

## MINUTES

### INDEPENDENT TRANSPORTATION SURTAX OVERSIGHT BOARD

SEPTEMBER 26, 2019

**MEMBERS PRESENT:** Shea Smith, Accounting, Director of Audit and Attest Services, Berkowitz Pollack Brant Advisors and Accountants  
Phil Allen, Retired, Finance  
Douglas Coolman, Retired, Architecture  
Alan Hooper, Engineering/Construction Management, General Contractor and Real Estate Re-developer, Hooper Construction, Inc., and a founding member of Urban Street Development.  
George Cavros, Esq. P.A., Environmental Sciences, Florida Energy Policy Attorney, Southern Alliance for Clean Energy  
Allyson C. Love, Former City or County Manager, Assistant City Manager, City of Homestead  
Dr. Consuelo Kelley, Resident Consumer of Public Transportation  
Anthea Pennant, District Director of the Broward College Office of Supplier Relations and Diversity

#### MEMBERS

**ABSENT:** Cynthia Chambers, Retired, Land Use and Urban Planning

**Also Present:** Angela Wallace, County Attorney's Office  
Gretchen Cassini, Assistant County Administrator  
Anthea Lewis, Assistant to the County Administrator  
Audrey Thompson, Administrative Specialist  
Robert Melton, County Auditor  
Kathie-Ann Ulett, County Auditor's Office  
Laura Rogers, County Auditor's Office  
Tony Hui, Deputy Director, Broward County Public Works  
Chris Walton, Director of Broward County Transportation  
Brett Friedman, RSM  
Bill Cross, MPO  
Andrew Riddle, MPO  
Richard Tornese, Director, Broward County Highway Construction and Engineering  
Cindy Malin, Public Information Office  
Nancy Cavender, The Laws Group

A meeting of the Independent Transportation Surtax Oversight Board, Broward County, Florida, was held at the Traffic Management Center, 2300 West Commercial Boulevard, 2nd Floor at 10:00 a.m., Thursday, September 26, 2019.

INDEPENDENT TRANSPORTATION  
SURTAX OVERSIGHT BOARD  
SEPTEMBER 26, 2019

dh/NC

(The following is a near-verbatim transcript of the meeting.)

**CALL TO ORDER - CHAIR HOOPER:**

MR. HOOPER: Okay. We're going to call the meeting to order.

UNIDENTIFIED SPEAKERS: (Inaudible.)

MR. HOOPER: All right. Let's call the meeting to order of the -- what are we called again -- the Independent Transportation Surtax Oversight Board. Lot of words. It's Thursday, September 26th, 10:00 a.m.

**ROLL CALL - AUDREY THOMPSON:**

MR. HOOPER: If we could do a roll call, please.

MS. THOMPSON: Hello. I am Audrey Thompson. I work with the Transportation Oversight Board as well as the MAP Administration Team. I'm here to do the roll call. First we have Phil Allen.

MR. ALLEN: Here.

MS. THOMPSON: George Cavros.

MR. CAVROS: Here.

MS. THOMPSON: Cynthia Chambers. Doug Coolman.

MR. COOLMAN: Here.

MS. THOMPSON: Alan Hooper.

MR. HOOPER: Here.

MS. THOMPSON: Dr. Consuelo Kelley.

DR. KELLEY: Here.

MS. THOMPSON: Allyson Love.

MS. LOVE: Here.

MS. THOMPSON: Anthea Pennant.

MS. PENNANT: Here.

MS. THOMPSON: And Shea Smith.

Mr. Hooper, you have a quorum.

MR. HOOPER: Great. Thank you, Ms. Thompson.

**PRESENTATIONS:**

**INTERNAL AND PERFORMANCE AUDITS - BOB MELTON, COUNTY AUDITOR**

MR. HOOPER: Okay. The first line item on the agenda is a presentation for the internal and performance audits. We have Bob Melton from -- County Auditor.

MR. MELTON: Good morning, everyone.

MS. LOVE: Good morning.

MR. MELTON: Good morning.

MR. HOOPER: Good morning.

MR. MELTON: It's a pleasure to be with you this morning. And first off, I wanted to thank the board members for your service to our community. It's always gratifying to me, being one to serve the citizens, residents, and taxpayers, to find residents that are very involved in government. And so we certainly need more of that, so I wanted to thank you all for that.

You know, my office has a lot of responsibilities regarding oversight, which is, of course, your principal responsibility. So I believe our office can be a very important resource for you. And it struck us that you may not be aware, really, of what our office does or what we're all about. So we wanted to come today and speak with you about that and answer any questions that you may have. So let's get started.

I'll just give you a little about background. My background, I won't run through everything, but I've been in government for over 35 years, in governmental auditing. Started out at the state level, worked for Pinellas, Lake, and Orange counties in Florida as Audit Director, City of Dallas as City Auditor. So I've been a lot of places. Some people say I can't keep a job, but nevertheless, I've been around and seen a lot in government. Have a lot of certifications, including Inspector General, which I've held those positions in the past.

Wanted to introduce the Deputy County Auditor, Kathie-Ann Ulett. If you can stand just for a moment. She's been with the office for 15 years, and she had ten years with public

accounting prior to that. And Laura Rogers, if you could stand. She's our Audit Specialist. And she's particularly important to you all because she is assigned to surtax activities. And so we have in the budget for surtaxes funding for one position, and that's who is going to fulfill that role. And she's been with Broward County for over 20 years. She specializes in a lot of things, but one of the things is construction. And she's been very much involved in a lot of the County's construction projects on an ongoing basis, not just in a post-audit basis. But she actually participates in selection committees and actually she's very involved right now in the Convention Center hotel construction project, which is a -- basically a billion-dollar project the County has. She's attending all the planning meetings and those type things.

Our office, just in case you're not familiar with it, it is established by the Broward County Charter. My position is a Charter position. We have -- the Charter positions are the County Administrator, County Attorney, and the County Auditor. And my position is actually selected by an outside board, and that's made up of professionals and also community leaders, and then they nominate someone to the Board of County Commissioners and the Board of County Commissioners ratifies that decision. And my position serves a term of five years.

And you can see the underlying theme there is independence. My position is structured to make sure that we serve the interests of the residents and taxpayers of Broward County. And also we serve the interests of the Board of County Commissioners in that we serve as their independent eyes and ears as to what's -- you know, from an independent perspective, what's going on in County government. Feel free to stop me at any time if you have any questions, by the way.

MR. HOOPER: I do have a question. So when you say you're an independent eyes and ears of the Broward County Commission, what does that mean?

MR. MELTON: It means that, you know, normally, the Broward County Commissioners get their information flowing up through the County Administrator, which comes from department heads and so forth. So the information they're getting is from the operational side. We're an independent set of eyes that goes into County operations, reviews them, and then tells -- tells the story about how effective that operation is running. So it's coming from an independent source than information they're otherwise getting.

MR. HOOPER: So you're like a tool that the County Commission uses to verify the performance of the operation.

MR. MELTON: Yes, sir.

MR. HOOPER: Thank you.

MR. MELTON: Absolutely. And our reports, I want to mention are public. They're all

posted on the County's website. So we consider educating the public as an integral part of our responsibilities, and we actually consider the public, the residents and taxpayers, as our clients, and the people we're auditing as our auditees. And that helps us keep our focus straight.

MR. COOLMAN: One other question, too. Is this your first five-year appointment, and is that a renewable thing or is this --

MR. MELTON: Yeah, this is actually -- I've been with the County for two years now.

MR. COOLMAN: Okay.

MR. MELTON: So this is two years into my five-year appointment. It is renewable. It's not a one-term thing. So generally, I think it's expected that it would be a longer-term position, but after five years, the Board or -- could reconvene the outside committee to determine whether, you know, I would continue or to select another auditor.

MR. COOLMAN: I guess a question for staff is is this normally a five-year then -- or is it normally renewed two or three, four times? I'm just curious. How many times the --

MR. MELTON: I --

MR. COOLMAN: -- what's the previous --

MR. MELTON: -- I can answer that.

MR. COOLMAN: Okay.

MR. MELTON: The office was created about in 2003, 2004. It was merged from two other audit offices. That person that was selected back then was there all the time until he decided to retire two years ago.

MR. COOLMAN: Okay.

MR. MELTON: So I'm really the second auditor in this position.

MR. COOLMAN: Thank you.

MR. MELTON: You're welcome. And so basically, under the Charter, we have the authority to conduct performance, financial, and compliance audits. Typically, about 90 to 95 percent of the audits that we do are performance audits. Financial statement audits generally are contracted out to a CPA firm to do the financial statement work. We are the contract administrator for the financial statement audit for the County, so they go through us. We sign the agreements and so forth.

And then that's a very important structure, because, you know, in many counties in Florida, the project administrator is the director of finance. Well, you know, as you can imagine, there can be a conflict of interest when -- when that person is also managing the external CPA firm, because they're the ones being audited. So by having us as the contract administrator, it even provides a greater degree of independence to the CPA firm.

MR. ALLEN: Bob, I think also do you not -- your office does participate in the financial audit, though, with staffing support for the independent auditor?

MR. MELTON: Actually --

MR. ALLEN: Or they rely upon your reports or reviews as part of their audit process?

MR. MELTON: -- they do rely upon our reports and reviews. We do not actually donate hours to them, but we oversee them and discuss with them any problem areas in the County that we see.

MR. ALLEN: But the actual financial statements are prepared by management of the Finance Department?

MR. MELTON: They are, yes.

MR. ALLEN: Right.

MR. MELTON: That's the Finance Department prepares the financial statements, the comprehensive annual financial report, and then the CPA firm audits the numbers.

Just our responsibilities include first, and very important, is we follow the government auditing standards. And these -- this is commonly called the yellow book. It's issued by the GAO. That helps assure the quality of the audits. We review business practices, contracts. We can actually remove any item from the Board of County Commissioners' agenda for 30 days if it's something that needs a cooling off period, is the language -- but if it's something that we need to look at further, we can do that. And we can review any business process.

By the way, we do not need anyone's approval to do that or do -- or to audit something. My position has the full authority to initiate whatever audits or reviews that we believe is important to do. So and also as a part of that, we have free and unrestricted access to County employees, to all records, even records that may have confidential information. We have access to that, it's just the same rules of confidentiality that applies to an agency then applies to us. But we do have access to everything and any County employee.

We also have audit clauses in all of our -- hopefully all of the County's contracts with

contractors so that we can audit them, as well. And we do that on a regular basis. We have 25 staff positions now, and one of the -- an increase of two positions this year. One of those positions is dedicated to surtax activities. And that's the one that Laura will be fulfilling.

Since I've been here, I've emphasized professional certifications, and you can see we have a lot of certifications in our office. To select our audits -- a lot of people ask that, how we do that -- we go through a risk assessment process. There's a lot of operations in the County, a lot of contracts, so we try to figure out which ones have the highest risk of something going wrong, or risk of inefficiency, or risk of ineffectiveness, and then we select those areas to audit. And same for contracts.

We do follow up reviews typically between six months and a year after we issue an audit. We go back in, determine the status of our recommendations to make sure that they have been implemented, and if they're -- if they have not been, then we report that to the public and to the Board of County Commissioners and to management.

We do forensic type audits. We're doing more and more investigative audit activities. Where there are allegations of impropriety or waste in government operations or in contractors, we go in and do those. And actually, we've done one in an area -- Transit's one -- an area you're interested in. We actually did an investigative audit there and found some falsification of time records and issued a report on that.

MR. SMITH: Quick question.

MR. MELTON: Yes.

MR. SMITH: In terms of the position you mentioned that's dedicated to surtax, is there a plan in place as to the types of activities this person would be doing? And then, as a corollary to that, would we have direct access of the reporting, or would that funnel up to the Commission? How would -- how would that work?

MR. MELTON: Well, that's something that I want to speak with you about today. But of course, the position was just finally approved this week with the second budget meeting, but we do plan for the position to be actively involved in surtax activities, certainly to attend all of your meetings here, and to be a resource for you all.

You know, we have a responsibility to audit, so we will audit surtax activities, including primarily performance audits. But we would like to be a resource for you all. And just as we're the eyes and ears of the Board of County Commissioners, we would very much like to be your independent eyes and ears, too.

And so certainly if part of your plan is to have performance audits conducted, we believe that we're the best people to do that. And certainly, any areas that you requested to have a performance audit on, I would prefer to give that priority, because, I mean, you're

the citizens here responsible for oversight.

So I would like very much for our office to be responsive to you and work with you. Of course, having any related reports come to you.

MR. HOOPER: Go ahead.

MR. COOLMAN: Do you have other clients, clients besides the Broward County or is this your only client?

MR. MELTON: It's our only client. We're the Broward County audit function, so we audit government operations and then the contracts with the government operations.

MR. COOLMAN: Thank you.

MR. HOOPER: Phil?

MR. ALLEN: Your primary client, though, your employer is the Broward County Board of County Commissioners.

MR. MELTON: That's correct.

MR. ALLEN: So to -- is there a potential conflict between your participation and assistance to this board as independent from, in our title, the independent body that we are, versus the County Commission? For instance, if you're doing performance audits, are you acting at our directions of the board -- would you be acting in our participation as the board or as a arm of Broward County Board of County Commissioners?

MR. MELTON: We would be acting on your behalf as far as agreeing to conduct the audit. But we are independent, even of the Board of County Commissioners, and that's largely because of the outside board selecting the auditor and the five-year term.

When we issue audits, I do not go ask the opinion of the Board of County Commissioners before we issue the audit. We audit what needs to be audited. We report on it, and hopefully the Board of County Commissioners will agree with our recommendations. But they may not. And if they don't, so be it. They're the elected officials. But it does not change in any way what we look at or what we report on.

And even under the yellow book, the auditing standards, because of the structure of our office where we, in essence, report to the legislative branch and not the executive branch, we are considered independent, even to the extent that we could, if we wanted, which we don't want to, but we could do the external financial statement audit for Broward County, because we are defined as independent in government auditing standards.

MS. PENNANT: All right. Could I --

MR. SMITH: I think -- I think part of what Mr. -- sorry --

MS. PENNANT: That's all right. Go ahead.

MR. SMITH: -- Mr. Allen was asking also is is can we -- and you may not have the answer to this right now -- can we, in a sense, if we choose to, directly engage you? Meaning if we went to an outside firm and we engaged a firm, as the Oversight Board, we would have certain communications with that firm. They would let us know what's going on during the audit process. They would bring findings to us as they came up, I would imagine, these sorts of things.

I'm just wondering if we could have a similar relationship, or if that would not be possible, given that you -- I understand you're saying you're independent, but you're kind of still part of the County mechanism in a way. So I'm -- that's what I'm curious about.

MR. MELTON: Yeah. True, we are part of the County mechanism, but I can assure you we are truly independent. We could certainly work with you and update you on the status of audits that we're doing.

As far as what we were finding during the course of the audit, we have some pretty strong confidentiality provisions in state law for government auditors and Inspectors General, whereby we can't disclose audit findings except through a report. If we found something that we considered severe or needed immediate attention, what we would do -- and we could do this to you all -- would be issue an interim report that would disclose our concerns through that reporting mechanism.

But just as a normal course of business, we can't disclose outside, you know, people what we're finding until the -- some type of report's issued.

MS. PENNANT: My question is, the new position, is it being paid for by surtax dollars?

MR. MELTON: It's being reimbursed by surtax. The -- our Charter says all of our positions have to be actually paid for by the General Fund, but what we can do then is we can bill the surtax funds for the time spent on surtax by that position. That amount is in the budget for surtax in this year, so it's a billing process.

MR. HOOPER: And what -- when you speak to performance, give me the scope of what you're auditing when you say, performance.

MR. MELTON: Now, of course, it depends on what we're auditing, what the subject matter is, but performance objectives include looking at program performance, performance measures, outcome measures, certain -- which goes to effectiveness of

programs and operations.

We look at efficiency, any potential waste of funds, any processes whereby things could be done better than they are for streamline, for example. We look at relevant controls. We look at -- if there is some type of strategic plan or overall plan for a project, we look at that, and we review whether there are proper procedures and controls in effect to reasonably ensure that that -- those objectives will be achieved.

In addition, we will always incorporate certain financial aspects like expenditure of funds. Like in this case, whereby the funds can only be spent for certain purposes, we would always review to determine whether or not the funds were actually spent for the purposes that are intended, the purposes that are told to you all, and all the types of things we would look at. It's a very comprehensive type process. It's not a quick or easy thing. It -- it's --

MR. HOOPER: But is --

MR. MELTON: -- most -- most of our --

MR. HOOPER: -- but is it --

MR. MELTON: -- audits -- if I could finish -- most of our audits that we do are two to three months in length, and they're in-depth audits.

MR. HOOPER: Based on numbers? So my question is what background in transportation --

MR. MELTON: Do we have?

MR. HOOPER: Yeah.

MR. MELTON: Well --

MR. HOOPER: Because when we're talking about performance, one, we're talking about potentially money, budgeting and all that --

MR. MELTON: Uh-huh.

MR. HOOPER: -- which I can see somebody that has the expertise in auditing books, that would be no problem. But when you start talking about different types of equipment, different types of performance measures that are allocated to transportation, I just think that there's a -- there's a certain amount of expertise that's required. And so --

MR. MELTON: Sure.

MR. HOOPER: -- tell me how -- because now you've hired somebody who's a surtax -- transportation surtax auditor. Tell me how that works, like from your perspective.

MR. MELTON: Sure. Yeah, and that's a common -- common thing we run into. You know, there's a conception out there that government auditors audit numbers and, you know, we're making sure the numbers add up and so forth.

But in most of our audits that we do, there's very little adding up numbers. And we audit a wide variety of operations, from Animal Control to Transit to Accounting to all the various operations a county does.

And what we do, when we do those audits, is we do a lot of research up front. We look for best practices in that industry, and we learn about those best practices. And we also apply common management principles to those types of operations. Okay? Like for example, they have goals. What controls do you have to make sure you achieve those goals. We look at outcome measures used by other similar operations in other localities and other states.

So, you know, and that works remarkably well. You know, I routinely do audits of operations where we report things that management had no idea of. And I can give you an example from another -- another county where we audited Animal Control and we found all kinds of problems with the animal operation, from temperature in the kennels to this to that with operations. Nothing to do with money. And it was using best practices out there in the industry, totally reformed the way the operations were done.

And in my case, you know, with 35 years of government experience, I've audited a lot of transportation type operations along with, I think, just about every other operation in government. The only thing that was new to me, frankly, in coming here was the port. I never had the responsibility for a seaport before.

MR. HOOPER: Mr. Allen, you want to say something?

MR. ALLEN: One of the challenges that this board faces, and the County faces, is the nature of the surtax and the very aggressive, large-scale program, integrated program that is being carried out as part of the surtax. A lot of those elements are new, state of the art and emerging art type of systems and approaches that have not been seen in other governments, or very many other governments. And so our internal staff, surtax staff within the agencies, whether it be Transit, Highway, computers, et cetera, are -- in many cases, are breaking new ground as it relates to the management of transportation type elements.

One of my concerns is with one person and learning on the job, going out and doing that research to determine, you know, what are best practices, because that is a key component of a performance audit where you're dealing with effectiveness, efficiency, and economy --

MR. MELTON: Uh-huh.

MR. ALLEN: -- to know what are the economies and the efficiencies that are out there, and what is the state of the art as it relates to these kinds of developing trends. And that -- there's a concern that -- and, you know, clearly, one is but a beginning. One person is but a beginning.

MR. MELTON: Uh-huh.

MR. ALLEN: And with a \$16,000,000,000 program over the next 30 years --

MR. MELTON: Uh-huh.

MR. ALLEN: -- I don't think the scale matches what our needs are going to be.

MR. MELTON: I agree with you. And let me explain our plans for that. The one position was envisioned as a start. And so next year, it's envisioned that we'll be adding more, if not before next year. But, you know, my office has audit responsibilities for the County. The surtax is part of County funding. So I will be directing more resources to the audits rather than just one person.

You're right. That would not make a dent in what needs to be done. But we are prepared to devote additional office resources to audits if -- you know, that need to be conducted.

MR. COOLMAN: Question for Phil. Won't that problem of auditing new technologies be to whoever was hired? I mean, this is going to be new to anyone, so I --

MR. ALLEN: I --

MR. COOLMAN: -- I'm not -- I'm just saying.

MR. ALLEN: -- you know, I have done some review of the literature of other approaches in other governments and other private sector entities, and there is a growing, existing trend, if you will, of private firms having that kind of expertise. And one of the options that this board at some point in time will need to make is whether we, you know, ask the County Administrator to hire a specific firm to do this kind of auditing, or whether we just rely upon the existing.

Now, if we were to elect to go to request an outside firm, that's not going to stop Mr. Melton from -- and his office from doing their normal audits and reviews. I mean, we can't conflict with the Charter responsibilities that he has to maintain as oversight. But we may be -- we may make the determination that there are firms out there that have the kind of expertise that this board will need to rely upon over the next 30 years. Not me. Certainly, the contract is not going to go for 30 years, but -- and it also, I think, gives us the ability to evaluate on a periodic basis those outputs, if you will, from that firm and

-- and make the determination going forward if we continue to do that or, again, revert to a different kind of audit.

But as we get this process rolling, as we start to accomplish projects, it's going to grow exponentially every year. And I am concerned that we need to have somebody with the kind of expertise that can bring to us to give us that kind of assistance and advice as to what are best practices out there.

MR. HOOPER: I agree, and I -- my -- what I had in my head about what this was going to be was probably a private consultant, somebody that's in the transportation industry, speaking mostly about performance of transportation. I would like to -- I'd like to interview different firms that do this that are out there.

Additionally, I think there's going to be stuff that we do that, in one hand, is very straightforward, like buses and bus equipment, route performance and ridership, but there's going to be other stuff that's very different, like data. And we're going to be involved in so many different things that we may find that we need somebody in our -- under our roof that is an employee that's managing the audits but that is bringing in different consultants for different parts of our programs that we might need on an annual basis to just check on the performance of some of Lenny's programs or some of Chris's programs that -- just to make sure that the performance is there.

So that -- I'm more in line with what Phil's talking about. That was what I envisioned it to be. I'm -- that's not to say that we don't need to keep track of money and operations and all of those things, but it's going to be a whole different world out there for us, and measuring performance is going to be something that needs expertise.

MR. MELTON: Okay. Let me continue. One thing I should mention, because this is very important, if you contract out some performance audits, it's very important that one of the stipulations is there -- in there is that they be conducted in accordance with generally accepted government auditing standards. Some firms will like to do these type audits under some consulting type standards. And if they're true performance audits, that's how they need to be conducted. So that will help you ensure audit quality.

So, you know, in the event you want to do that, I believe it would be a very appropriate role for us to be involved in selecting those firms and reviewing the RFPs or whatever, to make sure the appropriate things are there from an expert standpoint.

MR. HOOPER: And I don't disagree with that, but I think that, you know, if we have an employee that is basically navigating the audit, the general audit, but we need to get information on best practices, as you mentioned --

MR. MELTON: Uh-huh.

MR. HOOPER: -- and the best practices on something that's evolving at this moment in

time in technology may require that we hire an outside consultant to deliver those best practices to us and then we make the audit in the correct form that you're speaking to --

MR. MELTON: Right.

MR. HOOPER: -- right?

MR. MELTON: Right.

MR. COOLMAN: I know this is early in a lot of conversations, but maybe it's a hybrid. Maybe it's a hybrid of -- I don't want to duplicate what the County's already doing, but I like the idea of some independence. But it may be that this -- if we decide to have a specific oversight audit, maybe only 70 percent of that is done by this new consultant. I don't know. I mean, but I think -- I think it's something we need to continue to look at.

MR. MELTON: Yeah, you know, my main concern from that standpoint is just we need to make sure we're not duplicating, make sure we're not doing a performance audit in an area that your auditor is doing a performance audit of.

MS. LOVE: Do you have an annual audit plan, and how will the surtax audits, whatever you're choosing to do -- I'm assuming you're going to do the risk assessments of this particular program. Is that your beginning point and then from that will drive the types of audits, or performance audits, operational audits that you will accomplish? And does that plan -- when do you do the plan? When is it produced? And how could we, as a board, see exactly what is being accomplished by your office?

MR. MELTON: Our typical audit plan is produced at the beginning of the fiscal year, which is starting next week. And we're developing our audit plan now. However, because this is so new, we will -- we have not identified the projects. We will have just like dedicated audit services for surtax that will appear on this year's plan.

And, actually, what I would like to do is develop an audit program in conjunction with you all, and solicit you all -- your all's input as to where you feel the immediate needs are. You know, maybe it's in a construction project, maybe it's in Transit operations. Maybe assist in providing some review to help you all in decision making.

So I would like to work with you all in developing that. And that does not have to be done now. We can develop it as we go along. You know, since this an entirely new area, probably nobody really realizes where the greatest need is right now today. I think we need to handle that as we go along until we get it all established and worked out.

MR. HOOPER: Honestly, I think that it needs to be something -- I think that that's critical that this board is directing what -- how the system works from a performance auditing standpoint. I think it's as simple as taking every -- I know this is -- might sound tedious, but everything that we push forward needs to be analyzed, I think. And so it's

as simple as if it's a sidewalk project, just make sure that the numbers were right, that it hits the budget, any money that was spent was spent, any money that wasn't spent went back into the bucket. That's pretty simple. But when you start getting into adding 50 buses, did we hit the mark on the -- on our goals? And if we didn't let's report it.

You know, honestly, I think that we need to be measuring performance across the board on an annual basis on everything we do. And so I almost see the surtax auditor as being a person sitting at this table that manages the audit in the appropriate format --

MR. MELTON: Uh-huh.

MR. HOOPER: -- as required by law, and helping us determine a program that hits the right buttons when it comes to different forms of transportation infrastructure, whatever it is we're doing on that particular year, and as we're moving forward. Some of them will be done in a year, six months, like when we -- like I said, the sidewalk project. But -- and any kind of construction projects just those will end quickly.

But there will be transportation systems that we'll put in place. I want to make sure we're looking at them on an annual basis. I don't know what the rest of my colleagues feel, but I think that was -- the audit portion of this board and the performance measures of this board are one of the most important things that we're set out to do.

MS. PENNANT: Alan? I'm in agreement with you. I think we have a huge responsibility to be good stewards of these dollars. And part of that responsibility comes with us having some measure of independence. And so, yes, I'm concurring to the point you're saying.

MR. HOOPER: And it speaks to a lot of things that you talk about on -- you know, it -- also, we're going to want to make sure that the money is being -- the contracts are being doled out to as many local subcontractors as possible.

MS. PENNANT: Right.

MR. HOOPER: And that's something that we want to be able to measure on an annual basis.

UNIDENTIFIED SPEAKER: Right.

MR. HOOPER: It would be nice, at the end of every year, if we had some sort of a dashboard or something that we could look at that says we hit all these things, and here's a few that missed it a little bit, but we're trending in the right direction. I'd like to see where we're going, because I want to tell the public, look at this, we look at -- we measure our performance, we adjust when the measurements don't hit, and look at how many things did hit, and look at how many things were successful because we're doing these measurements on an annual basis.

MR. SMITH: I --

MS. PENNANT: It gives us an opportunity to also assess what are weaknesses are so we can strengthen accordingly. And I think that is important.

MR. SMITH: I agree with the detailed approach in terms of budgets, technology. All of these things need to come into play. I also think we need to spend some time with the County Auditor, with ourselves as a group, and maybe with independent consultants, talking about what does it mean for this to be successful over time, at more of a macro level.

I mean, keeping in mind the ordinance talks about decreasing congestion. So I think we do need to come up with metrics and ways to look at this to say, you know, we can look at budgets all day long, but are the right things happening with the dollars, to begin with, to achieve the overall objective. And I think as we get further along in this, we need ways to look at that. You know, when you go and spend a bunch of dollars in Broward County for a purpose, is it working.

And that's something we have to, I think, keep in mind for our overall game plan, because when I think about performance audits, that's part of it, is are we achieving the objectives and do we need to shift at all, as we go forward, in that regard.

MR. ALLEN: Well, and I think, going back to some of our prior discussions, is the first step is determining what our objectives are, what are our goals. As an example, buying 50 buses is not necessarily the objective. The objective is to increase ridership, or it is to -- you know --

MR. HOOPER: Reduce headways.

MR. ALLEN: -- right. Headways or --

UNIDENTIFIED SPEAKER: Yeah.

MR. ALLEN: -- whatever.

UNIDENTIFIED SPEAKER: Yeah.

MR. ALLEN: So we need a process in place to define what our real objective is, not just the widgets that we buy, but what we accomplish with those widgets, and then an auditor to come along to confirm that, yes, you have produced those performance goals that you have established as a board.

MR. HOOPER: You know, I'm not sure it's that hard to determine the goals. And the reason why I say that is because the plan was set out and set forth by the County

Commission and by our Planning and Transportation Department. Each initiative has a goal and an objective. And it's pretty well spelled out. And so I think it's more about making sure that those things were achieved based on those goals.

And I think when we do the -- when we're approving these projects now, one of the -- part of the information that they give us as we approve them are the goals and the objectives of that particular initiative. So it's there right in front of our face. Our auditor can help us then, using those goals and measurements that we voted on and approved, that those continue forward and that they are successful. And if they're not, or if they're super successful, I'd like to hear both.

MS. CASSINI: Mr. Chair?

MR. HOOPER: Yes. Yes, Ms. Cassini.

MS. CASSINI: I just wanted to remind the Oversight Board that we do have an engagement with a firm that is actually looking at project level objectives and programmatic level goals and objectives so that we can enhance the dashboard, make sure that we have consistency based on project types, the types of metrics that we're going to be collecting from the cities on their projects, as well.

And that group is coming in January, and perhaps it would be appropriate for us to have a workshop and include the Auditor so that we can establish metrics both at the project level and at the program level that everyone can agree are effective.

MR. HOOPER: And I think -- I agree with you. I think a workshop would be great. Also, I think in that workshop we're going to figure out how we want to position the audit and the auditor, and whether or not that person is actually sitting at this table, and if we're the ones -- I'm not sure.

I think part of the questions have been should we be reimbursing or should we pay -- be paying directly. Should it be an employee of our or should it be an employee of the independent auditor that answers to the County Commission.

So I think all those things need to be vetted through.

MS. LOVE: I think it should be a hybrid. I certainly don't see any harm in the Auditor's Office to be performing the performance audit. This is massive. So you -- it certainly does not hurt. It's just an added enhancement. I also agree that we need independent auditor also that we should be securing directly and using surtax funds for that purpose that comes direct to the board.

So I just think it is a hybrid and a complement to have the operational performance audits going -- going on. It will be an -- it would be a plus. But I think we also need independent auditors as well.

MR. HOOPER: Phil?

MR. ALLEN: Going back to your discussion relative to a workshop, which is a great idea, but we might want to consider a joint workshop with the Board of County Commissioners. Since they are the elected body, I think they need to have a seat at the table to develop, you know, the performance goals and objectives that are in compliance with the surtax ordinance.

MR. HOOPER: That's -- I don't know how to answer that. I guess that's a decent -- that's a good -- good idea.

MR. ALLEN: Well, the approach would be that the County staff would take that back to the Board as a concept to develop a joint workshop. I mean, it's not unheard of in County government for there to be those kinds of joint workshops between the elected body and the agencies or outside agencies.

MR. MELTON: If I could just wind up. I have just a few more slides.

MR. HOOPER: Sure.

MR. MELTON: The -- these are just examples that show the wide variety of audits we do. You know, you're concerned that this is a different type of area, but we've audited consolidated dispatch, the 911 calls. There was Tourist Development Tax collection enforcement, Transit IT. That report will be issued in a couple weeks. It's a very comprehensive report on Transit. Information Technology operations, contractor licensing, and just all the different areas of the County, that we audit, and largely performance audits.

We do serve in an advisory role. And, as I said, we participate in selection committees and so forth. That would be a great role for us as you're even thinking about having an outside performance audit done. We can help you kind of formulate workable objectives, the scope for that audit, and criteria for selecting the firm, and all that type of thing. We look at overhead costs on consultants on construction contracts. Actually, Laura's routinely involved in reviewing overhead cost proposals and that type thing.

We, like I said, we do investigative audits. The Convention Center. Training and outreach wherever we can. If we can help cities or train entities on what kind of records they should be keeping, we'd be more than happy to do that.

You know, you all are very rightly focused on outcomes and performance, but from a very basic financial level, there is a risk, and I've seen it happen many times, where they'll -- governments or even the County will propose costs for a certain project, but then all of those costs may not be actually incurred for that project. They may be, through some means, siphoned off for some other purpose.

So it's very important also that there's -- there's some audit mechanism to make sure the monies that are said to be spend on a project are actually spent for that purpose, and -- because they can wind up being reported to you all in the project and you think everything's fine, but then you hear the monies have actually been spent for some other purpose. That can happen. It has happened in other jurisdictions.

MR. ALLEN: Bob, has your office done any recent audits where you've gone into the cities to determine what their costs are or the program accomplishments are within the city, relative to using County funds?

MR. MELTON: I --

MR. ALLEN: Because some of -- many of our projects will be granted -- money granted to the cities, subject to audit.

MR. MELTON: Yeah. Here, we have not, and that's because the only way that we have jurisdiction into the cities is if by agreement it gives the County audit rights. Or, in this case, what I urge you to do is make sure, in your interlocal agreement with the cities, that you include, in this case, your all's right to audit specifically, and then -- and the County's, too, preferably, but if -- either on behalf of the County or on behalf of you all, that would give us jurisdiction to go into the cities. We do routinely go into contractors and look at their actual costs as compared to what they've submitted. It's the same type process for the cities.

MR. COOLMAN: I have a question for staff relative to that, because we had some new agreements, amended agreements with the city. Is that issue in this amended agreement, or is that going to be something else we're going to have to add?

MS. WALLACE: The only surtax-funded agreements that we've entered into so far with the cities are the community shuttle agreements, and they provide for that, but they always have. So beginning October 1, the community shuttle program will be surtax funded, but it's always been general revenue funded and --

MR. COOLMAN: But --

MS. WALLACE: -- the County has always had the ability to do that.

MR. COOLMAN: Okay. So right now, the County has the ability to take a look at the cities' spending of those funds.

MS. WALLACE: Correct. And any future interlocal agreements we enter with municipalities will include the requirement that we be able to review and audit, that the surtax funds be in a segregated account that's auditable, and that the use of those proceeds are subject to review and audit.

MR. COOLMAN: Thank you.

MS. CASSINI: And you'll notice that that's also in the revisions to the ordinance that are before you today.

MR. MELTON: Okay. Surtax activities, you know, we'd be happy to try to do whatever you all would request us to do. Funded projects, Transit operations, Public Works projects, any types of bus services. And recipients' compliance is what I just spoke about. Performance audit objectives, I think we've pretty much covered those. Project outcomes, activities, efficiency and effectiveness, and then looking at the financial-related aspects as well. I talked about the audit language as well. And, Ms. Wallace, we do have some model audit language that I would encourage you to use in future agreements that really makes it very clear as to what we can audit and that type thing. We'd be happy to give that to you if you don't have it.

MS. WALLACE: Right. And so the County's standard boilerplate that includes the audit provisions --

MR. MELTON: Yes.

MS. WALLACE: -- is included --

MR. MELTON: That's --

MS. WALLACE: -- in those interlocal agreements.

MR. MELTON: Yes. Okay. Good. And if you have any complaints about some impropriety going on with these funds, please feel free to call us. And we give those types of activities high priority. We will not let it sit if there's some misspending or inappropriate activity going on. Those types of reviews are quicker.

MR. COOLMAN: Well, until anything changes, they're doing audit work for the oversight; right?

MS. WALLACE: Correct. The County Auditor will serve the audit purposes for the County, in general, which includes surtax proceeds.

MR. COOLMAN: Thank you.

MR. MELTON: And my last --

MR. ALLEN: One final question.

MR. MELTON: Yes.

MR. ALLEN: Will Laura be co-located with the staff from the Transportation?

MR. MELTON: Actually, we do -- there are plans. We've been working with Ms. Cassini so that she will have an office actually with the surtax staff. And I do plan to -- for her to be at all the meetings. Hopefully, you all will see fit to have her at the table, just as she is on selection committee meeting. You know, she will be very helpful in giving advice. Of course, we never want to be in a decision-making capacity, so we can give you advice, and you can take it or leave it.

And my last slide is in God we trust, everyone else we audit. That's my motto. Any more questions?

MR. HOOPER: No. No, I don't think so, but I do have a comment. I want to go back to the workshop, because I think that's going to be our next important move in this respect. But, you know, Phil, I'm kind of -- I'm a little concerned with bringing the County Commissioners in to a meeting with us, just from an optics perspective. And we're supposed to be independent of that. And it's not that -- you know, I think the world of our County Commissioners. They're public servants. They represent the people, just like we do. But we're supposed to be separated from that -- that board. And so I think that there will be a certain -- a dynamic there that might -- it just doesn't feel right to me.

So I would -- if we -- if there is a opportunity to do that, I would ask that our -- I would ask my colleagues on this board to, one, we allow the County Auditor's Office to come participate in the workshop, and anybody else we see fit, and then if there is something that's -- that comes out of that that might require that we meet with the County Commissioners, then we can talk about it at that time.

But for a workshop, it just -- right now, that -- to me, that doesn't -- it doesn't feel right. But I defer to the rest of my colleagues to determine the format of that meeting.

MS. PENNANT: I think we would need to clarify the purpose, essentially. Why would we need the Commissioners there? Where are you going with this?

MR. ALLEN: If I could comment.

MR. HOOPER: Sure. Go ahead.

MR. ALLEN: In my view, or what I perceived is the Board of County Commissioners has the responsibility to approve the projects. I mean, we have a right to determine that they are compliant with the state statutes. That -- and basically that and in addition to that, transparency, providing transparency, reporting to the public, et cetera.

But it's not our job to approve the projects, per se. That's the Board of County Commissioners. And as they approve those projects, I think they need to be focused on

what is our real objective in approving this project, how does this project fit into the criteria of the surtax. And then we do the audits, the performance audits, the financial audits to ensure that their wishes -- their direction is, in fact, carried out.

MS. WALLACE: So I think, if I understand Mr. Allen correctly, is he wants to make sure that the objectives of the County Commission are considered when we do the metrics and the measuring of the projects and the project performance that, you know, we understand that the -- whatever this board establishes in terms of the objectives and the outcomes for the various projects is consistent with what the funders, which is ultimately the County Commission --

MR. ALLEN: Right.

MS. WALLACE: -- wants to see. But what -- we can accomplish that by this board accepting the recommendations of the consultant who's going to make recommendations regarding metrics, make a decision regarding those metrics among you, and a memo or some kind of recommendation to the Board that reflects the deliberations of this body be forwarded to the County Commission saying this is -- these are the metrics that we would like to have these various projects measured by in the outcomes, to determine performance and whether performance is being accomplished the way we -- the way anticipated.

MS. CASSINI: And if I may, I just wanted to assure all of you that the whole purpose of that engagement with Open North is to ensure that there's alignment with the Commission's strategic plan, and that there is input from our Board of County Commissioners and other stakeholders about those performance measures, not just the importance of benchmarking against what's happening in other jurisdictions, both nationally and globally, but making sure that this community and what we intended to see as impacts are taken into consideration before they even bring those recommendations to you.

MR. COOLMAN: Alan, I --

MR. HOOPER: Go ahead.

MR. COOLMAN: -- think I agree with Phil, that's the purpose of the workshop. I don't think the purpose of the workshop --

MR. HOOPER: What was that?

MR. COOLMAN: -- was to --

MR. HOOPER: No, no, no. We're not (inaudible) Broward Workshop.

MR. COOLMAN: No, no. The --

MR. HOOPER: Oh, the workshop.

MR. COOLMAN: -- workshop --

MR. HOOPER: Okay. Yeah, yeah.

MR. COOLMAN: -- with the County --

MR. HOOPER: Yeah.

MR. COOLMAN: -- was not to ask their permission if we should --

MR. HOOPER: Okay.

MR. COOLMAN: -- have a separate auditor. We're not even going to ask them that question.

MR. HOOPER: Yeah.

MR. COOLMAN: It's the other. So I think --

MR. HOOPER: Yeah.

MR. COOLMAN: -- I think the County would be helpful in Phil's kind of workshop.

MR. HOOPER: Yeah, I -- and -- and --

MR. ALLEN: It could well develop that, as an outcome of our first workshop with --

MR. HOOPER: Yes.

MR. ALLEN: -- the consultant --

MR. HOOPER: I agree.

MR. ALLEN: -- we come up with a set of metrics and goals that they should consider going forward, submit that to the Board, and then, if we get feedback back from the Board, there may be a need for a joint --

MR. HOOPER: Yeah.

MR. ALLEN: -- planning session.

MR. HOOPER: And at the end of the day, I -- again, I rely on the staff and the

professionals that the same Board of County Commissioners relies on to set a plan forward, which was spelled out to the public, and it has objectives already. It has goals already. The County Commission relies on their staff and the folks in the Transportation Department, the Planning Department, and Lenny's department -- technology -- to make sure that we've set forth a plan and it has objectives.

So all we're trying to do -- and it is in our -- I think we are charged with measuring performance; okay?

MS. WALLACE: Uh-huh.

MR. HOOPER: So that is one of our responsibilities. It's not just to make sure that it fits the budget or that it's a project that they had put in the plan, but it's also we measure performance. And, because objectives sometimes aren't met with something that was approved by the County Commission in the plan that was set forward, it might be that it needs to be adjusted in another direction. And we represent the public to make sure that at least we look at those things.

So that's the reason I just don't -- I feel like the first meeting should at least be where we bring in the professionals and staff. I want -- I think staff should be at the table to help us with that.

MR. MELTON: Thank you all for allowing me to be here, and, again, thank you for your service.

MR. HOOPER: Thank you, Mr. Melton. Okay. Does anybody need to take a break? Okay, keep pushing?

**PUBLIC PARTICIPATION:**

MR. HOOPER: All right. What are we on? The next one is -- okay. We're on the --

MS. WALLACE: Public participation.

MR. HOOPER: -- public --

UNIDENTIFIED SPEAKER: Public participation.

MR. HOOPER: -- was that in any --

MS. WALLACE: Public participation.

MR. HOOPER: Yes. So if any member of the public wants to address the Oversight Board, please let us know and you can have the mic.

MS. CASSINI: And you're good.

MR. HOOPER: Okay. Seeing that there's nobody from the public here that would like to speak, we'll move to the action items.

**ACTION ITEMS:**

**1 - APPROVAL OF MINUTES, MEETING OF JULY 25, 2019**

MR. HOOPER: And the first item on the action item agenda is the approval of the minutes from our meeting on July 25th.

MR. COOLMAN: I would **move** approval of the minutes, and I would offer a clarification or an apology. There was nothing in the minutes that said this board could bring proposals to the County. So if you remember that, I thought that's what the staff said, and they did not. So I move approval of the minutes as they are so stated.

MR. HOOPER: Okay. Very good.

MS. LOVE: I second.

MR. HOOPER: Do we have a second?

MS. LOVE: I second.

MR. HOOPER: Thank you. All those in favor? Those opposed? Okay. The minutes pass.

**VOTE PASSES UNANIMOUSLY.**

**2 - APPROVAL OF NEW COUNTY PROJECTS ADOPTED IN FY 2020 COUNTY BUDGET**

MR. HOOPER: The next item is the approval of the new County projects adopted in fiscal year 2020 County budget. That's Exhibit 2. And Broward County --

MS. CASSINI: I'm going to --

MR. HOOPER: -- Transportation Surtax Oversight Board meeting from -- what is -- is that part of the same thing?

MS. CASSINI: No.

MS. WALLACE: No, no, no.

MR. HOOPER: Okay.

MS. WALLACE: That's a PowerPoint presentation.

MR. HOOPER: Okay. Okay. Very good.

MS. CASSINI: So at this time, I'd like to ask Tony Hui and Chris Walton, or their designees, to come to the table, over by the laptop, and we'll start to move through these projects.

As you can see on the slide, this is just a reiteration of how we got here. It was the Oversight Board's determination that new projects being proposed for FY 2020 would need to go through the Board of County Commissioners' approval process, which has occurred. As of Tuesday evening, the final budget Public Hearing occurred, and we are in the posture to allow this board to now determine eligibility of those projects. So the first one, we're going to let Mr. Hui describe.

MR. HUI: Good morning, members of the board. Thank you for giving us an -- giving me the opportunity to describe some of the new projects that was just recently approved by the Board, as Gretchen mentioned, last week.

A couple project -- and I'll start off with the Northeast 56 Street's project, and I'll go through this project in a similar format as we did last time, providing the board members with the information on what we're doing, where they're located and so forth, and what we're asking for and so forth.

So for Northeast 56th Street, it's a County road located in Fort Lauderdale. And it is a sidewalk project that connects Northeast 18th Avenue to Northeast 22nd Avenue. And this is the location map of it right here. And what you can see is that the project itself is located just north of us above Commercial Boulevard and to the east of Dixie Highway. And the project is laid out in the blue. That's the proposed sidewalk project. And what you can see is that both to the left and also to the right of it, for some quirk of how this neighborhood was developed, there was sidewalks on both sides of it, but there's no sidewalks in the middle. We have had requests with regards to providing sidewalks for this project, ADA accommodations and so forth.

So this is the proposed project is to connect two existing pieces of sidewalk with a new sidewalk along that segment of 56th Street. So the scope is very simple. New sidewalks. And there's going to be some associated milling and surface -- resurfacing of the road and so forth. What we -- what the Board approved and what we're asking the board, the Oversight Board, to also approve is about four hundred and -- it is 430 -- \$430,000 for the design of the project. Yeah.

The next project that we're requesting is the Southwest 3rd Street project. It's a Complete Streets bike lane project. And it is located I say primarily on County road in

Pompano Beach. When I get to the next slide, I'll explain what the primary means -- primarily means. And the limits of it is from Powerline Road to South Cypress Road -- not Cypress -- not Cypress Creek, but South Cypress Road.

And it is -- and just for everybody's information, this road is actually designated as part of the County's Cypress Creek Greenway in our Greenway Master Plan. And -- and a couple years ago, we completed a major portion of this greenway through Coral Springs, Margate, Tamarac and so forth, and it's a very popular greenway in our system. So let me go to the map. This is located, as you can see on the left-hand side of it is on Powerline Road. It's just south of Atlantic Boulevard, and it ends on Cypress Road all the way to the -- to the end there.

And I'll -- and for most of this project, from Powerline Road all the way to Dixie, is a County road. The very short segment of it to the right from the Dixie to Cypress Road is a city road. So that's what I mentioned earlier, that it is primarily a County road project. And what this project -- and this is some shots of the existing road right of way -- excuse me -- the existing condition of the road. Two -- primarily two lanes. Some parts of it is a three-lane roadway. There's no bike lanes. The sidewalks is currently used as part of any biking facilities or biking activity that's going to go on. So the scope of the project, if we could go to the next slide --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. HUI: -- is to improve bike safety and the accessibility part of the Cypress Creek Greenway. There'll be buffered bike lanes, the pedestrian improvements. There's a little bit of drainage that going to be -- have to be associated with the project. And then, again, surface milling, resurfacing, and pavement. There's going to be associated lighting and landscaping improvements. We've been talking with the city, up to this point, and they may want to have additional upgraded lighting and landscaping. In which case, we're in discussion with them on what they want and their participation financially as part of the project. So just very last -- Gretchen if you don't mind --

MS. CASSINI: Sorry.

MR. HUI: -- just going back very quickly -- \$624,000 that we're requesting for the design of this project.

Okay. The last -- the next three is corridor projects, the studies that we have talked about before, evaluating the corridors, how projects can be combined together. We want to get started on those. We want to start on three of the corridors that are primarily County corridors so that we can make it easier from the standpoint of studying, implementation standpoint, Pine Island Road, Andrews Avenue, and Atlantic Boulevard. And the budget we're requesting for each one of those is about \$450,000 for this pre-design study. In combination, the projects that I mentioned is total 2.4 million dollars in these new projects that I just described. Any questions I can answer? Uh-huh.

MR. HOOPER: Doug and then Phil.

MR. COOLMAN: On the first two projects, the budget requests for design is almost a million dollars for those two projects. If they cost a million just to design them, how much are they going to cost to build them and what's --

MR. HUI: Sure.

MR. COOLMAN: -- the rationale --

MR. HUI: I have the information. And if you can just give me one minute.

MR. COOLMAN: I mean, I'm just trying to get a handle on cost.

MR. HOOPER: Can I just clarify one thing before you do that? Did we not go through all these projects in June on a line item by line item by basis?

MR. HUI: It's -- we alluded to these two projects back in -- at the last time, but --

MR. HOOPER: Okay.

MR. HUI: -- we did not specifically ask for the budget request because these are new projects.

MR. HOOPER: Okay.

MR. HUI: Uh-huh.

MR. HOOPER: Thank you. I just wanted a clarification.

MR. HUI: Okay. To answer Mr. Coolman's question, the first project, the estimated capital cost is \$2,000,000.

UNIDENTIFIED SPEAKER: Okay.

MR. HUI: And for the second project, Northeast 56th Street, the estimated total project cost is five and a half million dollars. And then as the construction come up, we will be requesting the board to approve the construction dollars at the appropriate time after the designs have been completed.

MR. COOLMAN: So this million dollars is for how many dollars in construction?

MR. HUI: It -- it's -- the total project cost is five and a half million for one, and 2,000,000 for the other.

MR. COOLMAN: So \$7,000,000, we're spending a million dollars on design for \$7,000,000 worth of construction.

MR. HUI: Yeah, approximately. Right. Uh-huh.

MS. PENNANT: I have a question.

MR. COOLMAN: It seems a little high.

MS. PENNANT: Oh, sorry.

MR. COOLMAN: That's just a comment.

MS. PENNANT: Sorry.

MR. HUI: Yes --

MR. COOLMAN: Where's our auditor?

(Laughter.)

MR. HUI: Yeah. And in all of our projects, that -- just so you're -- you know, as we discussed before, all of our projects, we based it on our historical information in terms of dollars and the scope of work and so forth, so. And as projects move along, they do, as you know, as doing design of construction projects, the budgets and -- do get refined and they get better as we go forth. But we feel pretty comfortable with the numbers just based on our historical practices and what we need to do and type of activities that we have to perform on them. Uh-huh.

MR. HOOPER: Mr. Allen.

MR. ALLEN: I thought in our --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. ALLEN: -- earlier discussion that this was going to be -- the pre-design studies for the corridor --

MR. HUI: Uh-huh.

MR. ALLEN: -- project delivery study were coming -- the dollars were coming from other --

MR. HUI: Yeah.

MR. ALLEN: -- from the projects.

MR. HUI: Right.

MR. ALLEN: I see the adds. Are there deducts?

MR. HUI: When -- when you --

MR. ALLEN: I thought the explanation earlier to us was that we didn't envision this as new money per se.

MR. HUI: Right. Uh-huh.

MR. ALLEN: It was -- the money was coming from the makeup of the projects themselves.

MR. HUI: It's the -- this is the budget for the project -- for each one of the study themselves, but, Mr. Allen, you're absolutely right. We don't think that the corridor projects are really new projects, because they're really a conglomeration of a number of different, you know, projects that were originally slated for the road themselves.

So in our look at these things, the budget that we're requesting for these corridor studies actually bits and pieces of, you know, that we'll be pulling from the individual study themselves. We don't think of them as new projects, but we -- just for the benefit and transparency to the board, we have included them here. Uh-huh.

MR. ALLEN: Well, am I then correct in saying that you won't have a net increase in the cost of these projects until you've got the other components, the related projects --

MR. HUI: Absolutely.

MR. ALLEN: -- that are affecting that. Which may be in an out year.

MR. HUI: Right.

MR. ALLEN: I guess how do we track that that we have already allocated \$450,000 per study to that -- to that area?

MR. HUI: Yeah, I'm not sure that's going to be a real good, accurate way of assigning that, you know, \$50,000 out of that 450 came from this one project and another 25 came from -- I'm not sure that's a real good way of tracking allocating that.

But if you take a look at them globally, as a whole, you know, the study of each of those individual components, if it is appropriate that we tie them together and work as a

project, those projects will no longer need that pre-design effort that we otherwise would have spent.

MR. ALLEN: But that goes -- I guess, Gretchen, that goes back to our discussion as it relates to changing escalation in costs. I think the number is at a 20 percent threshold there's -- triggers some additional some review or something?

MS. CASSINI: That's related to eligibility and scope changes. And that's a discussion that we have later on today in this particular meeting. You all asked us to make some recommendations about how to deal with changes in cost on --

MR. ALLEN: Right.

MS. CASSINI: -- projects without having to bring every single one back to the board. I think we are going to look at ways of -- and work very closely with Tony's group and Chris -- when we have projects that had been in the plan that was approved by voters but we're packaging them in a different way, how do we, then, when we're bringing you back that large spreadsheet where we're showing changes in cost on a particular project, how exactly are we capturing that in an accurate way.

So we are looking at that right now, specifically for these types of projects how to explain to the voters that that money was already there. This is not new money --

UNIDENTIFIED SPEAKER: Right.

MS. CASSINI: -- but this is a new project with existing money.

MR. ALLEN: I just want to avoid what's happened to another local government agency here that, five years into the program, we discovered that we're half short of what we need to accomplish the program.

UNIDENTIFIED SPEAKER: Uh-uh.

MR. ALLEN: So we need some kind of a warning system or monitoring system in place that we deal with that up front, not five years down the road.

MS. CASSINI: Totally agree.

MS. WALLACE: Right. And so the purpose of this, it's just being repackaged and combined so that the projects -- so this corridor delivery project is intended to provide efficiencies. And, you know, the various projects along that corridor, be they, you know, County or municipal, could be packaged together and accomplished as a corridor and delivered together for economies of scale rather than let separately and handled separately, which, you know, could -- would -- could be less cost effective. That's the purpose of the study.

So it was all included in there, but they're going to be studied together for delivery as a package along that corridor rather than individual projects.

MR. HOOPER: Ms. Pennant, did you have something to say?

MS. PENNANT: Yes. I wanted to find out if you're working with the Office of Economic Development to determine what percentage of that would be aligned to meeting our goal.

MR. HUI: Absolutely. All of our projects work closely together with the Office of Economic Development. That's --

MS. PENNANT: So even on the pre-design you're working --

MR. HUI: Even -- right. Uh-huh. In the engineering part as well as in the --

MS. PENNANT: Construction.

MR. HUI: -- design and construction part. Absolutely.

MS. PENNANT: Okay. Thank you.

MR. HOOPER: Yes, George.

MR. CAVROS: Mr. Hui, for the benefit of the public, could you explain what is involved in the design process, what activities you undertake? And --

MR. HUI: Okay.

MR. CAVROS: -- and in addition to that, also maybe if you could identify opportunities or let us know how you identify opportunities for efficiencies.

MR. HUI: It's -- just to briefly go through the design process a little bit, I think one of the first things that any consultant firm would do is start with a survey of the area, make sure that -- we believe that the right of way is there, that we have actually the appropriate facilities that we want to build what we need to build. And in terms of the actual detailed design themselves, it would obviously depend on the different type of projects that are involved.

Just to take an example, the project that I mentioned about constructing a sidewalk that connects two existing pieces of sidewalk, the right of way is going to be very important in that part of it. The reason is because that we're going to be dealing with a lot of homeowners all along the way, and we want to make sure that, you know, their driveways are not impeded, that -- we want to make sure that we're not invading private

property.

We want to make sure that all of their -- people are very concerned and very -- care about the trees in the neighborhoods. We want to try to, to the best extent possible, maintain the trees that they have. We don't want to -- to the best extent possible, we don't want to take away anything that they have.

So in certain situations during the design process, we may have to adjust the -- instead of a straight sidewalk all the way through, we may have to adjust the alignment of it slightly to accommodate some of those activities. So a lot of those site specific conditions we're going to go through and take care of.

Now, the good thing about it is is that we have a -- we have a lot of experience with these type of projects. We've done quite a few. We've done many of them. We've done many of them that we -- we work in close conjunction with not only the appropriate homeowner association or the civic associations, but also with the individual homeowners themselves.

So we do go through that process. So those are some of the steps that we go through. And in terms of your idea with regards to efficiency, I think we have incorporated many of those in the past in terms of -- you know, in terms of what we do.

One of the things that we want to make sure that we do is is that was we go through the process. The biggest problem and the biggest issues that we have in terms of cost overrun, time overrun, and so forth are things that happen out in the field.

And if -- so what we need to do is to make sure that all of those issues are identified upfront, incorporated into the design so that if we have any issues with the homeowner in certain situations, that we talk about it upfront rather than wait for it during the -- during construction, because that can delay the project. That can cost additional overrun that we don't -- you know, that will be very difficult to -- you know, to handle at that point.

So a lot of the efficiency that -- that we identify are going to be efficiency that we want to get things right upfront as part of the design process before we go forth into the actual, put the shovel in the ground type of -- type of timing -- type of situation.

MR. HOOPER: Would you like to -- is that the end of your presentation? You going to - do you need to continue?

MR. HUI: I'm sorry?

MS. CASSINI: Are you done?

MR. HOOPER: Okay.

MR. HUI: Yes, that is.

MR. HOOPER: So are we --

MS. CASSINI: And now Mr. Walton.

MR. HUI: It's Mr. Walton's turn.

MR. HOOPER: Let's get to Chris.

MR. HUI: Uh-huh.

MR. WALTON: Good morning.

MR. HOOPER: Good morning.

UNIDENTIFIED SPEAKERS: Good morning.

MR. SMITH: I wasn't sure your mic was on.

MS. CASSINI: Is the light on?

MR. WALTON: Good morning. How we doing? Better? Okay. Well, there's only one new project that you haven't already seen and approved, and it's part -- it's a part of our community shuttle program. As you know -- as you may remember, the County has, for about 20 years now, run a community shuttle program, smaller vehicles that actually go into communities and transport passengers really in the areas where our big buses cannot or should not go. And we require a couple things of these programs. One, that they link up with neighboring community shuttle programs, and second that they link up with our fixed route transit system so that passengers throughout the County can negotiate the entire network of the County system. There's also another requirement that after 12 months, they must maintain a ridership level of 7.1 passengers per revenue -- per hour of service.

Historically, the County has paid \$15 per revenue hour in costs, and, through a penny gas tax that was levied probably 20 years ago, the cities have made up the difference of the operating cost, which has typically been about 45 -- 45 to \$50 an hour. We pay 15, they pay the difference. And we've always provided the capital.

Under the new program, the County is now providing for the existing O and M and capital. We're providing all of that cost. And new entries into the program are being funded by the surtax program as well as -- through the request of the cities.

So we have one request -- well, one set of requests that we're currently evaluating.

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Right now, we have partnerships with 18 of the cities in the County, and we have requests, we've got a significant number of requests, but these -- all these requests must go through an evaluation process. So we have decided that the routes -- or the cities that you see on the screen here have actually met the initial criteria for evaluation. And we've priced it out at this point to we're going to need about two and a half million dollars to buy vehicles, and about three and a half million dollars to provide the operations and maintenance for the programs that we'll be implementing as part of the additional community shuttle programs.

MR. COOLMAN: I have a question.

MR. HOOPER: Okay.

MR. COOLMAN: Go ahead.

MR. HOOPER: We've got several.

MR. COOLMAN: Yeah.

MR. HOOPER: Ms. Kelley.

DR. KELLEY: Could you just speak to the O and M of 3.5 million and how -- over what period of time is that?

MR. WALTON: That's the annual cost to operate.

DR. KELLEY: So for one year.

MR. WALTON: One year.

DR. KELLEY: Okay.

MR. COOLMAN: With this money being paid by the surtax, then will this free up dollars in these cities that they can use for other things?

UNIDENTIFIED SPEAKER: Uh-huh.

UNIDENTIFIED SPEAKER: Yeah.

MR. WALTON: Yes. However, when the penny gas tax was levied approximately 20 years ago, that money was to be designated for -- to support transportation projects. So we would hope that they would use that money to improve their sidewalks, to improve their lighting, but to -- also to be supportive of the transportation network.

MR. COOLMAN: Well, I meant free up for them to spend on other transportation --

MR. WALTON: Yes.

MR. COOLMAN: Okay.

MR. WALTON: Yeah.

MR. HOOPER: Yeah, so I do have a question. The two and a half million is for ten buses? Maybe five?

MR. WALTON: No. I'm trying to remember. The price of the vehicle I think is about \$125,000.

MR. HOOPER: Okay.

MR. WALTON: We are buying all propane powered vehicles.

MR. HOOPER: Okay.

MR. WALTON: We're shifting the entire program away from diesel --

MR. HOOPER: Right.

MR. WALTON: -- into propane.

MR. HOOPER: Okay. So they all want to expand maybe a route in their program, something like that, where these cities are adding one more route or expanding or better headways or expanding one -- an existing route, and that's what this is for.

MR. WALTON: Right. And Plantation would be actually not a new city. They were in the program years ago. They dropped out.

MR. HOOPER: Right.

MR. WALTON: They want to come back in.

MR. HOOPER: Okay. All right. Yes, sir.

MR. SMITH: Can you speak a little bit more as to the metrics that will be used? Like let's assume we approve this. And then can you talk again about the ridership which would then decrease congestion, hopefully, and how these things will be monitored to make sure they're actually being used up to capacity or whatever you deem is appropriate?

MR. WALTON: We set a ridership standard of seven passengers per hour. And we have

many community shuttle partners that far exceed that number, some as much as 22, 23, 25 passengers per hour. We've determined that ridership beneath that level, because there are so many requests in the system, we actually work with the cities from a marketing perspective, from a scheduling perspective, to try to design the routes so that they will achieve that ridership level.

If after a year -- and, you know, we do monitor ridership. We actually send staff out -- and they do self-reporting, but we also send staff out periodically to ride the routes to validate what they report in terms of their ridership. If after 12 months they don't maintain that 7.1 ridership per hour standard, then we actually have to remove -- remove those dollars and reallocate them to other cities that make the request.

MR. HOOPER: And, Mr. Smith, I can tell you, I sat on one of those boards, and even the actual city doesn't want to continue a service that -- we shut down a couple routes. Galt Ocean Mile wasn't performing at the time. And they don't -- they get pressure from citizens that are saying, hey, why are you doing this.

So not only is it the reporting on the ridership basis, but also the cities are pressured sometimes not to continue a service if it's not meeting a certain criteria. All right. So with that, I think we need to make a motion --

MR. WALTON: Thank you.

MR. HOOPER: -- correct?

UNIDENTIFIED SPEAKER: There's more stuff later.

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. HOOPER: Okay.

MS. WALLACE: Okay. So I just want to remind the board of the eligible uses of surtax funds under the Statute. And so the projects that were presented were road studies, planning studies for road projects, and Transit projects. And eligible uses include planning, development, construction, operations and maintenance of roads, bridges in the County; planning, development, expansion, operations and maintenance of buses and fixed guideway systems; or planning, development, construction, and operation and maintenance of on-demand transportation services.

So -- and so now we'd like you to take action regarding the items that were presented, the Transit and Public Works items that were presented to you today.

MR. HOOPER: Okay. Do we have a motion?

MR. ALLEN: **Move** approval.

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MR. HOOPER: Is there a second?

MS. PENNANT: Second.

MR. HOOPER: Okay. Very good. All right. Do we -- all those in favor? Those opposed? Okay. The motion passes.

**VOTE PASSES UNANIMOUSLY.**

**REQUESTED UPDATES:**

**EXTERNAL FINANCIAL AUDIT PLAN**

MS. CASSINI: So we had an 11:15 a.m. time certain for the external auditor. You all requested an update from RSM on the audit plan for the fiscal year of 2019, and they are here to make their presentation.

MR. HOOPER: Go ahead.

MR. FRIEDMAN: Good morning, everybody. My name is Brett Friedman. It's my pleasure to be here. I'm a partner with RSM. Again, thank you for having us.

On this presentation, just going to walk through what we were asked to do as far as auditing the transportation sales surtax fund, but first want to start out with the key thing. What's most important to us is audit quality. That's the number one priority. And we try to make sure when planning that audit that we set objectives that make sure that quality is in no way compromised or impaired. That's always the number one priority.

What that means is a robust challenge to the key judgments taken in preparation of the financial statements, getting a strong understanding of the internal controls that are used to oversee the transactions going into that, as well as, again, making sure that the audit identifies any potential findings and that they're brought immediately to those charged with governance, which includes in this case both the Board of County Commissioners and this board.

The purpose of this is just to summarize our audit plan. That's what this executive summary kind of lays out. And we've developed this so far based on preliminary conversations with management, from review of minutes for both the Board and this committee, and we've also performed an internal team assessment as far as the approach to take.

The scope of services, to be clear, for fiscal year '19 is to perform an audit of the County's transportation sales surtax fund, fund level financial statements. Much like we do with the airport, Port Everglades, and Water and Wastewater, these are separate,

liftable financials that are just for the transit sales surtax fund. They'd be prepared in this case by County Finance, who prepare both the financials and the footnotes. We would apply audit procedures to test and opine on those financials.

One of the most important things in a successful audit is open communication, so we always encourage that, you know, throughout the entire audit process we are available to speak with anybody, to hear your concerns, and to make sure that we work that into the audit plan wherever possible. Again, our focus is on a financial audit, but clearly any concerns that anyone charged with governance has, you know, we are open to listening to and working that in.

As far as our responsibilities, our responsibilities are to timely communicate any issues where we find fraud involving management or other fraud that might cause a material misstatement of the financial statements; any illegal acts; any instances of non-compliance, unless they're clearly inconsequential; also any disagreements with management or serious difficulties encountered in performing the audit. Also, any significant deficiencies or material weaknesses that we see in internal controls would also be reported.

At the end of our audit, one of the things that we do is we will provide communication again to those charged with governance, including both the Board of County Commissioners and this board, with regard to significant findings from the audit, you know, our view as to the qualitative aspects of the financial statements, particularly focusing on the significant accounting policies being applied. You know, we try to make sure that you understand whether or not those policies are consistent with industry standards and that there's no preferential treatment involved.

Also, again, we would point out if there were any significant difficulties encountered. One of the other things we do is any uncorrected misstatements. The importance of -- importance of the uncorrected misstatements is that will let you know the information you're getting throughout the year, whether or not you can rely on it. If there's a situation where there's a lot of uncorrected misstatements, obviously, it raises question. If there aren't, then it should give you comfort. You know, but that is just purely reporting the results of what we find.

Also, if there are any disagreements with management or any significant issues, those will be brought to your attention. Most importantly to point out, of course, as the County's external auditor, you know, we are independent of the County in all aspects. Every member of our firm is independent of the County, and we make sure that we maintain that throughout the entire engagement.

One of the things to point out in financial statements is the concept of materiality. You know, we do apply both a quantitative and qualitative calculation of what's deemed material. The reason for that is the audit is not designed to look at a hundred percent of every transaction, but to focus on things that, in accordance with industry standards, are

considered to be material.

Again, as we said at the beginning, our purpose was to issue an opinion on whether or not the financial statements are fairly presented in accordance with generally accepted accounting principles.

So next thing here is just a clarification that we understand the key users of the financials obviously are the citizens and taxpayers that are, you know, providing these funds. You know, if, in the future there are any bonds issued, it would be bondholders. Also, this board and the Board of County Commissioners, as well as management. We realize they're all users of the financials, and our job is, again, to be independent of everybody but also to be open to any feedback from any of those members and consider that.

Our objective is to express an opinion on whether or not the financial statements are fairly presented. It's not necessarily, again, to -- I heard the conversation earlier. It's not necessarily, again, to the performance audit type stuff. It's just particularly these financial statements that have been presented to us and subsequently would be presented out, are the financial statements fairly presented in accordance with generally accepted accounting principles. That's our charge and our responsibility.

Management is responsible for preparing the financial statements. They're responsible for establishing and maintaining effective internal controls to ensure that the transactions are properly recorded and handled. They're responsible for making all the financial records available to ensure that there's supporting information for us to use from a testing perspective, and also for evaluation of any potential misstatements.

You know, again, as the auditors, we will point out if there's a misstatement. It is then up to management to determine whether or not they're going to adjust the financial statements. Any of those, whether they are adjusted or not adjusted, are included in our communications at the end of the audit. We point out both what's been adjusted and what hasn't.

The rest of this gets deeper into the details. I'll just point out, again, the next part here. You know, the planned deliverable is going to be an independent audit opinion on these financial statements. You know, this will, again, tell you basically both the balance sheet and the income statement for the financials to give you comfort that, you know, from a financial statement perspective, the amounts are fairly presented in accordance with generally accepted accounting principles. We'll be receiving a management representation letter because inherently in the audit process, you know, there are representations that are made by management with regard to certain items.

So we will obtain that, and that also gets included and provided to those charged with oversight so you can see exactly what's included. And that report at the end that we talked about would come to this board and the Board of County Commissioners on the

results of the audit, whether or not there's any past adjustments, any recorded adjustments, copy of the management's representation letter as well.

The engagement timeline, again, this is going to be done in conjunction with the County Finance. I know they're just getting things up and running as far as the transit sale surtax, and so this will be done to try and make sure that we comply with the timeline that the County needs and this committee needs as far as getting the financials. It is depending, of course, on the timeliness of when the financials are ready for us to do the audit work.

Next, and I won't bore you with all the details, but just the audit process basically involves planning, a controlled environment and risk assessment, you know, the completion reporting, audit field work. Part of it that goes into everything is also information technology. Again, we're not coming in to perform explicitly an audit of the IT system, but we do look at key controls as they relate to the accounting transactions that are subject to audit.

The rest of the presentation, again, walks into further detail, but I'll stop here and open if there are any questions, rather than bore you with a bunch of audit jargon.

MR. COOLMAN: Yeah, I have a question.

MR. FRIEDMAN: Sure.

MR. COOLMAN: I asked earlier, Tony -- you know, these guys are spending a million dollars to design \$7,000,000 worth of work, and do you guys audit and take a look at industry standards of design fees versus construction costs? Because, I mean, I thought these sounded high, but I don't -- are you auditing these things now with the County in all their projects?

MR. FRIEDMAN: Well, again, we don't get into, you know, on the performance side. That's something that is done by the County Auditor's Office. What we do is audit the propriety of whether or not it's a proper expenditure, whether it's been properly authorized and approved by --

MR. COOLMAN: So who -- who's auditing whether or not those are valid fees for that work?

MS. LOVE: Its performance.

MR. FRIEDMAN: Well, I mean, again, it -- we would look if -- if it appeared to be inappropriate, we would raise that question. But our focus is on whether or not it's properly budgeted and approved and whether the proper controls are in place that it's a proper expenditure. We don't get into the technical, you know, operational side. That's not in a financial statement audit.

MR. COOLMAN: Okay. Thank you.

MR. HOOPER: Mr. Allen.

MR. ALLEN: What is your small business set aside on the audit?

MR. FRIEDMAN: We have -- (inaudible) going to think about that now -- 20 percent.

MR. ALLEN: Is that a joint venture?

MR. FRIEDMAN: Yes, we work with actually three firms working on the County audit.

MR. ALLEN: Do any of those small business firms, accounting firms, do any components, or are they just interspersed with the overall audit staff? In other words, is there an area of concentration for those firms as part of the overall audit or are they just part of the overall team?

MR. FRIEDMAN: Well, in a -- in an effort to give them opportunities, actually, in the County contract, it's a combination of both. There is parts of the audit where they work under our supervision and guidance, but there's also parts of the audit, for example, the audit of the Supervisor of Elections, of the Property Appraiser, that are done separately by these firms to, again, give them that opportunity. So it's a combination.

You know, everything -- this audit would fall under the purview of the main County audit and would be led by us. We would be responsible for everything. You know, they're just part of the team in that respect.

MR. ALLEN: In the future, this board may ask you to consider utilizing one of the small firms to do our segment audit.

MR. FRIEDMAN: That --

MR. ALLEN: That's a discussion for the future, but you -- you're probably too far into your planning process for this year to make that kind of a change.

MR. FRIEDMAN: Right. And, again, we're happy to -- whatever -- you know, whatever the board wants and whatever the Board of County Commissioners wants, that's fine.

MR. HOOPER: Mr. Smith.

MR. SMITH: How do you see the communication between you and us going from here on out? Just at what points? You know, we're talking now. Where are you guys in your timeline as of right now, and then when do you anticipate you would communicate with us again, and how do you see that working?

MR. FRIEDMAN: Well, that we do as a collaborative thing, again, working together. You know, usually we coordinate that along with the County Auditor's Office and with, you know, County Finance. In essence, it would be a matter of just, you know, you let us know, you know, how often you want us to come in and give you updates.

You know, the nature of this, particularly in the first year, the audit, there's not going to be a heavy amount of activity, but, clearly, years after that, there will be. So in those cases -- this year, there's not going to be interim work. Subsequent years, you would have interim audit field work performed, as well as final field work. But given the short window for this year, there wouldn't be.

MR. SMITH: So just as a practical example, would we see a draft financial statement before it were issued and have the ability to take a look at that?

MR. FRIEDMAN: We can definitely provide that, yes.

MS. WALLACE: So I just wanted to make sure that everyone understands that the County's fiscal year ends September 30th, and so what the -- what RSM is working on -- working towards now will be for 2019. And we only have a partial year of surtax funding for 2019, and so that process was already established. But for, you know, the fiscal year that starts October 1, the -- it'll be more involved in terms of surtax and what happens with surtax as a part of that process.

UNIDENTIFIED SPEAKER: Okay.

MR. HOOPER: Anybody else?

MR. ALLEN: Just --

MR. HOOPER: Go ahead.

MR. ALLEN: -- to the extent that there are any matters that come up as part of the audit that requires the attention of this board, how would that communication happen?

MR. FRIEDMAN: Well, we would reach out directly. I know Gretchen is the liaison with the board. We would reach out to try and come and meet with you, you know, or meet with the board Chair, if you prefer, you know, the advisory board Chair, to communicate. It's, again, to your -- your preference, so.

MR. ALLEN: We have discussed this in the past, and I think there was some concern from various board members relative to setting up an audit committee. In your other practices, is that a standard?

MR. FRIEDMAN: I would say more often than not it is, but there are cases where the --

you know, the board itself serves as the audit committee, because they have a keen interest in what's going on. So, you know, there -- there is no mandatory, one way or the other. It's -- I think the important thing, which clearly this board has, is having people with a finance background to oversee audit sets.

MR. ALLEN: Along those lines, I would suggest, Mr. Chairman, to the extent that there are matters that come up as part of this year's audit that require review by this board that that communication, in addition to Gretchen, in lieu of an audit -- standing audit committee and in lieu of Mr. Chairman's time, perhaps Sean [sic] should be our liaison to -- if he's willing to assume that role, to -- with this board to deal with that kind of matter. I don't see it as likely to happen at this point in time, but certainly since Sean [sic], you know, is --

MR. HOOPER: Shea.

MR. ALLEN: -- in the business, he would be an opportune contact.

MR. SMITH: I'm happy to do that. And, I mean, if anything --

MR. ALLEN: Sean Shea.

MR. SMITH: -- does come my way, I will just come back and discuss it with all of you guys. But I'm happy to do so. That's fine.

MS. CASSINI: Can I just remind you that you will only have one more board meeting, Oversight Board meeting, in fiscal year 2019, and it's in October, as you all requested. And so if something were to come up, it seems, based on this timeline, that it would likely come up in the November/December timeframe. So if something were to come forward and, Shea, if you thought that it -- the entire board needed to meet, then I would just reach out to you all to try to schedule an emergency meeting.

MR. HOOPER: Okay. Anything else?

MR. FRIEDMAN: That's it.

MR. HOOPER: Thank you. Thank you for your report. We appreciate it.

MR. FRIEDMAN: Thank you.

MR. HOOPER: What do we want to do? Do you want to --

MS. CASSINI: Do you want to --

MR. HOOPER: -- anything?

MS. CASSINI: -- do you want to deal with the ordinance, or do you want to take a break for lunch, and then come back?

UNIDENTIFIED SPEAKERS: (Inaudible.)

MR. HOOPER: Right. Okay. We're going to break early for lunch. I will say that I've got to leave at about 1:15. I'll probably hand the gavel over to our Vice Chair. But if you guys want to eat quick and get through some work, I would appreciate it. But we'll do whatever. We'll -- we'll look at the time as it goes.

MR. SMITH: We can do that. We can do less time for lunch.

MR. HOOPER: Okay. So we'll take a break for lunch.

**(THE MEETING RECESSED AT 11:43 A.M. AND RECONVENED AT 12:14 P.M.)**

MR. HOOPER: Okay.

MS. WALLACE: Ordinance.

MR. HOOPER: We're going to restart the meeting.

**DISCUSSION ITEMS:**

**SURTAX ORDINANCE 31½-71 PROPOSED AMENDMENTS - SURTAX GENERAL COUNSEL, ANGELA WALLACE**

MR. HOOPER: The next item is a discussion item. Ms. Wallace is going to take us through the surtax ordinance proposed amendments. All right?

MS. WALLACE: Yes. Thank you. Okay. So the existing ordinance was approved by the Board of County Commissioners in June of 2018, at the same time that the ballot -- the referendum language was approved, the ballot question to the voters related to the surtax. And the initial ordinance was very broad in its scope. And, you know, it provided for --

MR. HOOPER: Guys? Guys, can we -- thank you.

MS. WALLACE: -- the creation of an Appointing Authority which was charged with selecting the members of the Oversight Board. And initially, you know, there weren't a lot of definitions and so forth. And it provided a general application process which involved submitting application to the County Commission, receiving applications and submitting those to the Oversight Board for review for eligibility under the statute.

And the County Commission also established a plan. Well, the County staff put together

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the -- the transportation surtax plan that was audited by the state in 2018 and approved by the County Commission in September. Also in 2018, the County entered into an interlocal agreement among the County, the Broward Metropolitan Planning Organization, and the Broward municipalities, which provided for a number of things. How the -- that the MPO would prioritize municipal projects, that the County committed to a minimum of ten percent of the annual surtax revenues to be committed to municipal projects.

But all of that was a very broad kind of construct leading up to what ultimately ended up being approved by the voters in November of 2018. And once the voters approved it, we had to negotiate, and we've entered into an agreement with the Broward Metropolitan Planning Organization that outlines the process for them approving municipal projects.

But during the course of our discussions with the MPO and analyzing the municipal projects that were part of the approved plan, we realized that some of those projects, some of the municipal projects, did not fall within the criteria that the MPO was charged with applying to municipal projects. So the prioritization would be based upon a project's ability to relieve congestion and promote connectivity. And so that's basically capital projects.

But there were a lot of municipal projects that involved rehab and maintenance. So the group, the ILA, has been amended to reflect that the MPO will prioritize the 506 municipal projects that are capital projects, and that the County would review and prioritize, through our Public Works groups, the rehab and maintenance projects for municipalities, which is reflected in a first amendment to that initial interlocal agreement. And you've been provided copies of the interlocal agreements, including that first amendment.

So the revisions to the ordinance are to align the ordinance with the agreements that have been entered into among the County and these other -- the municipalities and the MPO and direction that we've received from the County Commissioners and so forth. So the definitions that were added were we had an inquiry from the Appointing Authority when it convened before it started accepting applications seeking direction regarding eligibility and what criteria to apply in terms of qualifications. That -- the Board of County Commissioners provided that direction and we're now including it in the ordinance.

And so if we just skip over to H, because the rest of it is like staffing, so composition of your board, and reimbursement for travel was added on page 4 of the ordinance. And then staffing was clarified so -- to add that upon request of the Oversight Board, County Administrator may designate additional staff as needed or retain consultants. Since the Oversight Board -- the contract would be paid for through the County, and then the vendor would pay -- be paid through the County, so it would be the County's contracting process that would be engaged in order to engage consultants for you, as we did with Open North. And so that was added to that section.

And then the meat of it, or the significant changes that reflect where we are now are the changes in paragraphs H and I. So the existing H and I, H, which provided for applications directly to the County Commission, has been replaced with a new H, which is the municipal projects being handled by -- municipal capital projects being handled by the MPO, municipal rehab and maintenance projects being reviewed and accepted by County staff, and going through the process of prioritizing those projects.

And then County staff, rather than the County Commission, which approved our original overall plan, rather than County Commission sending it to the Oversight Board for an eligibility determination, those projects will be combined and prioritized and presented to the Oversight Board for an eligibility determination.

And then once the Oversight Board determines that the projects are eligibility under the statute, the proposed project and the proposed expenditures, then the Oversight Board communicates that through its coordinator to the County Administrator.

And then the -- those projects will be presented to the Board of County Commissioners for funding through the County's budget process. And so that's what -- the applications for funding is the new H. And then I --

MS. CASSINI: 1, 2, and 3.

MS. WALLACE: Right. H-1, 2, and 3 divides that out. It also provides for a five-year plan. Based on our communications with municipalities, they requested the ability to, you know, project when their projects may be eligible for funding.

So there are 709 in the original plan in municipalities. Some have been completed, just like some of the County projects have been completed. And now municipalities are, you know, changing and may want to present a different project or substitute a project.

So this process allows for that, and it also allows for a five -- development of a five-year plan so that they get to give the municipalities the ability to project what -- in out years, what possible -- what year they -- their project may be funded based on the prioritization.

And then the other element in Number 4 on page 8 is the criteria for funding agreements with the interlocal agreements between the County and the municipalities. But before I do that, I want to make sure that we understand that in the -- when the annual updates for the five-year plan are developed, those come back to the Oversight Board.

So you have a five-year plan that includes projects and projections over a five-year period, but it's a rolling five years, so that when a group of projects is in a funding year, then you have another year of eligibility that will be added to the back of the five-year plan. So it's a rolling five-year plan, but all of the eligibility determinations for inclusion in

that plan will be brought to the Oversight Board for eligibility determination.

And then -- so the agreements with the municipalities would require that the -- in order to receive funding, they have to maintain the funds in a separate, auditable account, the surtax funds; that the project is subject to performance review and audit; that the County CBE goal, the 30 percent CBE goal for municipal projects; and waiver of permitting for surtax funded projects within the municipality; project performance measures and data, and deliverables that are going to be required by the County.

And so once we have Open North come and the -- this group deliberates regarding the performance measures and the -- those performance measures will be reflected in the agreements with the municipalities. Branding, marketing prescribed by the County, and then all of our technology. Placement of sensors and other devices for data collection as provided by -- as indicated by the County. And so -- let's see, what else?

Oh, the approval process. So County staff, like I said, will assemble them. The municipal ones, the recommendations from the MPO, and the recommendations from the County, all of those get packaged and brought to the Oversight Board by the -- by County staff and then forwarded to the County Commission for funding.

MR. HOOPER: So -- all right. Let me see if I get this right. So the stuff you're talking about is regarding the municipality projects, the municipal projects?

MS. WALLACE: They're both. So it's municipal projects and County projects. So the municipal -- the municipal projects were separated out by capital and rehab and maintenance for prioritization, but the County-funded projects are also going to be included. Just as we've done so far, will be brought to the Oversight Board for eligibility purposes. And that's included.

MR. COOLMAN: Okay. Because one question, or --

MS. WALLACE: Yes.

MR. COOLMAN: -- clarification. The city will be eligible in February of 2020 to change their original request; is that correct?

MS. WALLACE: '21. So the --

MR. COOLMAN: 20 --

MS. WALLACE: -- the MPO, and there -- we have representatives from the MPO to talk to you today regarding their -- the process of prioritizing the existing municipal projects. So the ones that were included in the original plan are being reviewed, and additional information is being compiled by the MPO. They're working with the cities to determine which ones are shovel ready and which -- and eligible for funding, or ready for funding

beginning in the spring.

So that list of -- that prioritized list will be presented in March, February or March of the existing ones that we've received in 2020. And then new projects that were not included in the original plans, applications for those can be submitted in 2021. But we have to get through the review of the projects that are already in the approved plan first.

MR. COOLMAN: Thank you.

MR. HOOPER: All right. So -- so under H --

MS. WALLACE: Yes.

MR. HOOPER: -- applications for funding, the original ordinance --

MS. WALLACE: Uh-huh.

MR. HOOPER: -- speaks to any municipal within Broward County --

MS. WALLACE: Uh-huh.

MR. HOOPER: -- or the MPO.

MS. WALLACE: Uh-huh.

MR. HOOPER: So are we -- is it speaking to those projects or is it speaking to all projects? Because there's a lot of changes here that are occurring, and, honestly, I need -- I'd like to -- I'd like to know if it -- if it's talking about the other -- the way we're setting this up, the other County projects and the municipal projects are two separate things.

MS. WALLACE: Uh-huh.

MR. HOOPER: Is that happening now? Is this speaking to municipal projects or is it speaking to all the other surtax --

MS. WALLACE: All --

MR. HOOPER: -- projects?

MS. WALLACE: -- all of -- so 3 --

MR. HOOPER: Yeah.

MS. WALLACE: -- under H, 3 --

MR. HOOPER: Yeah.

MS. WALLACE: -- is that five-year plan will include all of the projects. It will be County and MP -- and municipal projects.

MS. CASSINI: Chair, I think your question, if I'm understanding, is what H said originally --

MS. WALLACE: Right.

MR. HOOPER: Uh-huh.

MS. CASSINI: -- in the original ordinance --

MS. WALLACE: Uh-huh.

MS. CASSINI: -- and you are correct that in the original ordinance, the Section H applications for funding --

MR. HOOPER: Uh-huh.

MS. CASSINI: -- was talking about municipalities, because the County wouldn't be applying to itself.

MS. WALLACE: Right.

MS. CASSINI: So the Commission, when they drafted the ordinance, understood -- enacted the ordinance, they understood that County staff would be compiling and bringing forth County projects for their consideration, but that for municipalities, there would have to be a process in order for their projects to be evaluated and recommended for funding. And so there was an application process that was contemplated that would be going straight to the County Commission, because, of course, the Oversight Board didn't exist. And so that this how applications for funding from municipalities was contemplated to occur.

But now, what Angela is describing, that we know that that's not how it's going to work, and, based on our interlocal agreements, the process for applications for funding is a little bit different than what was contemplated. No -- no municipality is submitting a project application directly to the County Commission at this point.

MS. WALLACE: Right.

MR. HOOPER: Okay. Because, for instance -- see, I don't have like a blue line. I don't -- I can't see what the changes are and how they reflect against what was there. So it's

hard for me to understand what kind of changes we're making without going back and forth. And I'm not sure where 3H is in the changed -- it's no longer 3H.

MS. WALLACE: So --

MR. HOOPER: Right?

MS. WALLACE: -- H -- H was just this long --

MR. HOOPER: I get that.

MS. WALLACE: -- paragraph, and it didn't break -- and the process for dealing with the municipal projects had not been fleshed out yet. But now that we have worked with the municipalities and the MPO, we are defining what that process consists of --

MS. CASSINI: And --

MS. WALLACE: -- which didn't exist at the time that the original ordinance was adopted.

MS. CASSINI: -- and 3H does exist; it's just been completely rewritten. It begins on the bottom of page 6, line 22. So H has been replaced with -- the old H has been replaced with this new H.

MR. HOOPER: And what number is H and then it's Number 6?

MS. CASSINI: No. It's on page 6. At the bottom of page 6, line 22 is where the new H begins.

MS. WALLACE: H, applications for funding.

UNIDENTIFIED SPEAKER: Which -- which document are we looking at now?

UNIDENTIFIED SPEAKER: That's 7.

MR. HOOPER: All right. And so --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. HOOPER: Okay. So how does that change the process? Because, for instance, I'm just going to go to a small item that just caught my attention.

MS. WALLACE: Uh-huh.

MR. HOOPER: Broward County shall provide sufficient staff to enable the Oversight

Board to -- this is G, this is 3 -- is that G? 3G?

MS. WALLACE: Uh-huh.

MR. HOOPER: Okay.

MS. WALLACE: So --

MR. HOOPER: Broward County -- that's on page 4.

MS. WALLACE: Yes.

MR. HOOPER: Broward County shall provide sufficient staff to enable the Oversight Board to efficiently perform its functions. What's been lined out is and shall retain such consultants as the Oversight Board determines necessary to perform its responsibilities.

MS. WALLACE: Uh-huh.

MR. HOOPER: It's been changed to upon request by the Oversight Board, the County Administrator may designate additional staff and/or retain consultants to assist the Oversight Board in its performance of its functions.

MS. WALLACE: Uh-huh.

MR. HOOPER: For me, that takes the -- it moves the -- the --

MS. PENNANT: Independence.

MR. HOOPER: -- it moves -- it changed things, because just like what we were talking about earlier, if we want to hire our own auditor, it'll fall under the County Administrator's --

MS. WALLACE: Right.

MR. HOOPER: -- whether or not she wants to. May does not say shall or will.

MS. WALLACE: So this is the same thing that happened with Open North. So we presented Open North and we had -- the board had a discussion regarding metrics and measures, performance measures, and wanted a consultant to provide those.

So what happened is, you know, we engaged Open North, but from a contracting perspective, the contracts have to be between the County and the entity, because this body is not sui juris. It's not -- it is not a separate entity of itself that has the ability to contract and then pay.

So the mechanism that that's done through is the County. Just like we are paid through the County, the County would be the contracting entity on your behalf. The Open North is providing the services for the Oversight Board in terms of determining the metrics, but in order to engage Open North and pay them with surtax funds, we had to -- the contract had to be between the County and Open North to provide those surtax metrics and be --

MR. HOOPER: I --

MS. WALLACE: -- paid out of County funds.

MR. HOOPER: -- I get that. But I don't think that -- I think it still said that in the old way. It said that Broward County shall provide sufficient staff to enable the Oversight Board to efficiently perform its function.

So Open North would be a contract that Broward County shall provide and shall retain such consultants as the Oversight Board determines necessary to perform its function, its responsibilities.

Now it says, upon the request by the Oversight Board, the County Administrator may designate additional staff and/or retain consultants to assist the Oversight Board.

MS. CASSINI: (Inaudible) shall.

MR. HOOPER: I think that's a -- there's a big difference. The -- shall is a difference from may?

MS. WALLACE: Uh-huh.

MR. HOOPER: It is? You're the lawyer, right?

MR. CAVROS: Yeah.

UNIDENTIFIED SPEAKER: Right.

MR. CAVROS: Yeah, I mean, I think Alan's concern with it is that, you know, it now goes to the County Administrator's discretion on whether --

MR. HOOPER: We're --

MR. CAVROS: -- staff will --

MR. HOOPER: -- materially --

MR. CAVROS: -- be provided.

MR. HOOPER: -- changing the ordinance, and so I just want it more clear as to what are the things we're changing and what are the things that we agreed that are going to be changed as the Oversight Board. Because this is essentially an ordinance that --

MR. ALLEN: The --

MS. WALLACE: Phil.

MR. HOOPER: Go ahead.

MR. ALLEN: -- same thing happens with the auditor, the external auditor. The change here is it says that the audit -- the auditor that does the County's audit shall be the auditor to this board also --

MS. WALLACE: Uh-huh.

MR. ALLEN: -- rather than we can retain. So the -- we clearly don't have the option under this amendment to retain a separate auditor. Now, performance audit is a different issue, but the language for the performance audit is that we may request the County to hire a performance auditor.

MS. WALLACE: Right. But the financial audit is what had come before you before, and the amendment to the RSM, so this board, you know, agreed to, with the explanation that the County does a single audit, is required statutorily to do the single audit --

MR. HOOPER: Sure.

MS. WALLACE: -- and that's why that financial audit provision was revised the way it was --

MR. ALLEN: But I thought --

MS. WALLACE: -- based --

MR. ALLEN: -- our intent had been that this is okay for now, but --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. ALLEN: -- we wanted to have an option for the future that if we weren't satisfied with the external audit process that we could go out and hire. Now, I also understand your point relative to we don't have contracting ability --

MS. WALLACE: Uh-huh.

MR. ALLEN: -- but it goes back to the same question is may is not shall.

MR. SMITH: Yeah, I think we kept our option open on that, from what I remember, in terms of --

MS. WALLACE: Uh-huh.

MR. SMITH: -- we agreed to go through the audit with RSM and, you know, in good faith, but I don't -- I would like to keep that open in case we want to audit our own funds with a different auditor later.

MS. WALLACE: That's noted. And so the preference is that the County Administrator shall rather than may, because --

MR. ALLEN: Upon request.

MS. WALLACE: -- upon request shall, rather than may, is what I'm hearing that you're - that you prefer.

MS. CASSINI: I'm hearing two things. One, under the staffing area, which was on page 4 --

MS. WALLACE: Uh-huh.

MS. CASSINI: -- that the may becomes a shall, and also --

MR. HOOPER: No.

MS. CASSINI: -- if I'm understanding Mr. Smith and Mr. Allen, on page 13 sub 1, that --

MS. WALLACE: They want shall.

MS. CASSINI: -- it be may -- the Oversight Board may retain a performance and/or financial auditor --

MR. ALLEN: But I think that that language there, we had already -- I had already discussed with Angela --

MS. WALLACE: Uh-huh.

MR. ALLEN: -- as being -- running contrary to the issue that we don't have the contracting authority.

MS. CASSINI: Right. Upon request of the Oversight Board to the County Administrator, the County Administrator may retain a performance and/or financial auditor so that you all have the option of hiring either or both, if you would like that in addition to the --

MR. ALLEN: Right.

MS. CASSINI: -- single audit financial piece that we've discussed. Is that correct? Am I -- okay. all right.

MR. HOOPER: So --

MS. WALLACE: So -- but what my notes reflect that instead of just repeating that provision, that we would put that as provided for in -- as provided in paragraph G, which is the staffing and contracting. Because it is -- it does have to go through the County in order to engage --

MR. HOOPER: But it says that.

MS. WALLACE: -- the contract. Right.

MR. HOOPER: It says that Broward County shall provide. So, honestly, I don't think it should be changed. The -- it also says, may designate additional staff. So we suggest or we request, and then, upon the Oversight Board's request, the County Administrator may, which we said should say shall, designate additional staff and/or retain. So that also falls under their discretion as to what that thing is. And so, again, I just think --

UNIDENTIFIED SPEAKER: Yeah.

MR. HOOPER: -- that retain consultants as the Oversight Board determines necessary to perform its responsibilities is perfectly good language. And in order to pay that or to contract with that consultant, Broward County shall provide.

So, honestly, I don't know why we'd change that, unless there's a reason that under the discretion of the County Administrator that they -- she might decide that she wants to do it a different way than what we had directed.

And I'm not -- again, I don't know all of what's going on. But there is a lot of stuff here that's being changed to the ordinance, and there's -- we just touched on one paragraph. And I don't know -- I have not read this carefully enough. I'm not a lawyer, but I have not read it carefully enough to pick and -- pick apart. And I read a lot of contracts. Ands, ors, shalls, mays, those kind of things.

MR. COOLMAN: Could I make a comment?

MS. WALLACE: Uh-huh.

MR. COOLMAN: Can we request staff to go through this revised agreement and

change it so that what we just requested is stated? Because it -- you guys rewrote this, right?

MS. WALLACE: Yes, based on --

MR. COOLMAN: Okay.

MS. WALLACE: -- on the --

MR. COOLMAN: And you know what our issue is.

MS. WALLACE: Uh-huh.

MR. COOLMAN: So rather than continue to --

MR. HOOPER: Well, it's not -- no.

MR. COOLMAN: No, no, no. Wait.

MR. HOOPER: No, no, no. That's not the only issue.

MR. COOLMAN: No, no. There -- no. Alan, there may be ten other issues. My question was to ask staff to go back, based on the principle that you just established, shall, may, and whatever, look through the whole thing --

MR. HOOPER: But I'm not a lawyer, so --

MR. COOLMAN: No, no.

MR. HOOPER: -- me saying shall and may, that -- I'm not a lawyer. So, actually --

MR. COOLMAN: Alan, the intent --

MR. HOOPER: -- George is one.

MR. COOLMAN: -- of you was to get back to having our independence. And if there's other things in here that did the same thing this paragraph did --

MS. WALLACE: No.

MR. COOLMAN: -- we're asking staff to let us -- either change them or --

MS. WALLACE: There aren't.

MR. COOLMAN: -- let us know. But I think this may be the only one that --

MS. WALLACE: That -- there aren't.

MR. COOLMAN: -- that's in there.

MS. WALLACE: Right. So the only thing that H and I -- H and I provide for was the -- a change in the application process and the approval process. And it puts the County Commission as funding after the determination of eligibility. But the rest of it --

MS. CASSINI: (Inaudible.)

MS. WALLACE: -- consistent with the agreements that have been entered into.

MS. CASSINI: There is a section, and I know that in our briefings we covered it a bit, but there is a section that, again, for -- just for transparency purposes, deals with some of the concerns that have been expressed in previous meetings by Oversight Board members with respect to what exactly is our purpose, what does it mean to determine eligibility, and how does that happen.

MS. WALLACE: Uh-huh.

MS. CASSINI: And what happens in the event that there's disagreement between, let's say, a municipality or the County and the Oversight Board's determination. So there is a section that Angela put together on page 11 that talks about your role. Again, it's under the approval of proposed projects and proposed expenditures. It's the rewrite of Subsection I.

MS. WALLACE: I.

MS. CASSINI: And it talks about the Oversight Board considering the proposed projects submitted for the County for eligibility under Section 212 Florida Statutes based on -- and we're going to redraft that based on some good feedback --

MS. WALLACE: Uh-huh.

MS. CASSINI: -- based upon the consultation with and advice of general counsel. Again, this goes to the concern that was expressed that the determination of eligibility under a statute is a legal determination, and there was some discomfort expressed by the board in previous meetings that you all were not thrilled with the idea of making legal determinations. And so that was added. That's something based on our discussions here. As was the addition on page 4 under compensation, where we had a discussion about, well, what if you all want to travel or there's a conference that you all would like to go to.

So there's the option for reimbursement of travel and other eligible expenses related to

your service on this board from surtax funds. So there were some other things that were added that are not specific to the municipal application process, but they were things that were requested by the Oversight Board.

MR. SMITH: Even before we get to that, I'm going back to H for a moment.

MS. WALLACE: Uh-huh.

MR. SMITH: In terms of this initial cut that gets made between rehabilitation and maintenance and capital projects --

MS. WALLACE: Uh-huh.

MR. SMITH: -- right?

MS. LOVE: Could you say what page you're on, please?

MR. SMITH: On page 7. So it starts on -- Item 6 starts -- starts on -- or page 6 is the start of Item H --

MS. WALLACE: Uh-huh.

MR. SMITH: -- and it continues on to page 7. So who makes that initial cut to send items to the MPO for evaluation further, and then Broward County evaluates these other projects? Like who's making that determination?

MS. WALLACE: So those were the projects that are -- that were included in the plan that was approved by the County Commission, there were 709 of them. And when the MPO and the County sat down to look at those projects based upon the MPO's charge in terms of prioritization, the County -- County staff and MPO staff determined that some of them didn't fall within the prioritization -- or the criteria that they were charged with prioritizing.

So the County, the MPO, and the municipalities amended their agreement with regard to how the rehab and maintenance projects would be treated, and that they would be prioritized by County staff rather than MPO staff. So that was done among the parties.

MS. CASSINI: The decision --

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. CASSINI: -- I think the question that maybe you -- you're asking -- I hope I'm understanding properly -- is how were they determined to be rehabilitation and maintenance projects versus new capital --

MS. WALLACE: Yeah.

MS. CASSINI: -- projects. And in the actual plan that went to the voters, these projects, the roadway projects in particular, were all categorized. And so you can see whether or not it's a new project or a rehabilitation of a existing facility.

And so what we did is we just went through the entire GIS map -- actually, Public Works staff were able to export all of that data into Excel spreadsheets and just sort, based on the project type. And we ended up with about 203 rehab and maintenance projects and 206 new capital projects. And those numbers are actually captured in the interlocal agreement that Angela was referencing earlier.

MR. COOLMAN: Those projects that were submitted by the city that have been classified as maintenance are still going to be paid for with surtax dollars; correct?

MS. WALLACE: Correct.

MR. COOLMAN: The MPO identified them as that. Have they changed their -- have you changed their charge so that they can also do what they're doing with the other projects, or not?

MS. WALLACE: So, no, the --

MR. COOLMAN: That's been passed to the County.

MS. WALLACE: -- the MPO's criteria, which is promoting connectivity and reducing traffic congestion, still applies, and it applies to the 506 municipal capital projects that were included in the plan.

MR. COOLMAN: But the other maintenance now go -- don't go through the MPO. They just go to the County staff. Still being funded by the surtax dollars.

MS. CASSINI: Yes.

MS. WALLACE: Yes.

MR. SMITH: The other question I have is in terms of there's a lot here -- there's not so much, I guess, that would be in the interlocal agreement with the MPO, but do we have an idea as to how much detailed information is going to come back with this prioritization of a timeline coming from the MPO?

I'm just curious. I mean, we're paying the MPO from the Broward County, right, to be in this agreement, and they go through this prioritization process. I'm just curious how that's going to be reported back and kind of prioritized in what we're going to see in that regard.

MS. CASSINI: Well, they are here and later today they're going to give you a presentation about that.

MR. SMITH: Okay.

MS. CASSINI: And I'm sure they'll be happy to answer that question. I will just tell you, as the contract administrator for that contract, I'm going to make sure that it's very detailed information.

MR. HOOPER: Okay. So Number 3 on the new list of stuff –

MS. CASSINI: Page 8.

MR. HOOPER: So it talks about a five-year plan, page 8, will be developed collaboratively with the County staff and the input from surtax funded MPO as requested by the County July 1st, 2020, inclusive of all projects proposed to be funded in whole or in part by the transportation surtax.

MS. WALLACE: Uh-huh.

MR. HOOPER: So once this five-year plan is acted upon by both the Oversight Board and the County Commission, and subject to further consideration by the County Commission, this five-year plan will act as a basis for funding and project delivery. Okay.

So and then new and amended projects may be added to the five-year plan on an annual basis that coincides with the budget process and is further defined in the interlocal agreement.

So once the -- so if the Oversight Board approves that five-year plan, it's the basis for approval, correct? For -- right?

MS. WALLACE: Right. So it initially approves the five-year plan. And there will be annual updates. And those annual updates will also be brought back to the Oversight Board for eligibility determination for the projects that are brought in to the new fifth year.

MR. HOOPER: So new or an amended projects, though, may be added.

MS. WALLACE: Uh-huh.

MS. CASSINI: And that's going to have to come back.

MS. WALLACE: It'll -- and they'll have to come back. So we will --

MR. HOOPER: Where does it say that?

MS. WALLACE: -- well, we'll -- we'll add it, because that was a comment that we received. So we'll clarify, make it clear in here that the annual updates --

MR. HOOPER: Uh-huh.

MS. WALLACE: -- will be brought back to the Oversight Board for eligibility.

MR. HOOPER: Okay. Okay.

MS. PENNANT: And then is the County approving it and then it's coming back to us?

MS. WALLACE: The County Commission -- when the County Commission funds projects in the plan, then this board will have the programmatic review and oversight for the projects that are funded through that plan.

MR. HOOPER: Okay. Sorry, but I'm reading through this.

MS. CASSINI: Mr. Chair?

MR. HOOPER: Yes.

MS. CASSINI: Also --

MR. HOOPER: Yes.

MR. CASSINI: -- for transparency purposes, I want to share with you all that one of the reasons why the five-year plan was added to the first amendment and also being added to the ordinance is because municipalities, and very rightly, were saying, you know, this annual process does not give us enough level of certainty in the way that we are doing five year CIPs, capital improvement plans.

And so this five-year plan is theoretically offering not just a level of certainty for the County and the cities, but also, once the Oversight Board approves it, the municipalities have been asking for a mechanism to receive reimbursement. The way the ordinance was drafted, there's no mechanism for reimbursement of expenses that occur before a project comes to you.

So the five-year plan is supposed to be creating a mechanism where once the Oversight Board approves it and says that all of the projects in that five-year plan are eligible, that if a municipality or the County wanted to advance funds to design a project that's not actually funded until year three, if they wanted to advance those funds in year one, that they would be eligible to seek reimbursement of those funds for that project

when those funds become available in year three. That was another reason for creating this, and I just wanted to make sure you all understood that.

MR. HOOPER: So I --

MR. ALLEN: Does --

MR. HOOPER: -- I'm sorry. Go ahead, Mr. Allen.

MR. ALLEN: -- does that mean, then that once in the five-year plan, let's say it's in year three --

MS. CASSINI: Right.

MR. ALLEN: -- it requires two years of design --

MS. CASSINI: Uh-huh.

MR. ALLEN: -- before they can bid it out for installation in year three, they will carry the cost in between that period of time from today until year three where the project appears for funding, and then they can get reimbursed retroactively for their design services?

MS. CASSINI: They could. It creates the mechanism for that. They don't have to do that. They could just wait until year three to begin design if that was their choice. If the municipality was in a position to advance funds and wanted to do so, they could.

MR. HOOPER: Okay.

MR. ALLEN: But then they -- they would be at risk, then, if they then came back and said, I want to amend my five year approval by submitting this other project and they've already incurred costs on the original project. They are at risk to do that.

MS. CASSINI: Correct.

MR. HOOPER: All right. So I -- so I get the whole idea behind a five-year plan and having some certainty from a budgeting standpoint. But, again, changes in scope, changes in cost, and then it's also saying that -- it's also -- and we're talking about cities that want certainty, and now the County has also put the County into that bucket, that they're going to get a five-year plan and that -- and -- and I understand -- we -- I think we asked for a five year -- a one, five, and long-term plan so that we could see where we were navigating towards.

But this kind of says that it's the basis for approval and then, boom. We might as well not meet again for five years. I mean, other than changes and add-ons, we may as well not meet again.

MS. CASSINI: No, but --

MR. SMITH: It is a rolling --

MS. WALLACE: No.

MR. SMITH: -- five years.

MR. HOOPER: It's a what?

MS. WALLACE: Right.

MR. SMITH: They're saying it is a rolling five years, meaning it's going to keep -- projects are going to keep -- it's not a fixed five years. They're going to keep adding projects on --

MR. HOOPER: No --

MR. SMITH: -- to the -- to the --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. SMITH: -- back --

MR. HOOPER: -- I totally --

MR. SMITH: -- end of it.

MR. HOOPER: -- get it. I totally get that. I'm just saying we're changing an ordinance, okay, so we can't -- first of all, we can't take it lightly. And -- and we could be thinking through one or two circumstances that it applies to, but the language is -- could apply to five or ten consequences.

And so, again, I'm not -- I almost think we should be talking about the MPO and the city projects. It's like we've dumped the County projects into this whole thing, and we're changing the scope of what we do and how we do it. I do believe -- and if that's not true, then I want blue -- I want something that's got a sheet here and a sheet here, and it says exactly what's been changed, rather than -- and more time to analyze it.

I'm just saying. I'm sorry. And if that means another meeting, then that's what it means. This is a pretty serious thing that we're doing, in my opinion, and we need to make sure it's -- we've looked at all the possibilities. It's -- I'm sorry.

MS. CASSINI: This --

MR. HOOPER: That's the way I feel.

MS. CASSINI: -- this was a discussion item, Chair, and so we have every intention of bringing it back to you --

MR. HOOPER: Oh.

MS. CASSINI: -- along with --

MR. HOOPER: Oh.

MR. CASSINI: -- an Administrative Code that would complement it at your October meeting.

MR. HOOPER: Oh, I'm --

MS. CASSINI: This was simply an opportunity for us to hear from you and make sure that we've incorporated all of your feedback properly. And to your point about change -- you know, the five-year plan would in any way eliminate or limit your project oversight role, I just want to assure you that the project oversight role, which is by far the largest and most important role that the Oversight Board serves, is still on page 12, Section J. It has almost not been amended at all, because the idea is that once you've approved the projects, you have long-term, ongoing project oversight.

So the five-year plan would create the basis for all the projects that were going to be funded on an annual basis through the budget process, but we would be coming back to you on a regular basis, monthly, quarterly, with project and programmatic updates, just as was intended in the original ordinance.

MR. HOOPER: Okay. So I appreciate that. I'm sorry. I didn't remember that we were talking about a discussion. And I don't know how quickly this has to be done. I would ask in -- that our legal board member would read it a little tight for us, maybe, and if you have anything that you see, because if I had this -- and it could be my friend Doug Coolman here giving me a lease, and he's my friend, but I would certainly hand this off to my lawyer. And I know you are a lawyer, so -- but --

MS. WALLACE: And I wouldn't steer you wrong.

MR. HOOPER: No, I know. I know. I'm just -- it -- and I can tell you, and you can ask my lawyers, that I read all of my leases, and sometimes I find stuff, and then we -- and -- you know, and you look at things from a different perspective sometimes. And maybe everything you've put in here is correct and I'm just like being a -- I'm worrying too much. It's in the nature of a real estate professional to --

MS. WALLACE: To worry?

MR. HOOPER: -- to think that the sky is going to fall and you're not going to get paid.

MR. COOLMAN: Alan, can I suggest, because this is a discussion item --

MR. HOOPER: I'm going to --

MR. COOLMAN: -- now the staff, based on what they heard, revise it, send it over there to our in-house counsel --

MR. HOOPER: Well, he's our board member counsel. MR. COOLMAN: I know.

MR. HOOPER: She actually is our in-house counsel.

MR. COOLMAN: I mean -- whatever. But I think let them --

MR. HOOPER: Yeah.

MR. COOLMAN: -- change it, then we'll review it.

MR. HOOPER: And I -- and what I'll do is -- okay. So I'm going to put a few hours of time together and I'll send you -- if I see anything, I'll send you some notes.

MS. WALLACE: Uh-huh.

MR. HOOPER: And then we can work through it. But, you know, I just -- I'm sorry if I'm --

MS. WALLACE: It's -- no --

MR. HOOPER: -- being like this, but -- but it -- it's a big step. And it may be that it's making things run smoother as we go forward, and I know that's what you're trying to accomplish. But I just want to make sure that we all read through this and make sure that it -- that it feels good about where we're going.

MS. WALLACE: And so what it's -- what it's doing is providing the detail that was missing from the original ordinance, because none of this had been developed. The Appointing Authority had not been seated, this body had not been seated, the surtax had not passed, and we didn't have any processes.

MR. HOOPER: Right.

MS. WALLACE: We had not worked through what the processes would entail with the municipalities or the MPO. And now that we've had an opportunity to do that, the ordinance needs to reflect what the processes that have been established and agreed

to among the parties.

And, you know, originally, because we had projects and a plan, because, you know, the plan had been developed two years earlier when there was a 2016 ballot measure, those were all compiled and became the transportation surtax program for the 2018 ballot measure. And the ordinance had to provide for the County Commission approving those things and then sending them to you, you know, because you hadn't been established yet --

MR. HOOPER: Uh-huh.

MS. WALLACE: -- and we needed -- and it -- the program, by Statute, had to be audited by the state. So the way it's written right now is the way it had to be because that's what the circumstances were at the time. There's been a lot of change in the year since then, and so the ordinance needs to reflect what those changes consist of, as agreed upon by the governmental entities that have been involved in this process.

MR. HOOPER: Okay. And what's your goal in terms of time?

MS. CASSINI: Well, to be quite honest, my goal was to have this done about five months ago so that our interlocal agreements and our ordinance would be in sync, because it is a little troubling to have those things out of sync. But we completely understand. Our own Board needs to have time to take a look at this, as well.

MS. WALLACE: Uh-huh.

MS. CASSINI: And we want to have an opportunity to distribute it and share it with our municipal partners so that everyone has a stake, because, again, this ordinance will be subject to a Public Hearing, so the public will also be able to come and give their thoughts.

And there are frequently in situations like this public -- members of the public who do come and create amendments to that ordinance before it's finalized. So to your specific question, our goal is to bring back to you an action item, both on the ordinance and the Administrative Code, in October so that we can get this on our agenda and have a set for Public Hearing while you all are on break. We'd like this to go into effect as quickly as possible.

MS. PENNANT: For --

MR. HOOPER: Go ahead, go ahead.

MS. PENNANT: -- so for the record, Alan, I fully appreciate your questioning of what we're doing. And I just think I want to underscore what you said. It's important that each of us look at this again with a really keen eye, understanding what the long-term

ramification could be, because we've read through it or glanced through it or whatever, but to really recognize that this is an important step.

MR. HOOPER: Right.

MS. PENNANT: And so your point is well taken.

MR. HOOPER: Thank you. So -- and I -- and, in all fairness to the hard work you're putting into it, you -- so let me just go through the steps again. So in October, you would like us to take an action on this; correct?

MS. CASSINI: We -- I mean, Angela and I will discuss it. It's not an action on the actual ordinance. It's just giving us --

MR. HOOPER: (Inaudible.)

MS. WALLACE: Yes.

MS. CASSINI: -- approval and support on the changes and, you know, again, making sure that all of your comments have been included --

MR. HOOPER: Okay.

MS. CASSINI: -- so that it's clear that what you would like to see in the ordinance is there. We also want you to take a look at the Administrative Code, which is kind of the procedural side of the ordinance, that will include some of your bylaws and make sure that it -- you know, it captures everything that you want it to capture. And then --

MR. HOOPER: So --

MS. CASSINI: -- we would like to take that to our Board as quickly thereafter.

MR. HOOPER: -- and it might be good that -- that Angela receives some comments from us before our October meeting so she can prepare, so that when we get into that October meeting, we're not sitting here for eight hours talking about the same stuff we're talking about today. So --

MS. WALLACE: Uh-huh.

MR. HOOPER: -- I'll endeavor to do that in the next seven days from my perspective. And if anybody can read through this -- it's not a huge document -- and we can get back some thoughts. And then maybe she'll call us back and say. this is why I've written it this way and, okay, I got it. I got it.

So I think we do need to work a little bit between now and October to help Angela with getting this thing the way we would like it, and then we'll take an action in October.

Okay. I appreciate it. I really do.

MS. PENNANT: Thank you, Alan. I was about to suggest that we probably define a date that you would appreciate us getting this review back to you --

MS. WALLACE: Uh-huh.

MS. PENNANT: -- so you can be -- you can have it ready for our next meeting.

MS. WALLACE: Two weeks is fine.

MS. PENNANT: Two weeks?

MR. HOOPER: Okay.

MS. WALLACE: Uh-huh.

MS. CASSINI: And then we'll make sure that we have a summary and a side-by-side, and a presentation that you all can follow along with.

MR. ALLEN: That's two weeks from now or two weeks in advance?

MS. PENNANT: From today.

MS. WALLACE: That's the same thing, right?

MR. ALLEN: Okay. It's the same thing.

MS. WALLACE: Yeah. Yeah, because your next meeting is in a month, like the fourth -- fourth Thursday in October. So it's two weeks.

MR. HOOPER: Okay. Thank you.

MS. CASSINI: Oh, you're welcome. Next? Ready?

MR. HOOPER: All right. What's the next item?

### **RECOMMENDED APPROACH TO PROJECT COST CHANGES - A. LEWIS**

MS. CASSINI: Althea, if I could ask you to come to the table, please. No, no, she's going to go over there.

MR. HOOPER: So I've got about 15 more minutes, so I'm -- my apologies if we're in the middle of the next item. And then I'm going to hand the meeting over to Mr. Coolman.

MS. LEWIS: Is this on? Can you hear me? All right. Good afternoon. So I'm reporting on a follow up action item, a request from the board in July to draft a proposed policy for how you would deal with potential scope changes on projects. And the intent here is not to -- is to acknowledge, first of all, that the projects within the -- once approved and funds have been appropriated by the Board of County Commissioners, there is a pretty -- there are pretty tight controls on the spending, with built-in contingencies for those. The -- what we were attempting to do here is to address what currently is very rare, where we have a project wherein the expenditures are changing significantly to the point where you could make a case that the intent of the project has changed.

And so it's that case, and I think Mr. Allen spoke to this earlier, where the board has two major roles. One, to determine -- assess and determine the eligibility of the scope and intent of a project, and then the second one is to monitor the execution and the expenditures for the project.

So what we were trying to do is to put a proposal for efficiencies, and maybe, as Mr. Smith had pointed out, there could be an easier way to do this, to bring to the board anything that you could possibly, as individuals or as a board, interpret as a change in intent and scope, and how we would manage that.

And so -- and I'm not reading from the chart. I'm just giving you the nutshell. So we proposed a 20 percent benchmark, that if the project is projected to exceed -- equal or exceed 20 percent beyond the initial estimate that you approved or deemed eligible, then we would bring it back to the board, each project, with the rationale for that increase, the source of the funds. And I've noted there we'd have to work with the Office of Budget to establish early next year a non-reserve fund, because the official budget would have been made on the initial eligibility approvals.

So for us to run over or exceed that initial approval, we have to have -- identify a source of funds. So we will have to -- we -- I have asked the Budget Officer to develop a framework that we can bring back to you; what is that fund; what would it look like; the timing with respect to the Board of County Commissioners' budget cycle. And we would also give you the rationale for the change, because this is something that currently rarely happens in the County.

It is -- we expect that a lot of these cases, the 20 percent could be caused by anything. Supply increases, especially for long-term projects. Force majeure, you know, which would include weather days, et cetera. But what we don't expect to have frequently would be any projects where additional activities that we would bring back to the board for your review would be other than unforeseen conditions that are impacting the ability to complete execution on a project. Any questions?

MR. HOOPER: Mr. Allen.

MR. ALLEN: How did you choose 20 percent?

MS. LEWIS: In working with Public Works and Transit, looking at their normal contingencies built in within their estimates, and we proposed a value we believe --

MR. ALLEN: But --

MS. LEWIS: -- would (inaudible).

MR. ALLEN: -- if I'm correct, though, the original project budget would have included a contingency.

MS. LEWIS: The initial estimate that you would have seen would have had contingencies, because the estimate --

MR. ALLEN: So now we're talking about an additional 20 percent on top of the contingency that might have been set at 20 percent. So now we're at 40 percent over the actual cost.

MS. LEWIS: Potentially, yeah.

MR. HOOPER: So typically, they've got 13 percent contingency, more or less, and I can tell you in --

MR. ALLEN: And where'd the 13 come from?

MR. HOOPER: I guess that's what they use in -- I could let Transportation answer that, but that's what I -- that --

MS. LEWIS: No --

MR. HOOPER: -- (inaudible).

MS. LEWIS: -- let me ask Richard from Public Works to speak to that.

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. HOOPER: It depends on the type of project.

MR. TORNESE: Okay. Richard Tornese with Public Works. So as we estimate projects, let's -- let's say we're estimating a road widening project, right? So we look historically what the average cost per lane mile is. So -- okay. So we look at that and we calculate how many miles, how many lanes, and then we come up with an estimate. There's no contingency built into that.

MR. ALLEN: Okay.

MR. HOOPER: None?

MR. TORNESE: So what we look at, we actually try to estimate what the actual cost is. It's at a high level, of course. So what you're looking at is some of those projects that were done previously, they've already been calculated based on historical averages; right? So when we go back and look at future projects, we look at that and anything we think may increase, like let's say material costs or the project's going to be two years out, so we have inflation. So those things will be accounted for.

MR. HOOPER: Already, before the 20 percent?

MR. TORNESE: Correct.

MR. HOOPER: Okay.

MR. ALLEN: Does this apply -- is this proposed revision notification, does it apply to all projects like capital projects, like buses or --

MS. LEWIS: Yes.

MR. ALLEN: -- roadway projects, sidewalks.

MS. LEWIS: Yes. Yes, because the intent here is to provide full disclosure. What we're trying to avoid is the board having reviewed projects, made a determination on intent and scope of each project, and then subsequent to your decision, the expenditures --

MR. ALLEN: But this -- this --

MS. LEWIS: -- have gone up.

MR. ALLEN: -- would also apply to municipal projects?

UNIDENTIFIED SPEAKER: Uh-huh. Yes.

UNIDENTIFIED SPEAKER: Yeah.

UNIDENTIFIED SPEAKER: Uh-huh.

UNIDENTIFIED SPEAKER: Yeah, all projects have to.

MS. LEWIS: Yes.

MR. ALLEN: So a project is approved by this board. Its contract -- interlocal agreement

with the city --

MS. WALLACE: Uh-huh.

MR. ALLEN: -- is developed and approved. And two years down the road, once they're into construction -- or completing design or into construction, the project doubles in size.

MS. WALLACE: Right.

MR. ALLEN: What would --

MS. WALLACE: That would have to be reviewed, because that would require an amendment to their agreement, because the -- to add funding. So the funding for the -- included in the agreement with the municipality will be based upon the project estimate that was provided at the time. And so, you know -- and any increase in the contract value requires an amendment that would have to be approved.

MR. ALLEN: Let's talk about the lion in the room here. I think we all recently went through a major transportation project, and some of us may have been more intimately involved in that project than others --

(Laughter.)

MR. HOOPER: I told you.

MR. ALLEN: -- that saw the project costs escalate by a lot, at which point in time, the project was determined to be no longer feasible. Does this prevent that from happening?

UNIDENTIFIED SPEAKER: No.

MS. CASSINI: I would not think that this does prevent that from happening. I think what this does, to Althea's point, is it just creates transparency. It doesn't necessarily change the fact that if a project that you think is going to cost a hundred million dollars suddenly, or over the course of time, now costs \$205,000,000, I think the community and the sponsor of that project would still want to have the opportunity to say, you know, I wanted the project at a hundred, maybe at 120, but I don't want it at two, so -- 200. So, no, it -- this doesn't stop that or preclude that kind of situation from occurring.

MR. ALLEN: But our approval is only based on the statutory eligibility of the project --

MS. CASSINI: Right.

MR. ALLEN: -- and we don't have any say over a project that doubles in size.

MS. CASSINI: No, but I will say -- and, again, I'm not -- I'm going to defer to the lawyer, you're -- you are approving proposed projects and proposed expenditures, right, for eligibility. And I think what Althea is talking about is when you get to a point where the change in cost on a project implies that perhaps the scope has changed and that, as a result of that scope change, perhaps the project is no longer eligible. And if you're at a situation where you're in -- you have already approved the project, right?

So the Oversight Board has already determined that a project is eligible and this is coming back to you at a point either in design or construction with a 20 percent or 30 percent increase, you -- as part of your role under J that I was just talking about, you do have a pretty robust project oversight, and you can talk about the change in the cost being an issue.

I don't think that you're precluded -- you're not just looking at eligibility. That's on the front end. But you can look at the change in a project or project scope and project costs on the back end and have -- and weigh in on that.

MR. COOLMAN: I would also assume that if this project comes back to us, the good news is there's a red flag.

MS. PENNANT: Right.

MR. COOLMAN: Secondly, I assume that -- let's say this came out of a city's budget. Their budget is their budget, so they're going to take this over money if we -- if it continues, out of their budget. So it's only the last projects that could cause us a real problem.

MR. HOOPER: I don't think so.

MR. COOLMAN: I -- wait. I would assume that if this project costs more, their kitty, as I understand it, is --

MS. WALLACE: The city -- the city --

MR. COOLMAN: -- city's kitty is so big.

MS. WALLACE: The city's portion of the surtax proceeds.

MR. COOLMAN: Yes. So if they spend --

MR. ALLEN: There is no budget -- there is no kitty for each city. It is a project specific approval (inaudible).

MR. COOLMAN: I -- I --

MS. CASSINI: I see where he's going.

MR. COOLMAN: -- I thought there was a budget for each city --

MR. ALLEN: No.

MS. CASSINI: No.

MR. HOOPER: It's for --

MR. COOLMAN: -- for each --

MR. HOOPER: -- all the cities.

MS. CASSINI: There's 2.8 billion dollars in the financial plan for municipal projects, but within that 2.8 billion dollars, there is project contingency built into each year. As I mentioned to some of you in briefings, there's a contingency line item in the financial plan for County projects, both Transit capital projects and Public Works projects, and there are -- there is a line item in the financial plan annually for municipal projects for contingency.

MR. COOLMAN: The municipalities, I understood, had a -- each municipality submitted a list and they had a -- line items attached to that, so that each city has a -- I don't know what you -- a bank with X money in it. Correct or incorrect?

MS. CASSINI: No. So each -- each --

MS. WALLACE: No.

MS. CASSINI: -- municipality submitted a group of projects that they cost estimated at, let's say we'll say \$80,000,000 for City X for all of their projects, but their projects actually only cost \$50,000,000 when they're all done. That \$30,000,000 doesn't get to be kept by the municipality. It goes back into the municipal pot for new projects.

MR. HOOPER: And the cities are -- their projects are prioritized by the MPO. So they go in order of priority, not this city, now this city, now this city, and you get to spend this much this year, and every year you get -- it's not like that. It's prioritized.

MR. COOLMAN: I understand that, but I was under the impression that where the 2.8 billion came from was this list of 31 cities, and it came up to that number, and each city had an allocation --

MS. CASSINI: Oh.

MR. COOLMAN: -- maybe is a better word.

MS. CASSINI: No.

MS. WALLACE: No, there's no allocation.

MR. HOOPER: So what I -- what I see here is, okay, so you have -- you said you have a -- a line item at the bottom of all the projects that's a 13 percent contingency in the surtax budget; correct? Financial plan.

MS. CASSINI: So I don't -- I don't want to say 13 percent --

MR. HOOPER: Well, it's a --

MS. CASSINI: -- but, yes --

MR. HOOPER: -- contingency.

MS. CASSINI: -- there is a -- there's a particular amount of money set aside in each year for contingency --

MR. HOOPER: Okay.

MS. CASSINI: -- for County projects and then a separate amount for city projects.

MR. HOOPER: So it would be helpful if we knew what that percentage was, and -- because you're already building -- in certain projects, certain types of projects, you've already built in a discount for when you're going to do it, right, and you've already built in a discount for contingency.

UNIDENTIFIED SPEAKER: Uh-huh.

MR. HOOPER: In certain projects.

MR. TORNESE: Right. Yes.

MR. HOOPER: Some don't need it because of historical data --

MR. TORNESE: Correct.

MR. HOOPER: -- and some do, okay? So you've already built that in. Then you've got, on the bottom line of the plan, a contingency line item of let's call it ten percent. Okay? I don't know what it is. We probably need to know that.

We are -- what we're doing now -- what we're doing is a project has been approved by us. It's been approved by the County Commission. Staff's got a hold of it. They're doing

design. Chances are the project's not going over price on the design. It goes into cost. It might go over a little, but there's a contingency on the bottom line.

So staff -- I think when we approve something, we should approve the fact that staff can use their contingency that's already been figured into the plan, because I've never seen a project that didn't need contingency. But let's -- but that's kind of what that's for.

So now you're going into construction, you're in the middle -- this is only one -- one example. You could be in the middle of construction and they have to come back to the Oversight Board and the County Commission because -- and they're in the middle of installing a water main and all kinds of crap --

MS. LEWIS: Right.

MR. HOOPER: -- excuse the language.

MS. LEWIS: Right.

MR. HOOPER: I'm sorry it's being recorded. And -- but you end up with that. And then they've got to come back and we might not meet for next month or three months from now, and they've got to call an emergency meeting. They -- staff wants some form of I've got to keep going on this thing --

MS. LEWIS: Correct.

MR. HOOPER: -- okay? But I need to know what that percentage is on the bottom line, because if that's 20 percent, or if it's ten percent, maybe there's a better number that fits --

MS. LEWIS: Sure.

MR. HOOPER: -- in order to get you to where you want to go and keep some sort of fluidity in the ability to develop these projects. Did I --

MS. LEWIS: Correct. You're right.

MR. TORNESE: Great example.

UNIDENTIFIED SPEAKER: I would --

MS. PENNANT: By the same token, if there are savings, will we be notified? You know, say for example if there are federal dollars that were suddenly available, will there be a trigger, essentially, to let us know that these dollars have come in? Because it will, on some level, change the scope of our performance, because, again, the 30 percent cannot be assigned on federal dollars, and so will we be notified --

MS. WALLACE: So federal funding --

MS. PENNANT: -- in those instances?

MS. WALLACE: -- is never suddenly available. It's a long process.

(Laughter.)

MS. WALLACE: So --

MS. PENNANT: But we have 30 --

MS. WALLACE: -- you know --

MS. PENNANT: -- years that we're working with, so --

MS. WALLACE: -- before -- no, before we fund a project that will -- that will include federal money --

MS. PENNANT: Uh-huh.

MS. WALLACE: -- and have, say, a local match, you will know. So it will be at the outset, because there are lots of federal requirements that into federal -- federally funded projects in terms of, you know, environmental studies and all sorts of prerequisites before you can utilize the federal money.

So if we're going to federalize a project and use some local money, you will know that. It won't be all of a sudden during the middle of a project that there's an infusion of federal money. It will be from the outset, and all of the prerequisites would have to be met --

MS. LEWIS: To the --

MS. WALLACE: -- for federal eligibility.

MS. LEWIS: -- and to the broader question, we will, in support of your program oversight function, there will be program management --

MS. PENNANT: Uh-huh.

MS. LEWIS: -- that will support your program oversight function. So you will receive regular routine updates on the projects. And part of that update that you will receive will be the tracking, actual to plan, where are we with that project. Are we running ahead in spending, or are we running behind --

MS. PENNANT: Uh-huh.

MS. LEWIS: -- and why.

MR. HOOPER: Mr. Allen.

MR. ALLEN: Is -- for those major federal or state projects, do we intend to fund projects that are application process driven, or, once we have federal or state approval, do we then determine that project is eligible for surtax funds?

MS. CASSINI: So that's a difficult question to answer, because -- and, honestly, it's because it will depend on --

MR. ALLEN: It was hard to ask, too.

MS. CASSINI: -- it will depend on the type of project. I mean, straightforward roadway projects, we're going to know. Richard's going to be able to come forward and say, listen, we -- we're going to get 50 percent of this money from FHWA, through the MPO process, or if we know that we have a project that is funded through the MPO's long-range plan, through the MTP, we'll be able to come forward and say here's how much, you know, match is going to be involved, cash match from the surtax, here's how much state money, federal money.

A lot of times we do know, but as Angela was talking, I was thinking, you know, some of these big rail projects are a lot more complicated. Sometimes you'll advance -- and now we're looking at a program that's called an interrelated program. So you can cobble together different pieces of a larger rail program and you can fund them in different ways. And you might be complying for a competitive grant three years in a row and finally get it, and go, oh, great, so now I don't have to use the surtax funds for that.

So there may be a situation where we don't know. And we're hoping that we can relieve surtax dollars, but we don't know necessarily right up front.

MR. HOOPER: So I'm about to leave, so for purposes of discussion, I would be open to -- and you guys continue the discussion, but from a percentage of fluidity, I would be open to a certain percentage.

What I think I would need to know is what's the percentage of contingency, and then, maybe as this surtax board, we could say, look, go to that bucket and if we want to -- if we want to increase the bucket, if the bucket's two percent and we want it to be ten or whatever, give us that information.

I'd be open to something that would keep the projects going after we've approved them, but on the other hand, if a project comes in under budget, I would ask that that money

gets put back into the contingency bucket, so that --

MS. LEWIS: That is the --

MR. HOOPER: -- it's a --

MS. LEWIS: -- plan.

MR. HOOPER: -- it's a moving thing, because what we don't want to do -- and at the end of the day, the public wants things to happen, and what we don't want to become is a drag.

So -- but I think if we look at that and it says 13 percent or 15 percent on that line item and we're adding 20, that's a 35 percent number. That could be a little bit excessive. Certainly, a Transit project that's a hundred percent over budget, hopefully we won't start even forward with it without coming back and getting everybody's -- but I agree with what Gretchen said. That wouldn't be one of these type of projects.

UNIDENTIFIED SPEAKER: No.

MR. HOOPER: So, anyway, that's my take on it. And thank you. I'm sorry I have to leave.

MS. CASSINI: Thank you.

MR. HOOPER: Okay.

MS. LOVE: What is -- when you say we will be notified of the -- because your wording says, the County administration is notified that plan expenditures for the execution will be greater than or equal to 20 percent of the original. So notified is just a point of information. That's not a approval.

MS. PENNANT: Uh-huh.

MS. LOVE: So what -- I guess what are you saying when you make that statement?

MS. LEWIS: When the --

MS. LOVE: So what is the --

MS. LEWIS: -- County -- when the --

MS. LOVE: -- mechanism or the tool that we, as the oversight, would be getting? Is it just here's a fact, or are you asking for --

MS. LEWIS: -- no. The --

MS. LOVE: -- review and approval?

MS. LEWIS: -- the County administration, during the project management functions, will be -- will know when the expenditures are going to be over. So we will notify the board with this project funding revision, which will have all of this information --

MS. CASSINI: And then --

MS. LEWIS: -- so that you can make that eligibility review.

MS. CASSINI: The notification would be through a formal item on your agenda --

MS. LEWIS: On your agenda.

MS. CASSINI: -- for transparency purposes.

MS. LEWIS: Yeah.

MS. LOVE: But that's a -- at that point, it's just a statement that it's going over, or are you looking for us to take an action on it?

MS. LEWIS: Well, you're going to make a -- as you did with the initial project, you're going to look at the additional activities that will need the extra funding to make a determination of is the intent eligible.

MS. CASSINI: It's an approval, because you --

MS. LOVE: Okay, but that's not what it (inaudible).

MS. CASSINI: -- have to approve every proposed expenditure, and this would be an increased expenditure.

MS. LOVE: But it doesn't say about approval, so I think it just provides for notification as it's --

MS. LEWIS: Uh-huh.

MS. LOVE: -- written right now. So I think it should say review and approval and not just notification.

MS. CASSINI: And just to clarify, I think what we heard and what Althea was working on was a policy that would allow you not to have to approve every single expenditure increase. So what we were looking at is could we notify you in some instances --

MS. LOVE: Yes.

MS. CASSINI: -- when there was no scope change up to a certain percentage. I'm hearing maybe a little less than this. Something along the lines of what's already included in the financial plan for contingency might be an area that you all -- a place where you all could get comfortable.

MR. COOLMAN: As this is for discussion, this issue that came up about the cities not being able to change their projects, which I understand, but I was under the impression the cities could substitute one project for another, but they had a limit as to how much they could expend. And as -- I don't know whether this is the time to talk about it or not.

MS. CASSINI: So when you all were first seated, we had not entered into our formal interlocal agreement with the MPO for the municipal prioritization process. So what we were telling municipalities was until we have a contract in place that governs when you can submit new projects, municipalities were allowed to swap out projects that had no net financial impact to the plan.

So they had a \$3,000,000 project that they'd already done with gas taxes and they wanted to put another \$3,000,000 project in that was the same project type, no problem. Once we entered into that interlocal agreement with the MPO, that agreement governs everything. So that agreement says we are going to focus all of our attention on prioritizing the 709 projects that are in the plan. We're going to get those into a place where we can bring them forward to the Oversight Board and to our Board of County Commissioners for their evaluation and review and approval, and create this five-year plan, and only then are we going to start entertaining new projects.

Does that -- I can tell by your face --

MR. COOLMAN: I understand --

MS. CASSINI: -- that --

MR. COOLMAN: -- that.

MS. CASSINI: Oh --

MR. COOLMAN: But I was --

MS. CASSINI: -- okay.

MR. COOLMAN: -- always under the impression that the 2.8 billion dollars that was assigned to municipal projects by the 31 cities, each city had an amount of money based on the projects they submitted and, as you said, they could swap 3,000,000 for

3,000,000. And I thought they could swap any projects they wanted as long as their total didn't change, but you say they don't have a total now. There's where I'm confused.

MS. CASSINI: No. And that was the case until we entered into the interlocal agreement with the MPO, because now -- so we had a financial plan that was audited by the state, and we can't have the financial -- anything change in the financial plan. But what I'm saying to you now is that if a municipality overestimated the cost of their -- this is a project-based plan, so if a municipality overestimated the cost of their projects by \$500,000,000, that \$500,000,000 goes back into a general municipal pot. It doesn't -- that doesn't stay with the municipality.

MR. COOLMAN: I have no problem with that. But I thought that they -- to keep the cities in line, I thought they had a total that they should try to work to.

MS. LOVE: No.

MR. COOLMAN: I mean, that's the way I was looking at it. And now you have 2.8 billion dollars shared by 31 cities, and the list of projects has -- would have a different budget for each city; right?

MS. LEWIS: Right. But the population for each of the municipalities would be different. The prioritization of some of the projects would be different.

MR. COOLMAN: Right.

MS. LEWIS: And so that's what the MPO is doing on our behalf, is deciding what should get the dollars first because it makes better sense in terms of the overarching goal.

MR. COOLMAN: That's --

MS. LEWIS: Isn't that correct?

MR. COOLMAN: -- that's valid, too, but that's not what -- I'm -- maybe I'm wearing a city hat at the moment. I thought the cities had a wish list that cost X dollars, and I was under the impression that, as times change, they can switch something out. I didn't know it had to be dollar for dollar, but whatever.

MS. CASSINI: It -- just to be clear, it no longer has to be dollar for dollar. And cities are -- they can have all of the projects that they wanted in the plan. They can have as many or as few of the projects that were submitted as part of the plan, and the -- and municipalities also have the opportunity to compete, after February 2021, for new dollars for new projects that they hadn't even contemplated at the time that the plan was created.

So I think -- let's say City X had seven projects in the plan for a hundred million dollars. They get to that hundred million dollars by the fifth year. We're -- we don't want to say that City X doesn't get to do any more projects for the next 30 years, so the idea is wherever there's any type of cost savings, it goes back into a pot that allows municipalities to do even more than they had anticipated.

Just like the County is going to. We're not holding ourselves only to the projects that were in the plan, because we all recognize that there are going to be things that we could never have contemplated in 2017 as we were developing this plan.

MR. ALLEN: Doug, remember in our -- I think it was our first meeting, we got in a discussion about ten percent set aside, and we issued a policy or a recommendation to the Board of County Commissioners to not do a ten percent set aside for each city, but instead look at regional prioritization. That's part of -- part and parcel to that.

MR. COOLMAN: Enough said.

MS. LOVE: So I have a question. So I'm going back to the proposed policy. So the source of the incremental funds expected to be a surtax non-reserve contingency fund in '20, so which is now -- which will be for next fiscal year, has that already been accepted?

MS. LEWIS: No. So -- no. So that's what the Budget Director will be framing out for us to bring back to you.

MS. LOVE: When is your budget approved?

MS. LEWIS: The budget was approved last (inaudible).

MS. LOVE: I thought it was already --

MS. CASSINI: This would be part of the first supplemental --

MS. LOVE: Oh, oh. Okay.

MS. CASSINI: -- possibly the second supplemental, and it would be inclusive of all the funds that we were just talking about that were already in the financial plan under the contingency line items.

MS. LOVE: So the budget was approved with a certain percentage for contingency already.

MS. CASSINI: No.

MS. LEWIS: No.

MS. LOVE: Nothing?

MS. LEWIS: No, this is a proposed proposal.

MS. LOVE: I --

MS. LEWIS: That's why --

MS. LOVE: -- I understand.

MS. LEWIS: -- this is --

MS. LOVE: I'm talking about for the projects that are already in, there's a -- was there a contingency already built in?

MS. CASSINI: Oh, oh.

MS. LEWIS: No.

MS. CASSINI: In the plan that went to the voters, yes, there's contingency in every single year, both at the County side and the city side. However, in our budget for FY '20, there was not --

MS. LEWIS: There is no --

MS. CASSINI: -- contingency --

MS. LEWIS: -- contingency.

MS. CASSINI: -- included.

MS. LOVE: Nothing.

MS. LEWIS: No.

MS. CASSINI: None.

MS. LOVE: It was just the project cost without any contingency.

MS. LEWIS: Correct.

MR. TORNESE: Right.

MS. LOVE: Okay. So you're looking for the normal contingency, let's just say. He

talked about 13 percent plus this 20.

MR. TORNESE: No.

MS. LEWIS: The contingency that's mentioned here that we would propose next year, the current thinking is maybe eight percent.

MR. COOLMAN: The whole idea of this was to allow a project to go forward and not have to come back here. As a former design professional and working on a lot of projects, I personally don't have a problem with this 20 percent, regardless, because the budget is the budget, however you got there. This is just a gap stop to keep a project going. And if it goes over 20, it's going to come back here.

MS. LEWIS: Yeah.

MR. COOLMAN: Now, this was for discussion, and I assume we'll be discussing it next month; is that right?

MS. LEWIS: Yeah. Because a big objective here is for transparency with the board --

MR. COOLMAN: Right.

MS. LEWIS: -- to make sure that we're not -- nobody is being slid under the table.

MR. COOLMAN: I'm not sure what to do without Alan other than I -- would you like to say something?

MR. CAVROS: Yeah, I have a question, Mr. Chair. I just want to clarify our project oversight authority. Am I correct when I say that absent the change in the scope of a project, we cannot deny funding on a project we've already approved?

MS. WALLACE: Right. So -- well, funding is a function of the Board. So your -- the Oversight Board's function is determining eligibility of the proposed project and the proposed expenditure for -- under the statute. But the appropriations are done by the County Commission.

And so when the proposed project and the proposed expenditure are presented based upon the estimations that are done by staff, then you're approving those, and you're determining that they're -- that they are eligible.

MR. CAVROS: Under the statute.

MS. WALLACE: Under the statute.

MR. CAVROS: Which would necessarily require a change in the scope of the project,

because we've already approved it according to the --

MS. WALLACE: Right. And --

MR. CAVROS: - - statute.

MS. WALLACE: -- that's what Ms. Lewis is saying, that, you know, if there's a -- if something occurs and impacts the cost of the project that, you know, appears that the -- could trigger a scope change, then that would be brought to you, to this body for review. Because, you know, a change in scope, it would be, okay, is that -- is --

MS. CASSINI: It could change the eligibility.

MS. WALLACE: -- an eligibility determination would need to be made. So -- and I think one of the examples that Alan was using before he left was, okay, if you're in the middle of construction and you hit, you know, some utility issues that weren't anticipated, you know, the project can't stop. And that's something that needs to be, you know, dealt with and the project needs to continue to move. And the -- and we don't want to be a stopgap for something like unforeseen utility issues or something like that in a project.

MR. COOLMAN: You know, that raises an interesting point. This would be maybe too much money if the project was just being approved in design or something, but when a project gets in construction, that may not be enough.

So I'm trying to figure out some guidance -- and maybe this needs to be -- have a different look when a project is under construction, because that's the worst time we could stop it.

Earlier, before it starts, that could be zero. I mean, I think ten or 20's okay, but maybe the issue is really where is the project. When it's under construction, that's a bigger danger of causing more delays, more money in the long term. You stop a project, you've got real problems. Contractor comes back and everything else.

So should we bifurcate this thing? Would that be a suggestion?

MS. LEWIS: Possibly, to have, say, X percent pre-construction begin and Y percent post-construction begin.

UNIDENTIFIED SPEAKER: Okay.

MR. COOLMAN: I think that would --

MR. SMITH: Well --

MR. COOLMAN: -- be a -- probably a direction that would make some sense.

MR. SMITH: -- let me ask a question about the 20 percent. How often do we see projects at the County level that are similar to this going above the 20 percent once you put in the contingency to begin with?

MS. LEWIS: None. Right.

MR. TORNESE: Rarely.

MS. LEWIS: No, not for road projects.

MR. TORNESE: It's extremely rare.

MS. LEWIS: -- right. Not for road --

MR. SMITH: Right. So I don't think there's a big risk of us flagging a project. And then I don't think that our body would actually halt a construction project, to begin with, really, the way that we would set this up. But it doesn't sound like there's a big risk there. And when I hear that the 20 percent would rarely occur, it kind of makes you wonder if it should be a little bit lower --

MS. LEWIS: Lower?

MR. SMITH: -- because my understanding of this is just for us to take a look at it to make sure that that scope hasn't changed. Even if it were at the next month's meeting, I would never be in favor of anything to stop a project, by any means.

It wouldn't mean we still wouldn't look at that project, if for nothing else, to understand how these things are happening, for future projects and so forth, so that, you know, it's a learning curve for everybody as to how this may happen. But it sounds like it's not going to capture that many projects.

MS. LEWIS: This is a low probability event. It's expected to be. But, again, the focus on making sure the Oversight Board has full disclosure, you see the changes in terms of what you're managing.

So when you're managing the -- or monitoring project execution, instead of monitoring a project that has a million dollar budget, you're -- you need to know that you're now monitoring a project with a 1.2 and why.

UNIDENTIFIED SPEAKER: Uh-huh.

MR. ALLEN: The real risk, though, is in the design phase. So if you've given approval to the project before you've got the design done, you are at risk for significant cost increases. I mean, the scope changes tremendously during design, whether it be a

building or a bus or a --

MR. TORNESE: Right.

MR. ALLEN: Right. So I think if you -- if you separate those two phases.

MR. TORNESE: (Inaudible.)

MS. LEWIS: Okay.

MR. ALLEN: If it -- if a project is funded on a contingency basis for design, there has to be another approval if it -- if the overall project cost exceeds a certain percent.

MR. SMITH: Okay.

MR. ALLEN: Maybe that works.

MR. COOLMAN: Any other comments regarding Exhibit 3?

MS. LEWIS: Okay. Thank you.

MR. COOLMAN: Thank you.

**REQUESTED UPDATES:**

**REVENUE FORECAST: SURTAX AND GAS TAX - G. CASSINI**

MR. COOLMAN: Requested updates, Exhibit 4.

MS. CASSINI: Okay. This should go quickly. At the last meeting the Oversight Board asked if I could give an update on some revenue forecasts. And since our Budget Office had just completed doing that as part of our FY 2020 budget, I was able to borrow quite a bit of information from them and put it together for you.

There was a question about gas tax revenues, and I just wanted to assure the board and the public that the gas tax revenues that are coming in continue to be used for their statutorily required purposes. They continue to support both County and municipal transportation mobility related projects.

We have 57.6 million that are going to be supporting Transit operations in fiscal year 2020. And, again, the surtax funds will pay for the capital for roadway, Public Works projects, and then gas taxes are being utilized to support the operations and maintenance of those.

The surtax revenue forecast starting in fiscal year 2020, again, that's October 1st of

2019, the state is actually projecting a little bit higher than what we had in our financial plan. So the top line of that little chart down there is what our Budget Office and the state are projecting, and the bottom is what was in the financial plan that went to the voters.

Again, we only budget at 95 percent of the forecast, per state law. So for fiscal year '20, that totals \$352,000,000. And that's it. Did you have any questions about that? Okay. We're just going to keep on moving. So --

MR. COOLMAN: I've got a question.

MS. CASSINI: Did you have a question?

MR. COOLMAN: Yeah, and it goes back to the -- of the 14 cents, I understand the cities get two cents of the 14; is that correct?

MS. CASSINI: I believe so. I meant to check that after you asked me that yesterday, and I did not. I know that there are two local option gas tax cents that support municipalities, but I don't know if it's out of the 14 cents or if it's in addition to.

MR. COOLMAN: Okay. So they get -- they do or they don't get some money to --

MS. CASSINI: They definitely do.

MR. COOLMAN: Okay.

MS. CASSINI: Yes.

MS. WALLACE: And it's by agreement. And so we have gas tax interlocal agreements with the municipalities that are a portion of the -- a percentage of the funding of the gas tax revenues are allocated to the County and the municipal shares of those gas taxes are divided pro rata based on population pursuant to an agreement.

Those don't come directly to the County, so we amend those interlocal agreements, the gas tax agreements, every year based upon population figures. Those population figures are sent to the State Department of Revenue, and the Department of Revenue disburses them based upon the percentages in the agreement. And so the municipalities receive those directly. But they do receive gas tax revenues.

MR. COOLMAN: Thank you. Go ahead, Gretchen.

### **STATUS OF FY 2019 PROJECTS, APPROVED POSITIONS, CONTRACTS**

MS. CASSINI: Okay. So we're going to move on to some status updates. Again, the Oversight Board requested some updates on the projects that they funded in fiscal year

'19 ending September 30th. And so Tony and Chris are coming to the table to give you some updates.

MR. HUI: Good afternoon again. I will start with some -- an update on our road projects and Chris will follow up with the Transit projects. Just very -- a list of all the projects that were previously approved in 2019. These are the current status, and we actually even got then some more recent updates since the chart was put together last week.

First project, Pine Island Road fiber project, contractor was procuring equipment and material. Just so you know, we issued a Notice to Proceed to the contractor back in August. Since that time, they've been procuring equipment and getting organized.

They're actually ready -- just about ready to start construction. They have a pre-construction meeting that's scheduled for today, and the actual field work, in terms of installation of the fiber, is going to start in the first week of October. So we're very excited about that. It's ready to go.

Next project, also a fiber project, Sunrise Boulevard. We were awaiting permit approval from the City of Sunrise. We were expecting it by the end of this month. Just want to let the board know that we actually got the permit on Monday of this week. The city had to resolve some issue with the developer that they had, but the permit was -- we got a phone call, it was approved this week. We're going to be able to go into the procurement phase. So that's moving along well.

Stirling and Palm, we -- this is a mast arm project, conversion project. We also issued the Notice to Proceed to the contractor back in August. It is -- they have been in the equipment procurement stage. The mast arms do take quite some time. There -- there's two pieces of equipment that take some time to construct and acquire. It is the cabinet control box itself, at the intersection, and also the mast arm itself. So they're procuring equipment. It's going to be another couple months before construction -- actual construction is going to start. But, again, Notice to Proceed, shop drawings, and equipment procurement, that all got started back in August when we issued the Notice to Proceed.

The next project, mast arm project, is in the procurement phase right now. Broward Boulevard at 15th Street is a FEMA grant process. We need the money available to -- as the County portion of the grant. And our indications with FEMA at this point is that it looks very favorable, so we're going to continue with -- continue with the process, and I'll continue to update the board as we go through. And this is a -- this is a situation that when we get the grant, we will know it up front that -- and we -- you know, we are counting on this as part of our finance plans.

And the last part, Bayview elementary school is still in the design phase. Uh-huh. So that's a quick update on the projects that were approved in 2019. Any questions I can answer? Chris?

MR. WALTON: Thanks. Okay. For 2019, you authorized us to improve service, and to do that, we needed to hire 105 staff, mostly bus operators and mechanics. The update is that we've hired 99 of those, and the other six are in process.

For the services that you see on the -- on the board now, they were all implemented in the month of July. All six routes were implemented and are doing well. For -- between -- for the second implementation, which just took place September 22nd, Routes 55, 62, Route 101, and our brand new Route 8 were all implemented and are operating as planned.

The Route 15, Route 23, and Route 56 are contracted routes that we had actually intended to be installed -- implemented by the month of September. We thought they'd be done by now, but we ran into an issue with our contractor, and we're working through some -- some contract terms. And we hope to get those resolved quickly. So for the most part, all the services that we had promised to put in place are in place, and we hope that the three routes that -- which are lower ridership routes, would be in place soon.

Also want to add that we ordered last year 147 fixed route buses, 65 of which will be paid for by surtax dollars. Those buses should start coming just after Christmas. And we also ordered 146 paratransit vehicles, 128 of which are being paid by surtax dollars. Forty-four of those have already been received and are in service. That's the update.

MR. COOLMAN: Any questions? I have one. I know you track all the ridership, et cetera. When will you start seeing results, because as I understand this was to fit pieces that either had been deleted or were needed to increase frequency and use. How many months does this take to --

MR. WALTON: It really depends on your route. But we actually track the ridership on a monthly basis, so we can provide the information for you to show you what we had before and what has happened since the implementation of the new service.

MR. COOLMAN: And the reason I have asked, a lot of people say they always see the buses empty. And I say, well, part of the problem is we've never had the money to complete the routes, we've added this. So that's why I was raising that issue. Thank you.

MR. WALTON: Okay.

MR. ALLEN: I think we've all seen your advertisements with your expanded services on TV, in print, et cetera. Congratulations on that. But down the road, we need to talk about branding the penny for sales tax as being a major contributor to your expanded service.

MR. WALTON: Agreed.

MR. COOLMAN: Anything else?

MS. CASSINI: Thanks, Chris. All right. We don't have anybody from the Office of Economic and Small Business here to give you an update, so I'll do my very best. But I just wanted to make sure you all were aware of the amount of work that they are putting into not only getting the word out about the surtax, but making sure that small businesses know how to become CBEs. And they're actually starting to look at national recruiting strategies. So here are some highlights.

They've got a theme called Driving Broward's Economy Forward. They are touting the fact that there'll be about \$53,000,000 annually for Broward County certified small businesses, with an estimate of a little -- 1.59 billion in competitive procurement opportunities over the 30 years. And there's the bullet about the national campaign to try to start attracting those businesses to our area to do the types of services that we haven't needed previously for rail or for electric bus operations and maintenance. So we're really excited about that. They've had a lot of interest. I believe they've done five informational sessions, and they've had hundreds of small businesses attend. So I'm sorry that Anthea missed that.

All right. So just a quick update from myself. I know you all asked me where we are with staffing back in July, and I'm happy to tell you that we are almost fully staffed up. I have the wonderful and talented Audrey Thompson who is our Administrative Specialist and will also be offering Oversight Board support.

We have the wonderful and talented Public Information Officer Cindy Malin, who is going to be giving you an update in just a few minutes on her marketing, branding, and messaging efforts thus far.

I have a Finance Manager who has a wealth of experience in the public sector as an auditor. So that'll be great. And she's starting on October 23rd. I look forward to introducing her to you at that -- your October meeting.

And I have a Program Performance Analyst actually who accepted the offer last week and will be starting actually on October 21st. So we'll have a couple of new faces to introduce to you at your October meeting.

Open North. They are starting their site visits and interviews with all of the various stakeholders. They'll be here in the second week of October, meeting with FDOT, all of the various County agencies, the MPO, municipalities, and other stakeholders. They're going to be distributing surveys. And they'll be in contact with you all very soon as they gear up to give recommendations on metrics to the Oversight Board in January.

And right now, I'd like to ask the MPO to come to the table, and they're going to give you an update on what's been happening with them.

MR. CROSS: It's official. It's official. So, good afternoon. Bill Cross. I am Deputy Executive Director at the Broward MPO. I'm here today on behalf of --

UNIDENTIFIED SPEAKER: Greg Stuart.

MR. CROSS: -- Greg Stuart, who could not be here. Sorry, Greg. So we're -- we're here today. I'd also like to introduce Andrew Riddle, who's sitting next to me, who's one of the hires that we have made in support of this program. So he's going to help me through some of the presentation today.

Okay. So what is the Broward MPO's role? I've heard quite a bit of discussion about that here today, so I think you probably have a pretty good understanding of it. Again, it's defined by the ordinance as well as the agreement that we have, the interlocal agreement, with the County. Go ahead.

So what is that role? Well, we've really primarily been tasked with an annual review, rank, and prioritization of the municipal city projects that were submitted as part of the surtax. It actually gets a little bit more involved than that when you actually start to get into it. You know, we're finding that some of the city projects that were submitted are not really fully defined, yet, you know, so they need a little bit of work there.

So one of the things that we've done is we've -- we're bringing on consultant resources to help us work with the cities, professional engineering staff to help understand and clarify some of what we have been provided by the cities. Well, this is -- I guess this one is simply to point out that there's a very large, significant amount of money that will be available year one.

And, as we understand it, the community shuttle buses will be the first off-the-top of that money, and then whatever capital projects that we're able to recommend and prioritize this first cycle would then be next in line for funding. And the resources that are still available at the end of that would go to support the maintenance projects. Anything you want to add there? No. Okay.

So efforts to date. Well, we have put together the surtax team. So as soon as we had the agreement in place between ourselves and the County, we began that effort, and we began recruiting. And I would just mention thank you to Gretchen and Angela, both, who sat in on some of our interviews with us. And so we do -- we have hired two people. Kerrie MacNeill is the other person. She's not able to be here with us today. And as well as hiring a consultant through our library of planning consultants. This consultant was brought on as part of our standing up this initial year of development for the evaluation criteria and methodology, as well, as I had mentioned, to bring a professional engineer on staff to meet in the field.

So the best projects, the projects that are most likely to be recommended for initial

funding, year one funding, we're going to go out in the field with our engineer and with the city staff, whether it's Public Works or their Engineering Department, to review the projects, to at least give some level of comfort, the best that we can in the time available, that these truly are shovel ready projects, that they're thought through, and they have the support of the local community.

So at this point, I'm just going to turn it over to Andrew to run through the rest.

MR. RIDDLE: So here are some other efforts to date. The MPO developed an online submittal tool as the cities updated their projects. The MPO held a surtax workshop on August 28th. And this was an opportunity to give them a one-on-one demonstration of the tool, and also an overview of the surtax program. The cities received a link to the online tool on August 29th, and had access to the tool through September 17th. Next slide.

So here's a draft schedule. From now through October, we're having our one-on-one meetings with the cities. During this time, we're also developing a ranking criteria and methodology. We're also developing a tool that will be used to prioritize projects, and we'll have the initial list of projects by January. This will allow us to also conduct field reviews with the city staff to verify any project assumptions or things that we can see at the ground level. The MPO must transmit the final list to the County by March 1st. Next slide.

By the end of October, we should have completed all of our one-on-one meetings with the municipalities, and we will be beginning our field reviews at that time also. That's all that we have right now, but I'm available for any questions.

MR. COOLMAN: Phil?

MR. ALLEN: Did all the cities respond?

MR. RIDDLE: Yes, sir, they did.

MR. ALLEN: And they've been involved in all the workshops and --

MR. RIDDLE: Yes. And we have scheduled one-on-one meetings with each individual city, and that will -- we have -- we started it yesterday, and it will go through all of October.

MR. COOLMAN: Mr. Smith.

MR. SMITH: So -- and you guys may not be able to -- well, first off, I appreciate the presentation and information. And you guys may not be able to speak too much to this, because it looks like it's something you're working on in terms of actually coming up with the criteria, because I find this to be kind of an interesting exercise. I'm sure on your

part, as well.

But basically what we're trying to do, we're -- we're taking four words. We're saying alleviate congestion, enhance connectivity. Right? They're like two separate concepts; right? And they're a little bit -- we could probably talk for an hour about what that actually means.

So I would be kind of curious how you're building up a profile to kind of look at that. Like if you take connectivity, for example, people may see that differently. I mean, does that mean connecting to other modes of transportation? Does that mean you can take your bike somewhere and then get on something else, is it all car related?

I mean, how does this -- I mean, alleviate congestion I think is a little more clear, but even that, to me, like when you kind of think about it, it's like you could add a lane, right, and you could alleviate congestion now, but, you know, what about longer range? So I'm just curious, because I know you guys are going to be prioritizing these projects. I'm definitely interested in the details of that process.

MR. RIDDLE: And those are all very good questions. And that is something that we're definitely working through at the staff level and trying to, you know, get our heads around how -- really, there's an array of different types of projects that have been submitted. And to evaluate the projects based on those two criteria is challenging. But I do believe that we will be able to find the appropriate criteria that will be able to evaluate those projects and provide some kind of confidence in that scoring and ranking criteria.

MS. LOVE: So at some point, you will have that kind of condensed in a way that we would be able to see what that represents, or it's evolving all the time, or what's the plan on that criteria?

MR. RIDDLE: Absolutely. So once the criteria and the methodology has been -- we first have to take it through our TAC, our technical -- Technical Advisory Committee at the MPO. And once we get some feedback, we will have a public workshop that will be brought out to the larger group, and anyone's willing -- you know, if they want to participate, they should please, you know, join the workshop in November, to get some feedback, you know, how -- you know, some response on the different criteria that we've developed so far.

And, you know, so this is going to be a very open process. You know, the MPO has over 40 years of experience doing these type of things, so we're kind of building on those type of things that we already have kind of perfected. Not -- I don't know if perfected is the word, but that we, you know, continuously try to strive to protect -- perfect. And hopefully that -- at the end of this, will -- we will be very comfortable, and our municipal partners will also be very comfortable with the criteria and methodology. If that answers your question.

MS. LOVE: Yes. The online tool that you referred to here --

MR. RIDDLE: Yes, ma'am.

MS. LOVE: -- so where is that tool? Is that an accessible tool or is it a tool that was just provided to the municipalities?

MR. RIDDLE: It was -- the tool was only available to the municipalities, because the municipalities, we -- the municipalities were only party to the plan. So the projects that were included in the adopted surtax plan, we just needed to get more specifics. We needed to know the segment length, we needed to know more deeper -- deeper information about their scope. And those are all the things that we asked in the tool for them to provide better detailed information. And then we're going to also meet with them one-on-one --

MS. LOVE: Yeah.

MR. RIDDLE: -- through -- through October to get better detailed information and to also verify the information that was put in the tool so that we're not, you know, taking that information and then running it through the tool and not getting the appropriate outcome.

MS. LOVE: And in terms of the presentation of the outcome I guess that you'll have in March where you're going to present the projects, I guess, to the County; is that my understanding?

MR. RIDDLE: From my understanding, we will -- in January, we'll be providing the initial list to the County staff, and the County will actually bring it to their Board -- and please correct me if I'm wrong, Gretchen -- to their Board as part of their normal budget process.

MS. CASSINI: The goal is to try to get it into our second supplemental, which means that we have to bring it to you all no later than your March meeting. And if we can do it before that, we certainly will, because our second supplemental was in April last year. So that's our goal.

And also, to -- I think, Ms. Love, you were asking about whether or not the tool was kind of publicly accessible and something that people could see. And once the application for new projects is developed, it's certainly going to be something that we bring here and that we bring to our Board of County Commissioners, as well.

MR. RIDDLE: And just to clarify, the one-on-one meetings do include the elected officials. Not only their staff, but the elected officials at these one-on-ones.

MS. LOVE: Thank you.

MR. COOLMAN: I do have a couple comments. First of all, I think it's wonderful that Broward County has an MPO and have had it for, what, 40-some years?

MR. RIDDLE: Forty-three, I believe.

MR. COOLMAN: Right.

MR. RIDDLE: 1977.

MR. COOLMAN: My question's more of a bigger scale. The MPO has a budget of X that's paid by who with how many employees prior to the surtax issue? Ball park. I'm not going to --

MR. CROSS: Ball park, I'm going to say that we've been operating over that time period with a budget of probably three to \$4,000,000 a year, and a staff of let's say -- it's varied over the years, but, you know, probably 15 to 20, in that range.

MR. COOLMAN: Okay. And that's -- and that money comes from or came from and still comes from --

MR. CROSS: Yes, all of --

MR. COOLMAN: -- cities?

MR. CROSS: -- the above. It -- no, it doesn't come from the cities.

MR. COOLMAN: Ah.

MR. CROSS: So the MPO is a federally required and federally funded organization. So that's where all of our funding for staff is coming from, the federal government. And we have the responsibility, our board, for prioritizing investments using federal and state dollars. And that's what Andrew referenced.

So we do something very similar to what we're doing for the municipal projects here for projects that are funded through the federal and state sources.

MR. COOLMAN: So the change is going to be you're going to be adding staff to support the surtax dollars, and you're going to be receiving additional funds from the surtax. And I think I saw something somewhere, I can't remember the numbers, but how many staff do you anticipate adding to the existing staff to --

MR. CROSS: Well, our original thought was that we would try to have three dedicated staff. We would have a manager. We would have a project manager who would deal

with the individual projects, and we were thinking about having a GIS person that would be dedicated to helping us produce maps and do some of the evaluation. What we found was, despite our best efforts, we were not able to find the right person for that GIS position, so we have two very talented members that we have added, and we are right now doing the rest through consultant resources in lieu of hiring that other position.

MR. COOLMAN: Then I assume then also some of your other staff could be available for --

MR. CROSS: Yeah --

MR. COOLMAN: -- or would be or will be available.

MR. CROSS: Yes, sir. I mean, like my time here today --

MR. COOLMAN: Sure.

MR. CROSS: -- you know, I'm -- surtax is not my primary function, but I'm here. So, yes, you have the support of the entire organization.

MR. COOLMAN: And those additional budget dollars amount to about how much? I thought I saw it in one of the documents.

MS. CASSINI: It's a little over \$129,000 a quarter, and I believe it was a \$494,000 upfront payment. And that was for a five-year term.

MR. COOLMAN: Okay. Thank you. Anybody else have any questions? Took two to do Greg's job, huh? That's wonderful. Thank you.

MR. CROSS: Thank you. We look forward to coming back for quarterly updates.

UNIDENTIFIED SPEAKERS: (Inaudible.)

### **COMMUNICATION, OUTREACH, AND MARKETING STRATEGIES - C. MALIN:**

MS. CASSINI: And I am thrilled to end the day with our marketing and communications update from Ms. Malin. And I just need to say that without the dedication and talent of our entire public communications team, I want to give a special shout out to Mike Jorgensen who comes and sets this up every -- every meeting, and he also was instrumental in helping us get a really cool video, which is how you will end your day. So thank you, Mike.

MR. JORGENSEN: And thank you to the entire team.

MS. CASSINI: Thank you to your entire team.

MR. COOLMAN: I'm sorry we're running a little over, but this is very important. And I'm sorry Alan's not here to hear it, so.

MS. CASSINI: Oh, he got to see it in the briefing when we met with him.

MR. COOLMAN: Oh, that's right. He'd gotten it the other day; right?

MS. MALIN: Well, first, I want to say I'm happy to be here. I worked on the campaign in 2016 and 2018, so this program is definitely in my heart and soul. So we'll start off with the marketing and branding.

The County went out for Request for Proposal for marketing services. It's for a countywide menu that our Office of Public Communications is going to oversee, but there is a portion that we can use for surtax. So the deadline to respond was September 20th. Ten companies have sent in a proposal. So right now, it's under review.

Next steps are County Attorney, Risk Management, evaluation matrix, background checks, et cetera. So we're anticipating we still have a good few months before we do have contract or contracts in place that we can utilize for marketing. These are some of the items that were in the RFP. Again, it could be one agency, it could be four agencies. We're not sure what it's going to end up being.

For our particular reason, our goal, logo, and tagline will be our very first thing. We need to find our brand. So that will be very -- a big project for the agency when they're on board. We may use them for advertising, for special events, social media, video. There are a whole plethora of things that we may use them for. We have been Tweeting for three weeks. We are on social media right now. On Twitter, we're @browardmobility. We plan to start Facebook soon. Keeping it very factual, educational. Haven't had too much engagement yet. We know that will be coming. We're being very conservative right now. Again, we want to wait until we have our brand before we go full force. But we are out there, so if you guys can, we encourage you to follow us and re-Tweet.

Our website, I hope you guys are actually visiting our website. It's being updated. I'm on it pretty much every day just doing some tweaks. If there's things I can't do, our Office of Public Communications has been very helpful.

One of our newest items is an innovation in transportation article. That's an article slash interview with Lenny. And it's going over all of the initiatives and the importance of technology adaptation for Broward's transportation future. And I have to say, he puts it in very simple terms and makes it very exciting and very easy to understand, and gets you very excited for what's to come.

And after this morning's agenda, I realized that audit needs to be one of our next pages.

(Laughter.)

MS. MALIN: Regarding web trends, I have look at the past few years' web trends. It's kind of what I thought. During the campaign months, it was looking good. It's been a little -- little slow right now. I mean, our goal is to pick that up, but we are monitoring that. The most visited pages over the past year have been Projects in Your City and Oversight Board.

Now, you can view the Oversight Board meetings on broward.org's website, our website, Broward -- Broward's Facebook page, which is @browardcountygovernment, Broward's Twitter page, which is @browardcounty, and our Twitter -- Twitter page, which is @browardmobility. This is a sample project flyer that we'll be using as projects are starting. We will get this out in many ways, and that list will keep growing.

But our goal right now is to get it out on social media, work with the city PIO or city PIOs so it goes to their channels. It will go on our penny website. The Commissioner or Commissioners who -- whose districts are involved will also get it, and we'll encourage them to get it out. The effected cities will be encouraged to share it with their first responders. The contractors, anyone involved, Broward's inspection team, our Office of Public Communications, any other stakeholders, we'll be encouraging to the -- for them to get this type of information out for us -- with us.

Things we have coming up. Meetings are being scheduled with our federal delegation. Right now, we have Wasserman-Schultz and Hastings scheduled. Others will be coming. This will be where our MAP team will go out and meet with them and do a GIS presentation of projects in their congressional districts. They'll discuss long-term goals, and overview of the Innovation Office, any federal issues related to the program, just to keep them abreast of what's going on.

MS. MALIN: Here's a video.

(Video plays.)

MS. MALIN: So I do want to thank our A/V Department for putting this together. This is something we put together. Gretchen and Chair Hooper did a presentation this morning at the Fort Lauderdale Chamber, so we had put this together as part of their presentation.

(Applause.)

MR. COOLMAN: Any comments? Of course, I have a little one. I was in and out of the Fort Lauderdale Airport the other day, and I know the County makes announcements throughout. This needs to get a place in the airport and start showing stuff. I assume we're going to do that, and with the port travelers and everything else?

MS. MALIN: We actually have drafted a communications plan. There's many things like that in there. So that is part of our goal, part of our outreach.

MR. COOLMAN: Very exciting. Thank you.

DR. KELLEY: Is there a climate change component to, you know, all the good that's happened with this?

MS. MALIN: As far as what we're going to promote? Yes.

DR. KELLEY: Yeah --

MS. MALIN: There -- there's so many tentacles --

DR. KELLEY: Yeah.

MS. MALIN: -- with this program. Yes, that is one.

DR. KELLEY: -- that should be part of this program.

MR. SMITH: That's video's good, but it's very car centric. I mean, it showed the train for a minute. It'd be cool to see somebody like on a scooter or getting around on a bike or just some other means of transportation --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. SMITH: -- besides just cars advancing. I realize they'll advance also and drive themselves but, I don't know, just my two cents.

MS. CASSINI: We had the same comment, but there's -- there are only so many stock photos that we could get our hands on --

MR. SMITH: Yeah.

MS. CASSINI: -- for free.

MS. MALIN: We will produce -- be producing --

MR. SMITH: I'm sure.

MS. MALIN: -- so many more videos --

MR. SMITH: I'm sure.

MS. MALIN: -- in the future.

MR. SMITH: I'm sure. It was nice meeting you. Thank you for the presentation.

MS. MALIN: Certainly.

MR. SMITH: Yeah.

MS. LOVE: Thank you.

MS. MALIN: Certainly.

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. MALIN: Thank you.

MR. COOLMAN: Yes, thank you. Any other comments?

**OTHER BUSINESS:**

**COORDINATOR'S REPORT**

MR. COOLMAN: We're going into other business. Coordinator's report. I'm not sure what that is, but I'm going to find out.

MS. CASSINI: You are. Okay. So just a couple of quick things. You all have been contacted by me about email addresses. We continue to receive requests for your contact information, and I have been seeking some direction from you all about how you would like to handle that.

We are in a position to be able to create Broward County email addresses for you. Because you are outside of the firewall, there would be two layers of authentication in order for you to access it. But it would be a streamlined way for you to keep all of your communications related to your service on the Oversight Board, as well as to make it easy if you get a public records request.

It doesn't really address the question of phone numbers. I can always provide my phone number to the individuals and -- you know, and then they can call and I can give them your information. But I just wanted to have a discussion. I know we've talked about this in the past, but it's only going to get more often and more frequent that people are asking for your information.

UNIDENTIFIED SPEAKER: I mean --

MR. ALLEN: On your phone number issue, why don't we just use the office number?

MS. CASSINI: That's what I'm --

MR. ALLEN: And then staff can alert us when we need to make a call back.

MS. CASSINI: Yeah.

MR. ALLEN: At least that there's some review that -- I had expressed concerns about using private email addresses on the web, both because I have been hacked in the past, and I do foresee the potential for issues as it relates to that. I also recognize the value to get input from the public out there.

So to the extent that we can't do a more professional job of giving -- creating email addresses that we can access. Only question I would have would be is there a way, with the County server, to do an automatic forwarding of that email to our personal email accounts? Many email systems have that capability for you --

MR. SMITH: Well, you can -- you can probably have a pole (Phonetic) the same way from your like POP account, you know, from your own -- a personal account could potentially pole from that email address, I think. I don't know. That's not area. I have -- we have IT guys at the firm.

MR. COOLMAN: I --

MS. CASSINI: I'll collect all of these questions and make sure that I pose them to ETS.

MR. SMITH: But I think the thing to put on record here, at least for me, that I agree with with Mr. Allen is I want to make sure that we are accessible. I mean, I don't want to get spam calls and people just looking for our information just because they're available, but as far as citizens reaching out, or people concerned with what we're doing, the work we're doing here, I want to make sure that I'm accessible.

MR. COOLMAN: I think we need to be accessible, and I don't want to overwork the staff, but I think everything needs to go somehow through them before it comes here so there's a record, number one, that somebody contacted us. And I don't know how you'd do that.

MR. ALLEN: If the -- if it's by email, there will be a permanent record retained on the server. The server will log in that email and will keep it on the server. So any business that we do on that business account, on that business email account, will be retained on the server.

MR. COOLMAN: I understand that, but when someone calls, they're going to call the staff, they're looking for all or one of us, or they're going to email; right?

MS. CASSINI: Well, today what's been happening is just companies have been

contacting us requesting your contact information. I don't know why. I don't know what they plan to use it for. I just know that it's a public record, and that I have to provide it. And so the reason that I'm asking if you would like County email addresses is to protect you from having people contacting you on your private emails.

MS. LOVE: I like the County email. I think that is a way to just keep record, make sure it's accessible to -- for sunshine purposes. So I would like the County email.

MR. COOLMAN: I would second that.

UNIDENTIFIED SPEAKER: Likewise.

MS. CASSINI: So you will be contacted by a gentleman named Keith Wolf (phonetic). He will be providing you with information and steps that you will need to take in order to create that account. And I will make sure to contact Keith after this meeting and let him know that if there's a way that he can help have those -- have an auto forward into your personal email, that there are members that would be interested in that, too.

So thank you for that direction. I'll take care of that. And I don't know if you all want to wait until your October meeting, since we've lost a couple of members, to talk through the 2020 calendar?

MR. COOLMAN: We'll wait.

MS. CASSINI: Okay. But I would just ask that when you arrive in October that you've looked through 2020 and you're prepared to have a conversation about what dates you would like to have meetings. Okay? And I think I have a pretty clear direction on what the agenda's going to be, so I'll have the agenda to you within the next couple of weeks. And if I missed anything, please let me know.

MR. ALLEN: Mr. Chairman? Mr. Chairman?

MR. COOLMAN: Go ahead.

MR. ALLEN: I do have a matter that I'd like to bring up. We had a great deal of discussion this morning about performance auditing, and we need to start getting a handle on that. And I would suggest that we ask staff to get with the Finance Director's Office, with the Procurement Office, and with the Commission Auditor's Office to draft what's called a Letter of Interest to solicit the marketplace.

And I don't know how formal the County's policy is right now on Letters of Interest, but there ought to be a methodology that we could use to just -- to feel what the market out there is for performance auditing of transportation projects. And if we could have some report back to us at our next meeting about the prospect to start getting that ball rolling.

MS. LOVE: I agree with that also.

MR. COOLMAN: As a follow up to Phil, I think we ought to have an item on our agenda that would say board issues before it gets to the Chair's Report. Just, you know.

MS. CASSINI: Sure.

CHAIR'S REPORT:

MR. COOLMAN: And since the Chair didn't tell me to say anything, the Vice Chair has nothing to say, that's the end of that item, I'd look for a motion to adjourn, unless there's any other issues.

**ADJOURN:**

MR. COOLMAN: I need a motion.

MR. CAVROS: **Move** to adjourn.

MR. COOLMAN: Second?

MS. PENNANT: I second.

MR. COOLMAN: All in favor? We're adjourned.

MS. CASSINI: Thank you.

(The meeting concluded at 2:26 p.m.)