a uniform system nationwide and the Federal Court system, when you have less files -- in the Florida system there is every circuit, every county, and the Supreme Court still has approvals on the e-filing and the wait and wait and wait, but they take their time about it. Everybody talked about -- Pacers was done. They had the money. They had the resources. We're going to do it, here's the money. If we had a statewide system in Florida, we should have done that too, but Florida didn't do that. Everyone carved out a little niche for themselves and they did it. Would it have been smarter to do it the other way? Of course it would have. You just never had the leadership statewide to do it.

COMMISSIONER LIEBERMAN: Pacer is a name for a system that has a technology, and I don't understand why we wouldn't have adopted something that is already working. It's through a vender. It a technology. Why wouldn't one of the vendors use the same kind of technology, because it just seems -- I guess the other part, I'm hoping you're right when you put your system together with the different vendors, but it just seems that it's taking a long time. I saw your pyramid, and I

apologize that we don't have it in front of us so I'm doing -- it seems to me in the pyramid, you don't get to e-filing until pretty high on your pyramid.

MR. FORMAN: We're e-filing already.

COMMISSIONER LIEBERMAN: In probate, but I believe Debbie mentioned that the Judges still have to print paper copies, despite the e-filing, and I don't understand why that is happening.

MR. FORMAN: It will be a lot easier, especially if you have the odyssey, your maintenance system in there first. Debbie told you with every case type, you need approval by the state Supreme Court. Either you have to go there -- they basically want to make sure that you know what you are doing. They are working on --

COMMISSIONER LIEBERMAN: I'm not questioning --

MR. FORMAN: -- working on civil, but that is the system in Florida that we have to deal with.

COMMISSIONER LIEBERMAN: Here is why I'm questioning what I'm questioning. I'm not questioning those kinds of things. We're here to figure out how much space we need in the new courthouse. To me the single biggest thing from the Clerk driving space and the courthouse is the lack of e-filing, and the reason it's an issue is because when you get paper documents, you need staff to file them and put them in case files. A proper e document system needs less staff for that particular function. It also reduces your storage needs, and so I was kind of concerned about two things I heard in the presentation, how high in the pyramid e-filing happens and I thought I heard you say, Debbie, and if I apologize. I was trying to write notes furiously

as you spoke, was that they still have to print copies of anything that is e-filed in probate, which sort of --

MR. IZQUIERDO: It defeats the whole idea.

COMMISSIONER LIEBERMAN: Yes, it does, Jose, and that is why --

MS. HITCHCOCK: The (inaudible) is not (inaudible) once we get the document, managing system replacing probate, which also is already on the case management system. Then you will have a place to store our documents, our image documents. At this time we don't have a place to retrieve those documents back. What goes in has to be linked to the docket codes and then you can retrieve those documents. It's kind of like a building process. Yes, we do have e-filing in place, but yes, they are still printing out.

COMMISSIONER LIEBERMAN: The Mayor would like to make one last comment.

MAYOR SEILER: What I'm trying to -- the only reason I'm even asking this is the space issue, so I'm just trying to figure out if you get to that goal, I have got to believe your space needs are going to substantially be reduced, so therefore, from Pete's standpoint, I guess the reason we're here is how much space are you going to need in this new building once you reach this goal, because this new building is going to be --

COMMISSIONER LIEBERMAN: Designed, but not constructed until after your system is fully operational.

MAYOR SEILER: No one here is trying to run your office, and I have been a fan of yours for years, Howard, but what I want to know is, how do we get an idea of your exact space needs so that when we go out and speak to the public and we're promoting

this courthouse and saying this is the space we need to have a workable courthouse for Broward County for the next 30 years, and we say the Clerk's office is now going to need x number or more space. That is what I'm trying to get an idea of, that we can support or defend your space as it relates to this courthouse.

MR. FORMAN: Well, the only thing that I can tell you is by the time we're going out there to ask the people, we're going to have an answer to that question.

MAYOR SEILER: But it has to get designed.

COMMISSIONER LIEBERMAN: Right. It's got to get designed. That is the issue.

MAYOR SEILER: I'm just trying to -- I think they are sitting over here trying to figure out how much space do we design for the Clerk's storage, and do we design what you currently have? Do we design half? That is the only reason we're even talking about it.

MR. FORMAN: Well, let me tell you something else while we're on the subject of space.

Hopefully I won't need all the space for all of the files, if we do have an electronic system. We're an organization. We have always been the largest organization in the courthouse that had lack of space, to be totally honest with you, so you give me a date when you really need that and I will get the best answer.

COMMISSIONER LIEBERMAN: August 4th --

MR. FORMAN: All right. By August 4th --

COMMISSIONER LIEBERMAN: -- because that is the date that the amended contract he is going to be before the Board of County Commissioners and I want them

to design what is really needed, and I guess the Mayor and I are sitting here because for us, every amount of space we don't need reduces the cost of the building. It's less we have to ask for. Are there comparables you could look it? Are there Florida courts that are fully e-filing?

MS. HITCHCOCK: There are Florida counties that are completely --

COMMISSIONER LIEBERMAN: All right.

Can we get some idea about space from them?

MS. HITCHCOCK: A lot of the judiciary wouldn't allow it, so if we could get a commitment from the judiciary --

COMMISSIONER LIEBERMAN: But could we use some of them for a comp analysis to try to get a handle on how much space we may need.

MR. IZQUIERDO: My question is, you said some of the county's are paperless in some divisions.

Do those files now? Are the hard copies able to be kept offsite, because the question is --

MS. HITCHCOCK: No. They shred them as they use them.

MR. IZQUIERDO: They shred them as they use them.

MS. HITCHCOCK: It took years to get to that point, because when they first did it, there is a lot of --

MR. IZQUIERDO: The question is estimate.

Based upon what they have done, do you have an idea of what they have been able to shrink as far as storage space needed in the courthouse --

COMMISSIONER LIEBERMAN: That is the question.

MR. IZQUIERDO: -- for the purposes of space. Can you do you that by August 4th.

COMMISSIONER LIEBERMAN: Really, the question we keep asking is from counties that have fully gone paperless --

MR. FORMAN: There is no county that is fully paperless. Not by along shot.

COMMISSIONER LIEBERMAN: But could you give us a better idea of the space you would need so that we can size the courthouse in the design phase?

Chief Judge first.

JUDGE TOBIN: I think, I believe those counties, because the Supreme Court hasn't approved it, still need to maintain a physical file; is that right? The Supreme Court has not given permission for the people in the State of Florida to be paperless. They still have to -- even the county's that are all electronic still maintain a physical file.

MS. HITCHCOCK: The Supreme Court has not -- you can't have part physical, part electronic.

JUDGE TOBIN: So you either have to be all electronic or not. Fine.

COMMISSIONER LIEBERMAN: So those counties that are, should be able to give us some idea of space needs.

JUDGE TOBIN: But I think they are small counties. I'm not certain.

COMMISSIONER LIEBERMAN: But it's a pro rata. If you know what their case load is and you know what the space is, it's a math equation.

Scott.

MR. FORMAN: I will get you the best estimate I can August 4th. It may not be accurate. A lot of it hinges on the Supreme Court. A lot of it hinges on the financial picture. I will give you the best estimate I can.

COMMISSIONER LIEBERMAN: That I all we're asking.

MR. FORMAN: I ask one thing of you. Just stay flexible.

COMMISSIONER LIEBERMAN: Okay.

Scott.

MR. IZQUIERDO: The only thing I was going to suggest is, with regard to foreclosures, I think this is important. You need an original note in mortgage, in order to complete a foreclosure, and that is all original paper, so I know in orange county, for instance, and that would be the one I would look at. They have a large electronic filing system, but still with regard to mortgage foreclosures, you need a lot of originals, and that was what he was saying while you were all talking, that is not -- you are never going to go 100 percent paperless, but I guess what I would ask is, how much of your footprint in a regular civil or criminal case, linear feet, not including those mortgage foreclosures, is something that can be scanned up and shredded, and where you have complete cases that, whether it's 10 or 20 thousand square feet -- excuse me, linear feet I think is for filing. We understand there are a lot of foreclosures. We understand there is -- Dade County has 24,000 cases the day we surfed on the net, so I understand all that but there has to be a large body of linear feet that you just are not going to ever need ever again.

COMMISSIONER LIEBERMAN: But I think we discussed that issue and the Clerk has said to us by August 4th he will get us the best estimate he can so that when

design goes forward, they can reflect that in the design. That is really the purpose of the discussions, all about the size of the space.

MR. FORMAN: You think by August 4th you're going to have everything you need. I'm sure that document is going to change many times.

COMMISSIONER LIEBERMAN: Well, hopefully not, but I'm sure it will change some.

And one other question.

In the design of the courthouse, because assuming that Debbie's timetable is roughly right, that by 2012, they will be pretty much implemented with their e-filings and case management. Is there a plan for any terminals on the first floor so that people who might not have a computer at home -- I'm thinking about the pro se litigants, don't even have to go up to the offices but like they have -- like they have ATM's in the walls in banks. Will there be terminals that people could access where they can't modify, but they could see documents.

MR. FORMAN: We have that now.

COMMISSIONER LIEBERMAN: I'm asking, in the new courthouse, is that part of the design?

MR. CORWIN: It will be.

COMMISSIONER LIEBERMAN: Okay. Any other questions on Debbie's presentation, other than it will be e-mailed to all of you and posted on the web site? Thank you, so much. We really appreciate that.

Any other questions?

Otherwise we're up to Mona, who will walk us through the phasing options. There was some discussion at the last meeting, to make sure we were all in tune on the phasing options. And let me just remind everybody. Hopefully everybody who is in this room has signed in. There is a sign-in sheet. Everybody should have signed in, so Pete has and Katie has, for the minutes, a record.

So please make sure -- who has the sign in sheet?

SPEAKER: It's over there.

COMMISSIONER LIEBERMAN: Okay. Mona.

MR. CORWIN: If I could, just a brief introduction. Mona needs no introduction I'm sure, but I would refer you to the last page of the handout. Its entitled future phases. Very briefly, the new courthouse should take us to 2020 to 2030. We have (inaudible) and that would be determined primarily between how much courtrooms you need and how much support space you need. (Inaudible).

The super satellite, again, a big project. You may want to recommend land first, at some point, and that would be the lesser of an investment and then I would suggest that you look at 5, 6 and 7. They are somewhat interrelated. You can't do the east wing unless you kick out the Court Administrator and the state attorney. (Inaudible).

With that, I will turn it over to Mona.

MS. GORDON: Well, just as a matter of saving time, we're going to go ahead and look at some of the recommendations staff made and if you guys feel there is something that needs to be moved around, we can take it all the way to 2060. I don't know how many of us will be here then, but this is your legacy. Anyway, as far as us looking at our legacy, and people are going to look back and say, "Oh, that courthouse

task force. They said what? They wanted to do when?" We thought we would do some refining, and that is what this is all about, doing a little bit of refining. We can see if this can be a better model to go forward. It's kind of up to you. Obviously a future County Court house on 6th street would come back later. Shell space, 10 courtroom addition, 2020/ 2025, 25 to 2030, remodel east wing, remodel north wing and the new PD/SA building on the New River. A lot of parking goes into these options too.

MR. FORMAN: I understand when we talked about the super satellite, we figured it will be somewhere in west Broward, and I think -- what date did we have, 2035 or something like that?

MS. GORDON: Yes. 2025 to 2030.

MR. FORMAN: I think you ought to move that up. I know it's up to the Board, but let me tell you why. A lot more people live on the west side of town. By that time, everything will be totally electronic. If people are going to go anywhere, still filing cases, if they have a jury trial that is not virtual, I think areas that really have the bulk of the population ought to be considered, and I think right now your usual courthouses that are really bursting at the seams, probably even worse than this one here, (inaudible), whether there is no space or no room --

MS. GORDON: Howard, what you are saying is we need to move it out further?

MR. FORMAN: Sooner.

MS. GORDON: Closer. Where would you put it?

MR. FORMAN: I think you ought to plan on it before 2020, to be honest with you.

MR. CORWIN: One option, if the will of the committee is to move super satellite forward is to secure the land, but we think we have sufficient space until 2020 --

MR. FORMAN: There are different places you can look. One place I keep hearing about all the time, and I live there, is the City of Pembroke Pines wants to sell their city hall. The building isn't a great building. If you want to find another site, look at another site. I'm not wedded to that.

MS. GORDON: But the bottom line is you think it should be moved up.

MR. FORMAN: Yes.

MS. GORDON: Okay.

Thank you, Howard.

COMMISSIONER LIEBERMAN: You know, I really have reservations about the super satellite since the last time we talked about it, and I have reservations for a couple of reasons.

The legislature keeps reducing court funding. It's not the cost of building the building. It's the cost of operating a building away from where your central court structure is, and I'm not sure you're going to get legislative funding for operations, so I have a concern about building a white elephant that would stand there and the state will not fund for operations.

The second part, and you know I would defer --

MR. FORMAN: Does it really matter where it is?

MS. GORDON: Wait a minute, Howard. Let Ilene finish.

MR. FORMAN: Okay. Go ahead.

COMMISSIONER LIEBERMAN: The other part, and I would defer to the Chief Judge on that, is I'm thinking -- I have been thinking since we had this discussion last time, small claims court is obviously the people's court. That is where you get residents

who come in without a lawyer. For the most part in the civil court, I was trying to think about what percentage of civil court are pro se plaintiffs or defendants, because it seems to me by the time we get into Circuit Court, people aren't coming. Their lawyers are coming, except if you have a jury trial and they are a witness, and so I don't have a handle on those numbers, but I'm kind of concerned.

To me it seems, it makes more sense to expand the base here, which is where the bulk of the base, is, because until we're sure what the operating funding is going to be from the state, building a building we're not going to get funded for operating I think would be a bigger problem, and that would be the concern.

So the one question I had that I kept going back and forth on, does it make sense to do the 10 courtroom, because I thought Pete told us the 10 courtroom addition would be included in the new tower, and that would delay the need for that and could we really get more space by taking the public defender and state attorney building and moving it to 2020/2025, and flipping the 10 courtroom addition because maybe that ought to be part of the future second tower after the central portion is demolished.

You know, building over a roadway -- where is Ray? Is he still here.

SPEAKER: He just walked out.

COMMISSIONER LIEBERMAN: It just seems to me whenever you have to build a building that a roadway is going under, it's got to be more costly to design and construct than building one that rests on the ground.

Am I wrong?

MR. MACIA: Not that it can't be done, it's more difficult.

COMMISSIONER LIEBERMAN: But if you move the state attorney and the public defender, especially the public defender, you get more court and -- it may require a rethinking where everybody is in the courthouse, but that is the only thing for me, that 10 courtroom addition, though it sounds nice, is there a less costly way to do it, if you roll it into the second tower, if you move the public defender and the state attorney -- I don't know that we have spent much time on that, because the master plan, we didn't spend as much time on as we did this courthouse, but I think it's something to think about.

Mayor.

MAYOR SEILER: And I agree with you.

I was actually going to talk about moving that satellite further out, not sooner. I think we have got a downtown facility. We have got all the resources here. You have got the people here. If e-filing works, people are going to make less trips to the courthouse. They are going to be able to go through their home computer, go to the local library, go check out what is going on at the courthouse and not have to come down. I think to build a bunch of additional courthouses around this area would be a mistake. I think if anything, you want to talk about super satellite, take the Deerfield one that has 112,000 square feet that right now is dead space, build a parking garage and you have got yourself a super satellite. I don't think you need to go out and buy more real estate. I don't think you need to look at buying land, so to me, 112,000 square feet of file storage, that right there could handle a lot of courtrooms and a lot of Judges for a super satellite, if you ever want to do it. All you have to worry about there is parking,

and if we're right about -- you know Tri-Rail stops right there. It's more convenient than any courthouse in terms of Tri-Rail.

MS. GORDON: So bottom line, are you guys saying how far to move it?

MAYOR SEILER: I would move it out to 2030/2035.

COMMISSIONER LIEBERMAN: Me too.

Scott.

MR. CHITOFF: Maybe this is a question for Pete.

Wouldn't this be cheaper to take all these projects and put them into a building adjacent to the new courthouse we're going to build? You sort of were saying that, by taking the PD/SA out. I work across the river here next to the River House, and it took me two years to harden the land to even build on that site, so I don't know why we would -- I think we talked about why are we even doing that? Why wouldn't you just build a multi-purpose building and connect it up to the larger building, or it might be the same size at that point?

COMMISSIONER LIEBERMAN: And the reason I raised that was because in the hand-out it says once we demolish the central portion -- we get another 700,000 square feet, which would be another 75 Judges or space or whatever, and it seems to me it's cheaper to do everything in a one building than a bunch of little things spread out, and it's cheaper from an operating standpoint, and I guess because -- I don't fund the Court system. The state funds it, and I know, I have not noticed the state being particularly kind in funding operational costs for court systems.

Was that politically correct?

JUDGE TOBIN: I thought the downtown development authority wanted the federal courthouse to try to go in there.

MR. DURDEN: More than that, from a development standpoint, the reason why this town is not growing is because it's too spread out. When you look at other cities like Atlanta, D.C., Chicago, New York, you have a central business district serving folks around that. Once you build something outside of downtown, it defeats the purpose. In order to have a vibrant downtown, you have to focus on downtown. I think we should push it back and harden the structure downtown. We have nothing south of the river. Nothing.

COMMISSIONER LIEBERMAN: Can I ask one question about the federal courthouse.

I don't think they have funded any money for any court -- does anyone know? Here is what I would want to know about the federal courthouse.

I don't think the federal courthouse belongs next to the state tower, because I think the interconnectivity that Scott mentions -- I don't expect that any of us will be around on this task force in 2035. That would be wonderful. Maybe you, Jose, but the point is, at some point there is going to be a need for another tower and to have the ability to go back and forth. You have got the southwest corner of 3rd and 6th, which for me, if you have the federal courthouse on the south side of the street and the street, you could actually, with the help of the City of Fort Lauderdale, put like a park kind of instead of a drive through, similar to what they have done in Miami, and you would really have a downtown court complex.

MS. GORDON: What I'm hearing is, that most of you, and I think you now --

COMMISSIONER LIEBERMAN: And Mona, you put the future courthouse in 2040, 2045. I would move it to 20.

MS. GORDON: No. It's just off to the side.

COMMISSIONER LIEBERMAN: I think you evaluate the future courthouse against the future satellite and see which one makes sense.

MR. FORMAN: Number one, your satellites -- really, the buildings are falling apart. I don't know if you want to replicate them or build a brand new one, but if you have -- maybe the super satellite will take the place, somewhere out in the west side of the county where the vast majority of Broward County residents live, I would look for a good site protection to replace those other two.

There have always been problems maintaining the south regional courthouse. The garage fell apart. They are rebuilding it now, so I think that is something that you all ought to look at. You may not need all the satellites, because of technology too.

MS. GORDON: Can you live with this though?

MR. FORMAN: I'd like to move it in further.

MS. GORDON: But could you live with it, if we, as a group, went forward with this?

MR. FORMAN: Well, if I get voted down, I will.

COMMISSIONER LIEBERMAN: Then I will entertain a motion approving that master plan.

MAYOR SEILER: I will make that motion.

JUDGE TOBIN: Just before we do that, I think we're going to need those 10 courtrooms, before you have it on the thing there we're going to build out the shell space. We know that a new courthouse is only good for, what did we say, 15 years?

COMMISSIONER LIEBERMAN: Well, I had moved number 7 over to 2020/2025, and I see it's still in the wrong time frame.

MS. GORDON: These three are kind of working together, was my understanding from Pete.

COMMISSIONER LIEBERMAN: Pete.

MS. GORDON: Do you want to explain this?

COMMISSIONER LIEBERMAN: I think you have to build the new building before you can remodel.

MR. CORWIN: Well, that's true.

COMMISSIONER LIEBERMAN: Which is why I put the new building in 2020 to 2025. Seven replaces 3, in the short term. Three stays under -- they have to evaluate. See to me, 4, 8 and 3 are an evaluation to see which makes sense at that point. They all need to be there, but depending on -- that is the time you would evaluate all three of those projects and see what makes sense to do. The others I think we would all agree, that we can see need to happen in a relatively short period of time, the other four.

MS. GORDON: Is it okay if Ruth puts evaluate on this.

COMMISSIONER LIEBERMAN: Yes.

MS. GORDON: So when someone comes back and says why didn't you guys say that, that is --

COMMISSIONER LIEBERMAN: Actually, analyze is best. Analyze the three options and see what makes the most sense at that point for the county's development. If you build your new PD and state attorney building in 2020/2025, then you can remodel those wings and make them courtrooms.

MR. MORTON: Then you have another 700,000 square feet.

COMMISSIONER LIEBERMAN: Yes, you do.

I hate to monopolize, Mona, I apologize, but that is why I asked Rick the question and I was going to ask Ray, but he is not here. It seems to me as opposed to building a 10 courtroom addition, a super satellite, if you put everything in that 700,000 square foot addition and you put it right next to the other one, you could have interconnectivity and so in designing the first one, make sure you make plans for future interconnectivity. That is why we did this master plan. It's about having a vision for the future.

MS. GORDON: So as we're looking at this, this is the refinement that we did. You had an original one. We haven't gone too far off of that, but this is kind of a refinement of that.

MAYOR SEILER: I would move that.

MR. MORTON: Second.

MS. GORDON: Which?

MAYOR SEILER: I just moved that refinement and it was seconded by Mr. Morton.

MS. GORDON: Everyone is okay? I'm looking for consensus. Who can't live with this?

MR. FORMAN: I can't live with -- let me just vote no.

COMMISSIONER LIEBERMAN: Okay. That is fine.

MR. FORMAN: I can accept all of that except moving the super satellite that far out. I really think you ought to move it -- can I make a substitute motion that you move the super satellite to 2020/2025.

COMMISSIONER LIEBERMAN: Okay. We have a substitute motion.

Is there a second? Seeing none, it dies for lack of a second.

Let's move the main motion. All those in favor signify by saying aye. All those opposed.

MR. FORMAN: No.

COMMISSIONER LIEBERMAN: Show that we have a no.

MS. GORDON: We have a plan.

COMMISSIONER LIEBERMAN: Thank you. Okay. Basically discussion of next steps, August 4th -- we should have (inaudible) on our agenda.

MR. DURDEN: Madam Chair, we have done this part now. What do you need us to do to get this whole thing through?

COMMISSIONER LIEBERMAN: Okay.

Obviously when I started the meeting, I'm going to conclude by what I said at the beginning, welcome to the speaker's bureau for the need for a new courthouse.

In the last go around, there were very few people who were out speaking on this, and I think all of us sitting around the table have learned an awful lot about the courthouse and its need, and so it seems to me whether it's coming to a county commission meeting or workshop, speaking at a public meeting, we should do that.

Second part, and to me, the DDA needs to be very much at the table, in terms of

this project, not just in blessing it, but especially with the parking garage, there maybe a need to increase the size of the parking, that the DDA or the city pay for because otherwise you're going to have a bunch of mushrooms built down here, as opposed to real significant buildings, so I would open to all of you, to me, I think we need to be the group that gets out there and educates elected officials, the public, the media about what we're doing, why we're doing it, the benefits and why we have to do that, and I understand you might have some concerns about going out there and whether or not you can advocate, and then I open to all of you to see what other ways you would like to see the task force -- maybe the task force should meet in six months to review projects and see the progress and see if there is anything else.

I'm open to suggestions as to what you want to see.

Gene.

MR. PETTIS: I think we need to do something a little more formal. I think the plan needs to be a little more formal. Certainly we can pull together with all the power points we have seen here, we can pull together a very basic power point that can be placed in each of our hands. We can come up with a mass calendar, the DDA meeting, the rotary club, x,y,z downtown areas of interest in which we can all look at and see if we have some particular relationship with.

If we do, that would -- if I have a relationship with one, let me go over this one, otherwise we can make sure amongst those that can go out, understanding some of the Judges may be limited, but those that can go out, we sign up, and we sign up for the meeting, we make sure we get on the agenda to come in, make a 15 minute

presentation. I think it needs to be formalized as opposed to just if you are out there, let's hit it if you come by someone, because that is probably going to fall flat.

So in summary, I think we need to come up with a list of those areas that we collectively need to be hit, by way of a basic presentation. Staff needs to get us bullet points and a power point, so that we can have a uniform message going out to the public, and let's sign up. Let's commit to it, but if the word needs to get rolling around here by August 4th, then something could be committed before that and beyond.

COMMISSIONER LIEBERMAN: I have the Clerk.

MR. FORMAN: This could either be an educational situation or it's going to be a bond issue or not. It also depends what the Board does on this issue, whether you pass it yourselves or put it on the ballot.

COMMISSIONER LIEBERMAN: I agree.

Just one point of information, and normally I would say the county will bring the resources to the table to develop the power point, but the Governor just signed a bill that said we can't use public funds, and so maybe the DDA has the resources to put the power point together, because it's advocacy. You can educate but you can't advocate, and so normally I would ask Kim Maroe and Judy Sarver, but I'm not convinced we can do that under the bill the Governor just signed.

MR. CORWIN: Well, as I recall we're going to (inaudible) DDA and (inaudible).

COMMISSIONER LIEBERMAN: Okay. So we will bring that up at the DDA.

MR. PETTIS: I think what Pete was saying was, the power point that he was going to use at the DDA --

COMMISSIONER LIEBERMAN: Which is educational.

MR. PETTIS: -- which is educational, will be the power point, by coincidence, that we can utilize.

COMMISSIONER LIEBERMAN: But take that a step further, Gene.

What we're suggesting is, you're going to have to go out to groups and advocate, and we can't use public resources to do that anymore.

MR. PETTIS: There are no more resources to use once it's created.

COMMISSIONER LIEBERMAN: Someone is going to be duplicating the power point.

MR. PETTIS: That is easy enough. Duplication --

MAYOR SEILER: We could probably get the Broward County bar --

COMMISSIONER LIEBERMAN: I'm just laying out the issue. Margaret is in the same issue we're in. We can go out and we can speak, but we can't generate from our agencies, a document to hand out.

MR. CHITOFF: If you just give it to the bar -- even though I'm a past President from two weeks ago --

COMMISSIONER LIEBERMAN: All right. Scott is going to handle getting the resources together. Scott, you will work with the bar and Greg, you will work with the DDA.

Jack.

MAYOR SEILER: Let me also add one quick thing.

The Broward County bar has their meeting that they hold every four years coming up this October, a bar convention, and it's something that probably they are

expecting 1000 members of the Broward County bar there. We need to have this in place by that date, because to be able to go to that convention --

COMMISSIONER LIEBERMAN: -- and have a speaker.

MAYOR SEILER: -- and have a speaker, maybe even have the Chief Judge just give an educational talk about this courthouse at that bar convention, I think we could probably get a number of members of the bar to also get behind this project --

COMMISSIONER LIEBERMAN: Great idea.

MAYOR SEILER: -- and you're not going to have anywhere, where you get 1000 lawyers together in one setting like this. Maybe we could do it then. I think it's the third Friday in October.

COMMISSIONER LIEBERMAN: Scott, could you double check on the date and e-mail the members of the task force?

MR. CHITOFF: I'm trying to get it right now.

COMMISSIONER LIEBERMAN: Okay.

MR. CHITOFF: The second or third week in October.

COMMISSIONER LIEBERMAN: Can you get the actual information and e-mail -- just e-mail it to Katie and she will get the information to the members.

JUDGE TOBIN: I don't think the bench has a problem going out and talking about it. We just had a little problem here when we were getting into the finances of how we were going to do this thing, but in terms of going out and talking, I don't think we have a problem. Of course once I do it and someone reports me, I will find out for sure.

COMMISSIONER LIEBERMAN: Thank you.

Are there any other discussions on next steps? Is it the will of this group? We're going to do the speakers bureau. We're going to have the DDA and the bar put some information together, identify some events they want speakers at. Everybody in this group -- does anybody feel uncomfortable being a speaker? Does this group want to meet on a semi-annual quarterly basis just to get progress reports, because if you do, I need to bring that to my Board at the August 4th meeting, and so I throw that out for discussion.

MAYOR SEILER: I think it would be a good idea for us not to lose momentum, and we probably need to get together three times a year just to keep the momentum going.

COMMISSIONER LIEBERMAN: Okay, so either quarterly or semi annually. Pete, if you will prepare the agenda item for my signature.

Is there anybody who thinks that is not a good idea?

Okay. Are there any other issues to come before us? If not I want to thank each and every one of you. I really -- I don't know if you heard when I gave my report to the Board. I just think the Mayor did a great job in making her appointments. I have gotten to know a lot of you really well and I think we couldn't have done it without each and every one of you. I think the solution we have come up with as a joint proposal just moves us so many miles forward in getting a new courthouse, that I can't thank you all enough. Thank you.

(A copy of the audio recording of this meeting is available upon request by calling Document Control located in Room 336U, at (954) 357-7297.)