

MINUTES
INDEPENDENT SURTAX OVERSIGHT BOARD
APPOINTING AUTHORITY MEETING

January 28, 2020

MEMBERS Mr. Randall Vitale, designee of the Broward Workshop, Chair
PRESENT: Dr. Colin Polsky, FAU Center for Environmental Studies
Mr. Dan Lindblade, designee of the Broward County Council of Chambers
Ms. Bertha Henry, Broward County Administrator
Mr. Arnold Nazur, designee of Hispanic Unity
Mr. Sidney Calloway, designee of the Urban League of Broward County
The Honorable Jack Seiler, designee of the Broward League of Cities

Also Present: Gretchen Cassini, Assistant County Administrator
Angela Wallace, County Attorney's Office
Nancy Cavender, The Laws Group

A meeting of the Independent Surtax Oversight Committee Appointing Authority was held in the Room 430, Governmental Center, 115 S. Andrews Avenue, Fort Lauderdale, Florida at 9:00 a.m., Tuesday, January 28, 2020

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

CALL TO ORDER - RANDALL VITALE, CHAIR

CHAIR VITALE: Okay. Good morning.

UNIDENTIFIED SPEAKERS: Good morning.

CHAIR VITALE: It's 9:01 on January 28th, 2020. Happy New Year –

MS. HENRY: Happy New Year.

CHAIR VITALE: -- Dan.

MR. LINDBLADE: I'm not doing the Happy New Year, anymore.

MS. HENRY: Why?

UNIDENTIFIED SPEAKERS: (Inaudible.)

CHAIR VITALE: We were joking about it beforehand.

MR. LINDBLADE: It's over. We're already in.

MR. SEILER: What day did you quit?

MR. LINDBLADE: The 5th.

MR. CALLOWAY: You gave it a week?

MR. SEILER: You guys may want to reverse those two.

CHAIR VITALE: Okay. We will call this meeting to order.

ROLL CALL - GRETCHEN CASSINI

CHAIR VITALE: And start with roll call, please.

MS. CASSINI: Thank you, Mr. Chair. I'll start with Dr. Polsky.

DR. POLSKY: Present.

MS. CASSINI: Mr. Nazur.

INDEPENDENT SURTAX OVERSIGHT COMMITTEE APPOINTING
AUTHORITY MEETING

JANUARY 28, 2020

dh/NC

MR. NAZUR: Here.

MS. CASSINI: Ms. Henry.

MS. HENRY: Here.

MS. CASSINI: Mr. Seiler.

MR. SEILER: Here.

MS. CASSINI: Mr. Lindblade.

MR. LINDBLADE: Present.

MS. CASSINI: Mr. Calloway.

MR. CALLOWAY: Present.

MS. CASSINI: Chair Vitale.

CHAIR VITALE: Here.

MS. CASSINI: We have a quorum.

CHAIR VITALE: Okay. Thank you all for joining us this morning for our Transportation Surtax Appointing Authority meeting.

ACTION ITEMS

1 – APPROVAL OF DECEMBER 28,2019 MINUTES

CHAIR VITALE: We have, in advance of the meeting, sent out the minutes. Hopefully everyone has had a chance to review them. I will entertain a motion to approve those minutes.

MR. SEILER: So **moved**.

MR. LINDBLADE: Second.

CHAIR VITALE: Moved and seconded. Any objection to accepting the minutes as presented? Seeing none, the minutes are accepted. Thank you.

INDEPENDENT SURTAX OVERSIGHT COMMITTEE APPOINTING
AUTHORITY MEETING
JANUARY 28, 2020
dh/NC

VOTE PASSES UNANIMOUSLY.

2 – CONSIDERATION AND SELECTION OF APPLICANT(S) IN THE ARCHITECTURE VACANCY ON THE INDEPENDENT SURTAX OVERSIGHT BOARD

- A. APPLICANT 1 - RONALD FRAZIER**
- B. APPLICANT 2 - MICHAEL SHIFF**
- C. APPLICANT 3 - ROBERT MCMAHON (WITHDRAWN FROM CONSIDERATION)**

CHAIR VITALE: Next on the agenda is the consideration of the opening seat -- vacancy for the seat of Architecture on the Independent Surtax Oversight Board.

So also in the materials sent to you in advance of the meeting, you received three applicants. And let me first start by discussing Applicant 3, who was withdrawn from consideration. And that was -- correct me if I'm wrong here, but that was at their choosing. So they had submitted -- Robert McMahon had submitted his name for the Oversight Board, but then -- and I think was going through the approval process -- and then, after that, decided there might be some business in the future that he would like to pursue or something like that?

MS. WALLACE: Yes, he has an existing contractual relationship that he is going to maintain --

CHAIR VITALE: Got it.

MS. WALLACE: -- that proposed -- that presented a conflict.

CHAIR VITALE: Okay. So Applicant 3 was removed. We decided to send all of the applicants, even the one that was removed, to the group, just so that we had a full record of everybody that actually did apply versus leaving them off.

So that leaves us Applicant 1, Ronald Frazier, and Applicant 2, Michael Shiff. And I believe -- and, again, correct me if I'm wrong -- we can now just have discussion in any format. So if anyone knows either of the applicants and would like to discuss them or go over their applications here while we have the group together, please feel free to jump in.

**INDEPENDENT SURTAX OVERSIGHT COMMITTEE APPOINTING
AUTHORITY MEETING**

JANUARY 28, 2020

dh/NC

MR. SEILER: I'll start the discussion. I actually know both of them, and I think it's nice to have two very qualified candidates. So it's a -- when you look at the first applicant, he did a lot of work in Miami-Dade County, but I know he did stuff with Jackson Health System, which I came across him, and then also with the transit down there with -- and so I think he certainly knows what he's doing and is qualified to serve.

And then Michael Shiff, I worked with him on a bunch of stuff in Fort Lauderdale, and he's very qualified, too. So I'd be very comfortable with both applicants is where I'm coming from.

CHAIR VITALE: Okay. And just process-wise, we will rank 1, 2, right, was how we left it when there was an opening. We will select one of the individuals, and then if, for some reason, the circumstances change within the next -- I don't know if it was 30 or 60 days --

MS. WALLACE: Uh-huh.

CHAIR VITALE: -- the second would have the opportunity to accept; is that right?

MS. WALLACE: That's correct. And I wanted to note that with regard to the qualification's memo, the current ordinance -- or, I guess, the process or the criteria, eligibility criteria approved by the County Commission includes a licensure requirement for this and two other categories. And Mr. Frazier is currently licensed, and Mr. Shiff has indicated that he -- his willingness to have his license reinstated in the event that he's selected. So I just wanted --

CHAIR VITALE: Right. So I think there was just a lapse in paying the fee of his license.

MS. WALLACE: Right. So he's retired --

CHAIR VITALE: Right. Exactly.

MS. WALLACE: -- and I guess just hasn't maintained an active license, but he's willing --

CHAIR VITALE: Okay.

MS. WALLACE: -- to have it, and he has the ability to have it reinstated and is willing to do so.

CHAIR VITALE: Okay. Thank you for clarifying.

MR. CALLOWAY: Mr. Chair, I also know Ron Frazier and have had a chance to work with him over a number of years, mostly in Dade County, but I do have great confidence in his work as an architect and his familiarity with issues related to transportation, transit, and the economic issues around that.

CHAIR VITALE: Thank you, Sidney. Anyone else like to weigh in or discuss?

DR. POLSKY: I would just offer that they both seem super qualified, and the one distinction may be that Mr. Shiff seems to be more Broward-centric, and that may or may not be a concern or a consideration or interest of the group here, but he does seem to have some transit-related experience in addition to architecture, which, obviously, Mr. Frazier also does. But this is the Broward surtax, and so that just may be a tiny nuance that's not worth thinking much more about, but I wanted to mention it.

MS. HENRY: And I looked at it a little bit differently in that we were trying to avoid conflicts or the appearance of conflict. And so the fact that there's a long history and a lot of relationships within the Broward community could look -- I mean, could go the opposite way.

So I agree that both candidates are qualified. I just -- you looked at it one way. I looked at it differently in that we are talking about conflict, appearance of conflict. So I just looked at it a little differently. And the other -- and I just want to make sure that I get this right. We are making changes to the ordinance prospectively regarding the requirement that a person be licensed, and that prospectively that they could be -- meet the qualifications without that if they did it within some period of time. But I'm not quite sure of the wording.

MS. WALLACE: There is a proposal to include a window for licensure. And so I would, I guess, read the section related to this particular category, but it applies to the others.

So right now, it says, one professional in the field of architecture, and it's defined as a person who holds, and the amendment would be or within the past three years has held, a license to engage in the practice of architecture pursuant to Section 481.213 Florida Statutes. But that has not --

MS. HENRY: Hasn't been approved yet.

MS. WALLACE: -- been approved yet.

MS. HENRY: Okay.

MS. WALLACE: That has not been approved by the Board yet. It'll be considered by the County Commission on February 11th when the ordinance is considered.

CHAIR VITALE: Dan?

MR. LINDBLADE: Yeah, I kind of looked at it the same way that Bertha did. I really like the fact that Mr. Frazier has experience outside, brings a different lens to the discussion, more -- not necessarily more objective, but just a different set of circumstances. So if you're willing to take a motion, I'm ready to make one for Mr. Frazier.

CHAIR VITALE: Yeah, we can start with a motion, and then we can continue with discussion.

MR. LINDBLADE: I'll make a **motion** that we appoint Ron Frazier.

MR. SEILER: I'll second that motion.

CHAIR VITALE: There is a motion to appoint Ron -- Ronald Frazier to the Transportation Oversight Board in the position of Architecture. It has been seconded by Jack Seiler. Discussion?

MR. SEILER: I have one question. In terms of, obviously, diversity, what is the current makeup of our board? The Oversight Board?

MS. CASSINI: Are you talking from a gender perspective? From --

MR. SEILER: Gender --

MS. CASSINI: -- a race?

MR. SEILER: -- race. Yeah, just -- I mean, I want to make sure we duly reflect the community. And I think that both of these gentlemen are eminently qualified, and I think either one. But I think from the standpoint also of diversity, I'd like to make sure we remain diverse. So what is the makeup of the current board?

MS. CASSINI: Well, we haven't asked our members specifically for that type of information, but I know that during the appointment process, I think -- actually, Chair Vitale indicated that Chair Hooper is Hispanic?

CHAIR VITALE: Yes.

MS. CASSINI: Okay. So the Chair is Hispanic. The Vice Chair is a white male. We do have -- we have two African-American females. We have a -- I believe -- I'm not sure exactly sure about our resident in public transportation consumer --

MS. WALLACE: Dr. --

MS. CASSINI: -- Dr. --

MS. WALLACE: -- yeah, Dr. Kelley I do believe is Hispanic.

MS. CASSINI: Okay.

MR. SEILER: Hispanic? Okay.

MS. CASSINI: And then we have --

MS. WALLACE: Phil Allen.

MS. CASSINI: -- right. Phil Allen and Shea Smith and --

MS. WALLACE: George Cavros.

MS. CASSINI: -- and George Cavros, and then this vacancy, of course.

MR. SEILER: And the only reason I bring that up, because, you know, obviously, diversity's important. You want the boards to reflect the community.

MS. WALLACE: Uh-huh.

MR. SEILER: And I think either nomination would be outstanding. And I'm comfortable moving forward with Dan's recommendation.

CHAIR VITALE: Okay. Thank you. Any other questions or comments? Anyone care to weigh in or have any questions about the applicants? Okay.

So I will ask for a vote. All those in favor of the motion to accept Ronald Frazier, please signify by saying aye. Any opposed? Seeing none, it is unanimous.

VOTE PASSES UNANIMOUSLY.

CHAIR VITALE: And that will conclude our action items. We have two quick –

MR. SEILER: Well –

MS. WALLACE: I have one question. So if we're -- if -- with the slate of applicants, we have two, and the Chair referenced the ranking in the event that the first ranked candidate does not, for whatever reason, end up filling the position, that we consider the second. So but we haven't addressed that. And then I guess we'd have to address the licensure issue, as well, in the event that Mr. Shiff is ranked second.

MR. SEILER: Let me **move** Mr. Shiff to be ranked second and to be eligible to step in upon obtaining his renewal of his license.

MS. WALLACE: Subject to licensure.

MR. SEILER: Right.

CHAIR VITALE: Subject to licensure.

MR. CALLOWAY: Second.

CHAIR VITALE: Okay. Motion by Jack Seiler, and seconded by Sidney Calloway. Any discussion? All those in favor of the motion, please signify by saying aye. Any opposed? Again, it is unanimous. Thank you for clarification there. So that will now conclude our action item.

VOTE PASSES UNANIMOUSLY.

DISCUSSION ITEMS

1 – DISCUSSION OF THE ANNUAL REPORT CONTENT (EXHIBIT 1)

CHAIR VITALE: So we have two brief discussion items. The first is the annual report, which was sent in the backup material, as well. And I'll hand it over to Gretchen.

MS. CASSINI: Thank you, Mr. Chair. This should just take a few minutes, but I did want, since we're not sure when we're going to reconvene with this group, I did want to give you an opportunity to weigh in on the proposed content of our first annual report about the transportation surtax implementation. So as your Exhibit 1, you'll see the proposed Table of Contents.

Our plan is to release -- let me go back. Our plan is to release this in March at the same time that we receive the actual single audit on the transportation surtax. So initially, we would introduce the annual report through the County Commission, the transportation values and goals from the Commission's Strategic Plan, including the elements from 2017 that actually laid the foundation for us pursuing the ballot initiative.

There would be a brief summary about the Penny For Transportation, itself, the educational campaign. Then the Appointing Authority, which is why we need pictures from you all, and just a brief summary of all of your activities over the past year.

The Oversight Board piece is quite a bit more detailed. There's actually summary of the actions that have taken place and the agenda items for each meeting, including their actions on projects and proposed expenditures, with totals.

The financial overview will, as I mentioned, include the single audit, but it will also include information about the 30-year financial plan and how it was developed, the fact that it was audited by the state. It will provide information about capital, operations and maintenance, and municipal projects.

And then we'll move into the actual goals of the program, the surtax goals and objectives. We will include the revised transportation ordinance, which, as Angela mentioned, we expect final action on February 11th by the Board. We're going to include the relevant sections of Statute that authorize the Charter County transportation surtax. And then we'll go through

INDEPENDENT SURTAX OVERSIGHT COMMITTEE APPOINTING
AUTHORITY MEETING

JANUARY 28, 2020

dh/NC

accomplishments to date in the various areas from Public Works, Transit, Office of Economic and Small Business Development, our -- actually, we're also going to talk about some of the municipal accomplishments, which, for 2019, would be the community shuttle program.

We'll talk about what the surtax-funded MPO staff have done with respect to prioritizing municipal projects. The outreach efforts that we've done throughout the community. And then we'll talk a little bit about what we're looking forward to in 2020, some teasers in the various areas again. And we just wanted to make sure that there wasn't something that you felt was an omission that needed to be discussed in the annual report. And I'll turn it back over to the Chair.

CHAIR VITALE: Great. Thank you. So I think the idea of the annual report is an outstanding one and look forward to seeing it on an annual basis. Is there anything that anyone here would like to have included, or feedback for Gretchen and the Oversight Board?

MS. HENRY: The only comment that I have is that our annual report is evolving, and, ultimately, when we have the opportunity that we're excited about here sometime soon to work with our branding and really talk to our constituents, and they tell us what they would like to see and know on an ongoing basis, you may see some changes in that for that, because I think it's important that we speak to our customers.

CHAIR VITALE: Agreed. I think that having an early -- maybe we just put a big draft, you know, in all caps on bold on the annual report, but just to get the word out as to what has been accomplished is very worthwhile. Dan?

MR. LINDBLADE: All right. I've got to ask the question. What are you saying?

MS. HENRY: What do you mean, what am I saying?

MR. LINDBLADE: Well, I don't -- it was kind of ambiguous. You were kind of --

MS. HENRY: Oh, okay.

MR. LINDBLADE: -- I need to know a little --

MS. HENRY: I didn't mean to.

INDEPENDENT SURTAX OVERSIGHT COMMITTEE APPOINTING
AUTHORITY MEETING

JANUARY 28, 2020

dh/NC

MR. LINDBLADE: -- clearer.

MS. HENRY: So basically, what we're trying to do now is bring on resources to help us with outreach, branding, et cetera, et cetera. And once that solicitation, however -- I mean, we're having some -- you know, we're going through some issues with that, but once that is resolved and we have what we need, we will be reporting what we think our constituents really want to know and what they want to hear.

MR. LINDBLADE: So you're going through procurement.

MS. HENRY: Yeah.

MR. LINDBLADE: Okay.

MS. HENRY: Yeah.

MR. LINDBLADE: Got it. Thank you.

CHAIR VITALE: Procurement for communications and trying to have one cohesive message, brand --

MR. LINDBLADE: Perfect.

CHAIR VITALE: -- comprehensive --

MR. LINDBLADE: That's all I needed.

CHAIR VITALE: -- for the entire program.

MR. LINDBLADE: Thank you.

MR. SEILER: Can I ask two questions?

CHAIR VITALE: Sure.

MR. SEILER: One, I would just ask that whatever draft of this you have, that you would send it to our Chair to have a chance to look at it. And I don't want to dump work on your desk, but I do think it would be important that we get sort of our Chair's eyes and ears on it, just to sort of understand how this board is being presented. You all right with that?

CHAIR VITALE: My pleasure.

MR. SEILER: Because I think that might --

CHAIR VITALE: No, I mean it.

MR. SEILER: -- no -- yeah, because I think for him to review it and just make sure that we're all on the same page. And then secondly, I know you have this vote coming up before the Commission. As a courtesy, can you just send us the final versions?

I know we had a set here. After 25 years of reading statutes and proposed statutes and ordinances, I didn't go look at the final version that came out. Would you all just send a courtesy copy to us of what is going to the County Commission and then what, if it passes, just an update to this board?

MS. HENRY: Absolutely.

MS. WALLACE: Yes.

MR. SEILER: All right.

MS. WALLACE: We anticipate that -- so the County's currently working with the Broward League of Cities regarding a section of the ordinance dealing with funding agreements, and once those provisions are worked out, we'll have a final draft that will be presented to the County Commission that incorporates everything, and we'll forward that.

MR. SEILER: Well, just -- yeah, because you remember we were working on something here back a month ago or a month or so ago, and just whatever the final version looks like, I'd love to see it.

MS. WALLACE: Yes.

CHAIR VITALE: What is the current proposed timeline of that discussion? Do we know at this time?

MS. HENRY: Yes. There's an item on the --

CHAIR VITALE: On the item, yeah.

MS. HENRY: -- yeah, the item that's on the agenda will be delayed once again because the Oversight Board is having a meeting on Thursday, so we've agreed to delay any action by the Board to give the Oversight Board an opportunity to see the final and make whatever other comments that they want to make before the February 11th. The ETA now is February 11th.

CHAIR VITALE: Great. Thank you. So I have a comment about that, but I just want to finish the discussion on the annual report. Was there anyone else who had anything else? Okay. So Jack brought it up, and I was going to bring it up as well. I just wanted to make sure that everyone knew it was continuing to move forward.

We didn't feel the need to bring it back to this group for discussion. It has received a whole lot of attention from the Oversight Board and other community leaders. So we're happy to leave that with the Oversight Board, at this point. Okay. Any other discussion items that anyone would like to bring up? Any other --

MR. LINDBLADE: Mr. Chair --

CHAIR VITALE: -- business?

MR. LINDBLADE: -- before you move off of that, I had a question about our discussion and how that kind of moved from here. And when I asked Gretchen about it, she said that we did not instruct her to move it forward. So I'm just -- did you -- what did you do with our discussion? Did you go to the Oversight Board or the -- yeah, the Oversight Board? What did you do with that?

CHAIR VITALE: I spoke to Chair Hooper --

MR. LINDBLADE: Okay.

CHAIR VITALE: -- right after this meeting --

MR. LINDBLADE: Yeah.

CHAIR VITALE: -- or after our last meeting, and let him know what had --

MR. LINDBLADE: Okay.

CHAIR VITALE: -- what had gone on in this meeting.

INDEPENDENT SURTAX OVERSIGHT COMMITTEE APPOINTING
AUTHORITY MEETING

JANUARY 28, 2020

dh/NC

MR. LINDBLADE: So we did actually transfer something to them?

CHAIR VITALE: Yeah, and I believe that -- and I wasn't at the Oversight Board meeting, so I'll let the staff address -- I believe it was also communicated to them there as well.

MS. WALLACE: Yes.

MR. LINDBLADE: Okay.

MS. WALLACE: So the recommendations from the Appointing Authority were provided to the Oversight Board during their December meeting.

MR. LINDBLADE: Okay. So I just want to make sure that we're clear with staff as to when we do something, if we want it to go somewhere, we need to tell them.

CHAIR VITALE: Sure.

MR. LINDBLADE: Otherwise, it's just looked at as internal conversation. The other thing is I thought it was very curious what the Sun-Sentinel said for us to do with our work, which is to stay in our own lane and just appoint people. So that was their opinion on our work.

CHAIR VITALE: I saw that, and I agree, that was their opinion.

MR. LINDBLADE: Yeah. I haven't talked to Rosemary about that, but I thought that was interesting.

OTHER BUSINESS

CHAIR VITALE: I'll withhold any further comment. Anything else around that anyone would like to discuss or hear about? But, yeah, Chair Hooper and I, you know, obviously know each other very well, and he knew that it was going to be coming up at our meeting, so he wanted to know how it went at our meeting, so him and I spoke in advance of the Oversight Board.

MR. LINDBLADE: That's all I needed to know. Thank you.

CHAIR VITALE: Yeah. Plus it was brought up.

MR. LINDBLADE: Yeah.

INDEPENDENT SURTAX OVERSIGHT COMMITTEE APPOINTING
AUTHORITY MEETING

JANUARY 28, 2020

dh/NC

CHAIR VITALE: Sure. Okay. Any other business that anyone would like to bring up, or any discussions?

MR. LINDBLADE: Thank you for the candy.

MS. CASSINI: Thank you.

ADJOURN

CHAIR VITALE: So we will -- we will not, hopefully, be needing to meet for a while, but I look forward to seeing you all in the community and not around this table. So, unless there is anything else, we are adjourned. Thank you.

(The meeting concluded at 9:24 a.m.)