

## MINUTES

### INDEPENDENT TRANSPORTATION SURTAX OVERSIGHT BOARD

August 19, 2022

#### MEMBERS PRESENT:

Phil Allen, Retired, Finance

Deborah Madden, Environmental Sciences, Florida Energy Policy Attorney,

Southern Alliance for Clean Energy

Douglas Coolman, Vice Chair, Retired, Land Use and Urban Planning

Ronald Frazier, Architecture

Alan Hooper, Chair, Engineering/Construction Management, General

Contractor and Real Estate Re-developer, Hooper Construction, Inc., and a founding member of Urban Street Development.

Dr. Consuelo Kelley, Resident Consumer of Public Transportation

Allyson C. Love, Former City or County Manager, Assistant City Manager,

City of Delray Beach

Anthea Pennant, District Director of the Broward College Office of Supplier

Relations and Diversity, via telephone

Shea Smith, Accounting, Director of Audit and Attest Services, Berkowitz

Pollack Brant Advisors and Accountants

#### MEMBERS ABSENT:

**Also Present:**

Angela Wallace, Surtax General Counsel

Gretchen Cassini, Board Coordinator

Ray Burnette, Administrative Support Specialist

Tashauna Williams-Wilson, Public Information Specialist

Laura Rogers, County Auditor's Office

Tim Garling, Director, Broward County Water and Wastewater Services

Tony Hui, Deputy Director, Broward County Public Works Department

Miriam Brighton, The Laws Group

A meeting of the Independent Transportation Surtax Oversight Board, Broward County, Florida, was held at 115 South Andrews Avenue, Room 430, at 9:30 a.m., Friday, August 19, 2022.

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

**CALL TO ORDER - CHAIR HOOPER**

MR. HOOPER: All right. Good morning. We're going to open up the meeting.

Welcome, everybody. We're going to open up the meeting to the Independent Transportation Surtax Oversight Board, Friday, August 19<sup>th</sup>.

**ROLL CALL - ROY BURNETT, ADMINISTRATIVE SPECIALIST**

MR. HOOPER: Can we do a roll call, please.

MR. BURNETT: Good morning, everybody.

Alan Hooper.

MS. CASSINI: Here.

(Laughter.)

MR. HOOPER: Here. Sorry about that.

MR. BURNETT: No problem.

Douglas Coolman.

MR. COOLMAN: Here.

MR. BURNETT: Debbie Madden.

MS. MADDEN: Here.

MR. BURNETT: Allyson Love.

MS. LOVE: Here.

MR. BURNETT: Shea Smith.

MR. SMITH: Here.

MR. BURNETT: Dr. Consuelo Kelley.

DR. KELLEY: Here.

MR. BURNETT: Phil Allen.

MR. ALLEN: Here.

MR. BURNETT: Anthea Pennant is participating virtually and she'll  
announce her --

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. PENNANT: Hello? I'm here.

MR. BURNETT: Thank you.

MR. BURNETT: Thank you.

And Ronald Frazier, we're pending (inaudible).

MR. HOOPER: I just saw him.

MS. CASSINI: He's here?

MR. HOOPER: He's here. He may have run to the restroom or  
something.

MR. BURNETT: Okay.

MR. HOOPER: He should be back. I just saw him.

MR. BURNETT: You have a quorum.

MR. HOOPER: Okay. Very good.

## **PUBLIC PARTICIPATION**

MR. HOOPER: We have an opportunity for public participation.

Has anybody registered to participate in the public?

MR. BURNETT: Not at this time, Chair.

MR. HOOPER: Okay. Thank you.

## **REGULAR AGENDA**

## **1 - APPROVAL OF MINUTES OF THE APRIL 29, 2022 OVERSIGHT**

### **BOARD MEETING**

MR. HOOPER: Okay. The Regular Agenda. First action item is the approval of the minutes, correct? Yeah, I think so.

MR. COOLMAN: I so **move** approval.

MR. HOOPER: For April 29<sup>th</sup>. So moved?

MR. COOLMAN: Yes, so moved.

MR. HOOPER: Do we have a second?

DR. KELLEY: Second.

MR. HOOPER: I think Dr. Kelley was our second.

Okay. Is there any discussion on the motion?

All those in favor of the approval of the minutes of the April 29<sup>th</sup>, 2022 meeting, say aye.

Those opposed?

Okay. The minutes are approved.

### **VOTE PASSES UNANIMOUSLY.**

## **2 - FY 2022 BUDGET REQUEST - BROWARD COMMUTER RAIL:**

**Motion to Approve as statutorily eligible, the proposed project and expenditures in the not-to-exceed amount of \$13.5M to support the PD&E study of the Broward Commuter Rail Project Locally Preferred Alternative (LPA).**

MR. HOOPER: Okay. So now we're going to go over the budget request for the Broward commuter rail for 2022.

I think we have Mr. Garling here. How are you?

MR. GARLING: Good morning.

MR. HOOPER: Morning.

MS. CASSINI: Press this.

MR. GARLING: Is this audio on?

MR. HOOPER: Uh-huh.

MR. GARLING: Okay. Good. Thank you.

So good morning, Mr. Chair, members of the Oversight Committee.

Today we want to talk -- give you an update on the commuter rail project and talk about an opportunity that we have to actually progress this project.

So as -- as we saw last year in fiscal '22, the budget included \$80,000,000 for regional transportation project. And I think at that time, there was discussion of commuter rail being one of those items funded by that. I think it was (inaudible) interchange was one of the things talked about, projects of regional significance.

So there was money set aside to do those particular projects.

So in November, you received a briefing, a detailed briefing, on the commuter rail project. And there was a -- an item for the initial project development and environmental, what we call PD and E, for the commuter rail project.

It was approved as an eligible activity for surtax for 2.35 million dollars at that time.

And since then, there has been a significant amount of activity. There have been a lot of public meetings, there's been outreach, there's been public workshops. And it's kind of culminated in an -- in an action that's going to be on the Commission agenda on August 25<sup>th</sup>.

They're going to consider a locally preferred alternative, an LPA, a -- actually, a project that can progress under federal funding for commuter rail.

That project is -- you know, it's in the agenda. It's going to have to be something that they review, discuss, and approve.

They had a workshop where there seemed to be consensus on the part of the Commission of what to do next. The idea right now is a -- sort of a commuter rail south that would be around 11 miles or so of service from Aventura with a -- with a stop in Hollywood, with a stop at the airport, and a stop at Broward Health.

This would be a project -- and the importance of that project, it would be a project of independent utility. It would be a project that would stand on its own and would help progress transportation across the region.

So to get into complete project development and environmental for the entire project, this locally preferred alternative that will be on the agenda, an additional 13.15 million dollars of surtax funding is being requested so we have sufficient funds to do that.

And the note on this slide sort of shows the whole package. We've got support from our partners at FDOT.

The entire endeavor, the entire PD and E for this -- this useful

segment, this useful project would be 23.65 million. That would be -- we'd be layering that 2.35 that's already been approved along with the 13.15 of surtax funds that we're talking about today.

FDOT already has programmed and already has money in the amount of 8.15 million dollars. So that would give us the total amount of money.

And the reason this is important and the reason we're asking for a determination about eligibility today is that when the Commission considers the locally preferred alternative on the 25<sup>th</sup>, the deadline to enter -- request to enter project development environmental with the federal government is the 26<sup>th</sup>. It's the very next day.

So we have to -- we have to move. If the Commission does approve the LPA, we want to get in and make that request for project development environmental and get into -- get into the game, get into the process.

So if we can do that, this sets us up -- when they review our project, this sets us up for the possibility of getting into a federal funding cycle or making a federal request for what would be most likely a Small Starts federal project, where we would have a federal share to go along with the local share, probably -- we'd put together the funding plan if -- if we progress that way, that we could progress this project within about a one-year time period.

So this is a window, this is an opportunity to move forward. This is an opportunity to kind of get into the process and to move us ahead.

If we miss this window, it sort of delays everything a year.

So the importance sort of making this action today, the importance of



the Commission considering, and if they -- if they choose to approve the LPA, this really puts us into a position to progress that project.

So with that, that's sort of the update on where we stand on the commuter rail project for today.

MR. HOOPER: You got any questions?

MR. ALLEN: Mr. Chairman.

MR. HOOPER: Okay. I'm going to let Mr. Allen start. Go ahead, Mr. Allen.

MR. ALLEN: The original study, or the last study, had the boundaries of (inaudible) Broward -- through Broward into (inaudible). And this proposal or discussion point, stops at the New River because of the issue relative to the tunnel/bridge decision.

Should this be considered as a separate project now and that that full study that was done from -- through Broward including the tunnel/bridge issue, should that be set aside and this be kind of a new -- new project?

MR. GARLING: So this -- what -- what the local preferred alternative is is actually a -- a project, and the -- the term would be a project of independent utility, a project that stands on its own.

And so a lot of the work that's been done for that project, a lot of review of the project that is already there, a lot of that can already be used.

But as we go through project development, the project development will focus on this particular segment, in the small part of the segment.

What that allows us to then, in the future, look at ways to continue on,

to extend with new projects, to continue to go on to the north and not only Broward County, but, you know, potentially even Palm Beach County in the future.

But this focus now, the PD and E would be focused on this one particular segment that can be built, where there seems to be consensus. We'll sort of see this on Tuesday, but there appears to be consensus, something that can be done and something that can create a useful project.

And I will say that, to me, the -- the potential for this project, the usefulness that we can actually connect to potential light rail projects, potential bus rapid transit projects, airport connections, there is a lot of usefulness to that project and reason to move forward.

And it gives us a chance to do additional study and to achieve consensus on how to paint the entire picture of what commuter rail would look like in the future.

MR. ALLEN: But moving forward on this part of the project potentially locks us into a -- or the corridor for the future. And so if we make a decision based on the revised economics and cost for the project, the ridership is going to change, all of that's going to change.

And I'm just questioning, you know, does that then lock us out in the future relative to the decision -- I guess what I'm trying to get at is it seems like we focus -- we continue to focus on that piece of the project and forgetting the through project through -- through Broward.

MR. GARLING: Well, you know, I -- I don't think we're forgetting the --

the rest of the project. So that will just be another activity. We'll continue with the -- with the planning, we'll continue to try to build consensus, we'll continue to try to figure out a way to progress the project.

But this -- this allows -- I think what's important is it allows action, right? It allows us to create something.

It's going to be difficult to build a 30-mile stretch of railroad all at one time in any event --

MR. HOOPER: Yeah, right.

MR. GARLING: -- and to coordinate.

So in -- in -- in my experience -- I've been doing this a long time, and I've been in communities where we've actually sort of built rail projects, and one of the things I've learned from those communities is that, you know, they built what they could build -- or they built what they could build when they could build it, when they had money available, when they had the opportunity.

So this is an opportunity. This is an opportunity to build for a portion of a useful project that we can all agree on, that we can get funded, and we can get working on while then, at the same time, we're looking at how we extend that corridor.

Because, certainly, I think in the long run, you know, we -- we're certainly going to look for, you know, additional services that, you know, continue, can help the entire County and beyond, right, to create a project that -- multiple projects that help the region.

MR. ALLEN: I really don't know how to frame this, but does -- will work continue to go on relative to costing the alternative, the bridge -- or the alternatives that were identified in the total project, including the bridge/tunnel issue? Will that go on --

MR. GARLING: Yes.

MR. ALLEN: -- in parallel with this piece of the project?

MR. GARLING: Yes. So work will continue. So we'll work on the project. We'll define a alternative. We'll work on that project. We'll design it, we'll build it.

And while that's going on, we will continue to build consensus, we'll continue to study, we'll continue to figure out a way to get to the future with the remaining parts of -- of the corridor going to the north.

MR. HOOPER: Mr. Coolman.

MR. COOLMAN: Yes. I think this is probably a very healthy compromise.

But I think we have to realize we're phasing the project, and anytime you do that, we're going to spend a little more money, because we're phasing it.

I don't think we have a choice, because of the facts out there.

And I think it's an excellent compromise, but I just -- keep in mind, we are going to be spending a few more dollars because we're not looking at the big picture all at once.

And even if we did, Phil, we'd probably cut it off in pieces, okay? We -

- like they say, you can't build 30-some miles all at once.

So it's a -- I think it's a good compromise based on the politics that are out there.

MR. GARLING: And if -- if I may make one comment to that. This project is a project that stands on its own, right? It has usefulness, and we can create something good, even if nothing else happened.

I'm not saying nothing else would happen, but we have -- if -- if we just build this project, we have a useful connection, and we have ridership, and we have utility.

Now, once you have that, now you can keep building to the future.

So this is a way, and we talked a little bit at our workshop, right, you know, the way you get to the future, right, you start doing what you can, you start building, and let these projects go on and evolve.

And this is a great opportunity, and the time is now, right? If we make these actions now, we can get into these long federal processes and have this opportunity right in front of us, and we can start -- just start cranking and start building.

MR. HOOPER: Any -- yes, Ms. Madden.

MS. MADDEN: May I just ask what -- can you describe the purpose and need of the project? What is the independent utility?

MR. GARLING: Right. So the -- this project would, you know, go -- would add on to the project they -- they're anticipating doing in Miami-Dade County. And it would get into Broward.

And it would give us three particular stations. One of the stations would be in Hollywood, one would be at the airport, and one would be -- we're -- we're thinking in the -- the Broward Health area.

And, again, you know, so connecting to the airport sort of has its obvious advantages.

As we talked about, our systems plan, our PREMO plan, certainly, rail lines that connect to the airport certainly would be under strong consideration for what a plan like that would look like.

You get into a -- an Activity Center, a population center like Hollywood. Connections to Hollywood for all the things you have there. Potential bus rapid transit that would go through Hollywood.

So there's a -- a lot of ways that this would fit into an overall network and -- and have ridership that could stand on its own and wouldn't really be dependent upon -- the usefulness would not be dependent upon ridership coming from Palm Beach County or for other places.

And you could get it built, and then, with -- parallel, you know, continuing to study, continuing to look to build consensus for the area to figure out a way to do, you know, more commuter rail in the future.

MR. HOOPER: Yes, sir. Mr. Frazier.

MR. FRAZIER: Since you may have federal and state funds involved in this project --

MR. COOLMAN: Pull the microphone (inaudible).

MS. CASSINI: Mr. Frazier, microphone.

MR. FRAZIER: Had it the wrong way. Sorry about that.

Since you have federal and state funds included in this project, could you tell us about the DBE program and how it will be involved in this rail system?

MR. GARLING: Well, you know, if -- if we enter into federal funds -- at this point, right, we are putting in -- you know, proposing just local and state funds for the design portions of the project.

Any time that we enter into federal funds, we'll be part of the federal DBE program. And there'll be -- you know, all those requirements for the federal DBE program will be in place when we get to that --

MR. FRAZIER: Well, the state --

MR. GARLING: -- funding (inaudible).

MR. FRAZIER: -- has a DBE program as well, so.

MR. GARLING: Yeah. So -- so, well, what -- whatever -- whatever, you know, programs that related to the individual funding sources that we will definitely use those as we -- as we put those into -- as we put the money into effect.

MR. FRAZIER: Thank you.

MR. HOOPER: I have a couple questions.

So where will the station be, or where do you thin it's going to be around Broward Health? Is it over there where that first -- the Wave was going to be? That station where the Wave was going to have a station or --

MR. GARLING: Well --

MR. HOOPER: -- have you --

MR. GARLING: -- so --

MR. HOOPER: -- located that?

MR. GARLING: -- so right now, we -- you know, we have a general area where it's likely to be, but that's really an engineering or project --

MR. HOOPER: Got you.

MR. GARLING: -- development point.

MR. HOOPER: Okay. And then I just -- I would make a comment.

Oh, one other question. Are you going to add any tracks?

MR. GARLING: Well, again, it -- we're going to try to use the existing track --

MR. HOOPER: Okay.

MR. GARLING: -- track access. And one thing I neglected to talk about is, you know, as a way to go forward, you know, we're going to be using, you know, the -- the existing tracks.

MR. HOOPER: Right.

MR. GARLING: And so we have to negotiate a track access to that.

MR. HOOPER: Agreement.

MR. GARLING: And we'll be negotiating that access for the entire County. So we'll -- we'll make sure that those things are in place.

So, again, as you're looking to go to the future, we'll get that locked in to be in place.

MR. HOOPER: And will the Brightline continue to run?



MR. GARLING: Yes.

MR. HOOPER: Okay.

MR. GARLING: Yes.

MR. HOOPER: So then I've got some comments.

So, first of all, I appreciate the approach you're taking, that the County is taking, that there is still some work and some buy-in and consensus that has to be made on the New River crossing.

And I think this is a good way.

And I would say -- I would ask you, when you were in Portland, because I used to visit there. Just because of the Wave project that were trying to do here, we visited with the Downtown Development Authority.

And Portland did it in segments, too, because once you start getting that flow of dough coming in, you start to fall into a cycle, and you start to prove your -- your system, and it continues to grow and expand; is that correct?

MR. GARLING: Absolutely. And, you know, the -- the federal processes are very specific, and -- and they're long, and you -- you -- there's no shortcuts to them --

MR. HOOPER: Right.

MR. GARLING: -- right? So you have to get into project development, you have to get into design, you have to get a full funding grant agreement, whatever.

But if you do that -- and this is likely to be, and sort of is teeing up to

be the first out of the box for us --

MR. HOOPER: Right.

MR. GARLING: -- you develop, as a County, as an organization, you develop expertise in dealing with those processes.

And once that happens, now those next ones come faster --

MR. HOOPER: They flow.

MR. GARLING: -- they come easier. So not only -- not only will we learn for commuter rail, we'll also learn for our bus rapid transit, we'll learn for our light --

MR. HOOPER: Right.

MR. GARLING: -- rail.

So, to me, what's exciting about acting is that we can get -- you know, we can really get a start, and we can start learning how to use the processes, learning how to design, learn -- learning how to work together, and setting our organization up to do that.

So this, to me, is a door that's opening for us that sets up and begins, right, this future of this transportation network we talked about, PREMO.

MR. HOOPER: That's right.

MR. GARLING: It really starts to set up the future.

MR. HOOPER: So even -- and so I'll just make a little bit of a comment.

So, really, probably some of that extra cost -- because you've got the tracks already there, the extra cost might be doing one -- two studies instead

of one.

In the overall scheme of things, it probably is a wash and -- because the tracks are there and because you're not building infrastructure like that.

I feel like this was a good way to work with all the parties to make sure that we do the crossing correctly and, at the same time, I think connecting Miami -- when you've still got the Brightline. Remember that. Connecting Miami to the airport, to Hollywood, and to the Broward Health will already start something that, like you said, will work.

And it also -- it's so valuable to our airport. Our airport now is a -- one of the best airports in the country, and it's efficient. And now we're going to pick up some -- some more customers or passengers that'll come from Miami and find that more convenient than going into Miami airport, which, at times, can be really kind of cumbersome.

The other thing I wanted to say is I get a lot of calls from people that call me or email me in angst about municipal money. Like -- because they -- I live in Fort Lauderdale, so friends of mine in Fort Lauderdale are like, how come we're only getting \$2,000,000 and there's 800,000,000 bucks.

My response is, you've got to look at this. This is not about municipalities all getting \$800,000,000. This is about a regional approach to connecting -- connections and transit.

And this kind of project will -- if you live in Lauderdale, this project's going to impact you to the tune of hundreds of millions of dollars. So -- and it's going to happen throughout the County.

So some of these cities or people that live in these cities that think that just these small projects that the cities are doing in their neighborhoods are -- are miniscule, well, the overall County system is not miniscule, and it has to be connected.

Otherwise, it's a waste of time and a waste of money.

And I kind of look back at the way we tried to do it the first time, where we were going to split it up against -- amongst the cities. That, to me, would have been a disaster.

And I think that, for people that are listening, or if there's anybody that's just a average Joe Citizen that doesn't really know what's going on, what's going on is we're trying to connect to Miami, we're trying to connect to Palm Beach, we're trying to connect to Orlando, we're trying to connect Pembroke with Pompano. Okay? We're trying to get everybody connected so that they can move around this County and feel like it's not an arduous hike up a mountain, which is what it has been for a long time.

And this commuter train and the other stuff that PREMO is talking about doing is the kind of stuff that's going to make us the world-class county that we want to be. And -- and we're going to have a variety of options.

So -- and I got this -- the reason I'm going off like this is I got a text yesterday telling me how the surtax is a waste of time because Fort Lauderdale only got 2.4 million bucks.

I'm sorry, but Fort Lauderdale's benefitting, along with others, in a much bigger way.

And I hope that they will start going onto our portal and look at our -- our map and see the benefits when you overlap it that all the cities are getting out of this.

So I appreciate this, and I think this is a great investment here, this commuter rail.

MR. GARLING: Thank you.

MR. HOOPER: Any other questions or comments?

Sorry I went off, guys. Okay.

MR. FRAZIER: We'll allow you that luxury.

MR. HOOPER: Thank you.

Is there anything that we have to vote on or?

MS. CASSINI: Yes.

MR. HOOPER: Okay. Or are we going to do that --

MS. CASSINI: No, right now.

MR. HOOPER: Okay.

MS. CASSINI: You got it.

MR. HOOPER: Okay. Thank you.

MS. CASSINI: Thank you.

MR. HOOPER: Thanks, Tim.

MS. WALLACE: Okay. So we'd like to -- I'd just like to remind everyone of the statutory requirements in terms of eligibility and how the surtax proceeds can be used.

And they can be used for planning, development, construction,

operations and maintenance of roads, bridges, and fixed guideway systems.

And the proposed commuter rail project is a fixed guideway system that is eligible under 212.055 Florida Statutes.

MR. HOOPER: All right.

MS. WALLACE: Okay. And the motion for Action Item 2 would be a motion to approve as statutorily eligible the proposed project and expenditures in the not-to-exceed amount of 13.15 million dollars to support the PD and E study of the Broward commuter rail project locally preferred alternative.

MR. FRAZIER: So **moved**, Mr. Chairman.

MR. COOLMAN: Second.

MR. HOOPER: Thank you.

Is there any other discussion on this motion? Mr. Smith.

MR. SMITH: One quick question. Who -- who's actually performing the study? Do we have outside consultants, or is this a County endeavor?

MS. CASSINI: Consultants.

MR. GARLING: So the -- the study will be led by the Florida Department of Transportation, with consultant help (inaudible) that.

And then we'll -- we'll definitely be sort of in -- in partnership with them.

And there may be some actions that -- that we and our consultants play as -- as we go forward on specific items.

But the lead is going to be the Florida Department of Transportation

with their team.

MR. SMITH: So when we budget something like this, I mean, it's a larger number, and I would imagine that behind that are some buckets, like we have an idea of who's going to get paid what, right? In -- in terms of like the methodology for coming up with what this costs to plan?

MR. GARLING: Yes. And there'll be -- following this action which sets aside the money, there'll be -- there'll be a -- an agreement between the Florida Department of Transportation and Broward County about how all that stuff is going to work and the responsibilities and -- and how the funding takes place.

So that's Step 2 after -- after we get the money set aside.

MR. SMITH: Okay. And who actually calculates? Who calculates the 13.15 million? Like where does that number actually come from?

MR. GARLING: Well, that actually was done in collaboration with the Florida Department of Transportation. We -- we look and we're estimating what -- what we think this -- you know, the -- the overall cost of this segment would be, this 11-mile segment, sort of based on, you know, looking, you know, historically at what other systems pay. And usually it's kind of like a percentage of what the construction cost will be.

And so we collaborated on that and we -- we certainly think that this has the -- the sufficient funding to get us where we need to go.

And, again, this timeframe is tight. We need to get --

UNIDENTIFIED SPEAKER: Yeah.

MR. GARLING: -- where we're going so we can get the PD and E done and we can get into a place where we can be requesting a full funding grant agreement within a year.

So, again, using some of the things that have already been done, that we can kind of, you know, pick things up, we're really looking to -- to move this project along.

MR. HOOPER: Yes, Mr. Allen.

MR. ALLEN: Trying to do something in a year, I assume that that means the project team that is already involved, including the outside consultants, will just be extended --

MR. GARLING: Correct. Right. We're just going to --

MR. ALLEN: -- and supplemented, the contract --

MR. GARLING: Yes.

MR. ALLEN: -- and all of that, rather than --

MR. GARLING: Right.

MR. ALLEN: -- requiring a new project team.

MR. GARLING: Absolutely. Right. So we're going to continue on. We'll have continuity and we'll continue on with the team in place, supplementing that team where necessary so we can -- we can move as quickly as possible.

MR. ALLEN: Well, the downside of that -- I mean, certainly, from a standpoint of timing, that's beneficial. But from a standpoint of getting the other viewpoints or looking at other alternatives, that doesn't generate, you



know, that.

Forming a new project team might in fact provide you is the ability to look at different alternatives. And -- and you're locked in already with a project team that has been focused on the total study, and now, you know, that just -- you're just bifurcating that project team by concentrating on the lower part of the County and not looking at other alternatives for that same opportunity.

MR. GARLING: Yeah, all that said, I -- I think that there is a pretty good consensus about where the stations are going to be. And so a lot of the development of the -- of the project is, you know, really coming up with new ridership estimations and -- but I don't know that there's going to be, you know, sort of a -- a re-look at where the stations are going to be, you know, that type of thing.

So, I think we can -- we can really leverage and make use of a lot of what's been done in the past.

MR. HOOPER: Okay. I just have one more question on the FTA money and the -- when we get to the capital expenditures, what's the percentage that FTA typically kicks in?

MR. GARLING: Well, we'll see -- we'll see when we get there. I would say --

MR. HOOPER: Oh, it's not a --

MR. GARLING: -- typical --

MR. HOOPER: -- percentage?

MR. GARLING: -- I would say typical, you know, that when we get -- this would be what is likely to be a Small Starts project. And -- and, typically, we would be looking at a 50 percent federal match, in that neighborhood.

The state has always been very supportive of these projects, so we would -- if the federal government shows up with money, we would expect that there'll be, you know, funding from the state.

And then a percentage that would come here from the surtax.

And as we get later on, when we talk about our future budget for BCT and light rail and BRT, you'll see similar percentages that we're at least planning for, right?

MR. HOOPER: Right.

MR. GARLING: They're not guaranteed.

So you have to make an agreement with the FTA and you have to have a full funding grant agreement.

MR. HOOPER: Right.

MR. GARLING: And -- and that's going to define what those numbers are.

But for planning purposes, I think we have a pretty good understanding of at least the ball park that we're going to be at.

MR. HOOPER: Right. Okay. Thank you.

MR. GARLING: Okay.

MR. HOOPER: All right. So we've got a motion on the table.

Should we do it on a roll call, or should we just do a yea and nay? Is it

okay to do it that way?

MS. CASSINI: I think you do it.

MR. HOOPER: Okay. So all those in favor, say aye.

Those opposed?

Okay. Thank you.

MR. GARLING: Thank you.

**VOTE PASSES UNANIMOUSLY.**

MR. HOOPER: All right. Got minutes. Did the minutes.

MS. PENNANT: Aye.

MR. HOOPER: What's the next one. Sorry. You've got my agenda way up in the front and all the meat of the stuff in the back.

MS. CASSINI: (Inaudible.)

**3 - ACTION ON FY 2023 PROPOSED COUNTY PROJECTS' AND EXPENDITURES' ELIGIBILITY:**

**Motion to approve as statutorily eligible the proposed projects and expenditures in the various categories for FY 2023**

MR. HOOPER: Okay. All right. I'm sorry. Action on the 2023 proposed County projects and expenditure eligibility. Can we move into that?

UNIDENTIFIED SPEAKER: Uh-huh.

MR. HOOPER: All right.

MS. CASSINI: So just as we did last year, what you have here is a motion statement that includes the amounts that are in the County's recommended budget in the various categories, both for Transit -- this was

just the way that it was presented to you, only with the details. So this is the rolled up.

And then for, obviously, your support services and Public Works.

I did want to mention on the record that the amount in the recommended budget for Public Works capital construction is a little higher, about \$400,000 more than what you see here, and that the recommended budget book also did not differentiate between design and construction requests.

Before the County Commission acts on the recommended budget and it becomes adopted, those things will be corrected.

So you are acting on the correct amount and the correct amounts for both design and construction.

MR. HOOPER: Okay.

MR. COOLMAN: I have a question, Chair.

MR. HOOPER: Go ahead. Yes -- yes, sir.

MR. COOLMAN: Gretchen, there's 60,000,000 for regional transportation capital. Is it the same 60,000,000 we talked about yesterday that's going to be in set aside because we know we've got a big expenditure coming down the road which this may be part of it, correct?

MS. CASSINI: It is. And as we mentioned to you on Wednesday, 80,000,000 was in fiscal year 2022. Action Item Number 2 is pulling from the 80,000,000 that was in regional projects.

In 2023, that amount is 60,000,000, and the commuter rail will be a

component of that.

MR. COOLMAN: Thank you.

MR. HOOPER: Okay. Are there any other questions on this item?

MR. FRAZIER: Yeah, I have one.

MR. HOOPER: Yes, sir. Go ahead, Mr. Frazier.

MR. FRAZIER: I noticed that a lot of these says Broward County, so I'm assuming that Broward County government is going to be responsible for the procurement of them.

But I see some are in the local cities. Those that fall in the cities, although they say Broward, are those local municipalities going to be in charge of the procurement?

MS. CASSINI: Yes. The way that we've structured our agreements, the municipalities manage their own projects, and they use their own procurement processes.

However, they are required to have all of their solicitation packages reviewed by our Office of Economic and Small Business Development, and they are subjected to the same 30 percent CBE goals that the entire program is, which is why every time Mr. McDonald comes to you, there's always a separation between the reviewed and awarded municipal projects and the reviewed and awarded County project.

So unless the projects are less than \$250,000 in value, there's a review for a CBE goal on the project.

MR. FRAZIER: And -- and --

MS. CASSINI: Or there's --

MR. FRAZIER: -- the reason for my question is this is probably the first time I'm beginning to see projects at the level where small and minority businesses can participate, but I want to make sure that they're doing follow up on it.

Those are (inaudible).

MR. HOOPER: Okay.

MS. MADDEN: Mr. Chair?

MR. HOOPER: Yes. Yes, Ms. Madden.

MS. MADDEN: Maybe this is a question for Gretchen. Wasn't there some things that Mr. (Inaudible) was going to follow up? Somebody had asked -- I can't remember exactly what the request was, but there was like a table or a breakdown (inaudible)?

MS. CASSINI: Yes. That is actually in the presentation for the five-year plan.

MS. MADDEN: Okay.

MS. CASSINI: There was a request for historical information about the General Fund contribution to Transit, and you will be seeing that later in the presentation.

This was specific to 2023 requests that you saw on Wednesday.

MS. MADDEN: Okay. Thank you.

MR. SMITH: And we --

MR. HOOPER: Yes, Mr. Smith.

MR. SMITH: -- so after we -- after Action Item 3, this is everything for 2023? Is that right? So, in other words, after we vote on this and then we get into the five-year plan, but this -- when we vote on this, it's going to cover basically the whole budget for 2023? Is that right?

MR. HOOPER: Uh-huh.

MR. SMITH: Okay. I'm just making sure --

MR. COOLMAN: For the County.

MR. SMITH: -- first that I understand that.

MS. CASSINI: It's everything. So you'll see municipal community shuttles --

MR. COOLMAN: Okay. All right.

MS. CASSINI: -- both existing and expansion, as well as --

MR. HOOPER: Municipal projects.

MS. CASSINI: -- the municipal projects, which included the capital projects and the three rehabilitation and maintenance projects that we should you on Wednesday.

MR. SMITH: Because we -- we had this whole discussion about the marketing and external facing and that we're going to kind of phase that up as we go, which I understand.

But as this stands now, this would all be within MAP and supportive services? If we're going to do any kind of branding, external facing things, that's all in that number?

MS. CASSINI: Yes. And we -- when we brought to you the five-year

plan for public engagement and outreach activities that included, you know, videos and trying to do a website, a standalone website off of Broward County's website, we brought you that plan and we walked you through all the various aspects and -- to make sure that it was responsive.

Because this is -- this is something that you all have asked us to do, and so we always want to check in with you periodically and make sure we're meeting your needs and that we're getting the services and the messaging out there that you would want.

When we gave you a very detailed explanation for each of those five years. That's how we budget.

And the Office of Management and Budget creates a base. So that base budget was established in 2021 when we brought you that five-year plan.

And then it just stays in our budget. Nothing changes.

Unless there's a change, and then, of course, we have to bring it to you. Because any new proposed project or proposed expenditure has to come to you.

MR. HOOPER: So are -- did we -- like on the MAP Administration and support services, do we see a detailed planned budget for the year every year?

MS. CASSINI: No, because it hasn't changed. But I can certainly bring that to you if you'd like.

MR. HOOPER: I think --



MS. CASSINI: Absolutely.

MR. HOOPER: -- I think that gives the board an opportunity just to refresh and feel like they're getting the info and feeling transparent about everything.

MS. CASSINI: Sure.

MR. HOOPER: So I think that would help, and that would probably --

MR. SMITH: Yeah.

MR. HOOPER: -- answer some of the questions that Mr. Smith had.

MR. SMITH: I think so. Yeah.

MR. HOOPER: And then I would also say that, once again, here we have -- we've got Transit capital that we're about to invest in, transitways, infrastructure, regional transportation capital. We've got micro-transit and the late shift for -- for folks that work late hours, going to work. We've got municipal shuttles.

We've got all kinds of stuff in here. And yet we focus so much on these smaller projects that are going on in the individual cities, and people lose sight that every single one of these are probably touching at last ten or 15 cities every time we lay something out.

So I think we need to do a better job of betting that message out of who we're touching when we spend \$60,000,000 on regional transportation capital.

I think they need to understand that whatever city we're talking about, you're not just getting what we dole out to you for your surtax projects, but

you're getting so much more.

And I think that there's a lot of people out there in the -- in the marketplace and in the -- in our community that don't understand that. And I'm not talking about City Commissioners and lobbyists and consultants. I'm talking about people that live in a house --

MS. CASSINI: Regular people.

MR. HOOPER: -- in a neighborhood that just don't know what they're getting.

MS. CASSINI: Yeah. So --

MR. SMITH: This is why I keep coming back to the marketing and at what point do we really brand this and get it truly out there. And it takes some dollars to do so.

And when we talked about this before, it was kind of like this concept of really making it slick and new. And in my mind, I just -- I don't know, I was thinking of like the Geico gecko or something.

I mean, this is like -- this is a huge effort, right? And I just don't want it, at the end of the day, to feel like other things that government has put out, right, that just some people know about it, other people don't know about it.

We need to make a big splash over time, and that's why I keep bringing this up, because I want our excitement that we feel about this, and our passion, for others --

MR. HOOPER: See --

MR. SMITH: -- to feel that. And I'm telling you, a lot of people in my

demographic, let's say mid-forties and under, have no clue that any of this is going on. I'll just tell you right now. And, therefore, they're not talking about, they're not supporting it, it's not coming up in conversations.

And, to us, this is like a big deal, you know? And you look at like the -- that you guys mentioned, like, okay, the -- these meetings are getting good hits on YouTube. That's like 80 views.

We need to -- we need to get this out there --

MR. HOOPER: I agree.

MR. SMITH: -- more. I'm sorry. We just do.

MR. HOOPER: I agree. And my demographic cares, too.

(Laughter.)

MR. HOOPER: But --

MR. SMITH: We're not that far off.

MR. HOOPER: I'm kidding. But -- but -- you know, these 40-somethings. They all think that it's just about them, you know?

(Laughter.)

MR. HOOPER: So -- but you're -- you're correct. And, you know, I think the whole -- the PREMO brand and, you know, if you just -- if you had a television spot and you said, this is for you, you know, and you show all these things and go, and it's all about you, and just people in Broward County -- it's all about you, Broward. It's all about you, Broward. PREMO, we're doing it for you.

And, you know, you just keep repeating that, and people are going to

understand, okay, we're bringing light rail, we're bringing better intersections, we're bringing nicer sidewalks. It's all about you.

And -- and but we don't -- you're right. I -- I don't get that on the press, I don't get that in the media.

And maybe we should set aside -- maybe in the next coming year, we should set aside some money to do something really prolific.

And -- and I don't care how we do it. I just think we should.

MS. CASSINI: Well, and that's why this is so important. Then we -- I need to hear, and my team needs to hear from you where are we going be focusing our energy. Because we did the public perception survey last year at your direction. We're at the point now of doing focus groups, you know, based on a thousand responses to that survey.

If -- if you all want us to do targeted advertising, we're absolutely more than happy to do that.

I want to point out, because I think it's also important for all of you and for anybody who's listening to know, Transit has a full department for marketing. It's, you know, what, 30 people, I think. Or more. So they --

MR. GARLING: Forty-one.

MS. CASSINI: Forty-one. So they have a fully robust marketing department. And when they utilize something surtax related, you know, we're leveraging that existing staff and budget and experience and reach.

And paratransit has an exceptional reach. We utilize them as well.

OESBD has their own budget for doing national and state advertising

about the program, obviously to try to attract small businesses or business -- larges businesses or, you know, just to build the capacity to deliver these projects in the region.

So our budget, MAP Admin's budget, is just a component of budgets that are, you know, in Public Works, in Transit. The municipalities are sharing the messages.

But we do need to hear from you what it is that you feel is missing.

I brought the budget. I thought this might come up. I'm happy to share it with you all so you can see.

As I mentioned to you, I dramatically reduced the budget by 1.6 million dollars in non-personnel costs, where we just weren't spending the money.

But we still have a robust budget to do videos, to do advertising, you know, to do other things if you all -- if you all have specific things in mind.

And, obviously, as I mentioned to you on Wednesday, when your new space is finally done and we do a big ground breaking and it's a public engagement space with, hopefully, AR and VR and 3-dimensional videos, and a way to really tell a compelling story about what this program is doing for everyone, for everyone, we did, you know, intend to do --

UNIDENTIFIED SPEAKER: Yeah.

MS. CASSINI: -- a -- a big splashy, you know, press release, invite everybody, and hopefully get the word out -- what?

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. CASSINI: Yeah, the surtax -- the surtax plaza at the GC West.

MR. HOOPER: I just think, you know, his demographic probably wants to see a commercial at 2:00 o'clock in the morning, and my demographic would like to see one at about 10:00 o'clock at night.

(Laughter.)

MR. HOOPER: So, anyway --

MS. CASSINI: And my demographic doesn't watch TV.

MR. HOOPER: Exactly.

MR. COOLMAN: Mr. Chair, I do have --

MR. HOOPER: Yes.

MR. COOLMAN: In follow-up to what you said, because I've been talking this for years about the fact that, yes, the County's spending a lot of money, but it's spending it in the cities.

Now, this budget is, what, how many million dollars? Hundred million, three, 400 -- how many million dollars? There's no total here, but you gave us one earlier that said it was -- what's the total being spent in 2023?

MS. CASSINI: Let me pull that up for you.

MR. COOLMAN: And then people look at it and say, well, the cities are only getting 31,000,000. I said, wait a minute. As you said.

MR. HOOPER: Right.

MR. COOLMAN: The cities are getting a piece of everything --

MR. HOOPER: That's right.

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

MS. CASSINI: Well --

MR. COOLMAN: -- that's the message that's missing.

MS. CASSINI: -- they're actually getting 47,000,000, because you have to -- they -- the community shuttle --

MR. COOLMAN: Right.

MS. CASSINI: -- is also to them. So -- and there's actually unfunded money.

I think it's 49 total million that are going directly to city projects.

But you're absolutely right. The vast majority of the investment that's being done by Transit and Public Works is happening inside of a municipal --

MR. COOLMAN: And it's not like a --

MS. CASSINI: -- boundary.

MR. HOOPER: Exactly.

MR. COOLMAN: -- even though you mentioned the 60, that's kind of a -- it's a fund that we're going to be spending later. We're not spending all of that --

MR. HOOPER: Yeah.

MR. COOLMAN: -- right now. But it benefits this whole area.

MR. HOOPER: Yeah. That's --

MR. COOLMAN: So this budget is how much next year?

MS. CASSINI: Give me -- give me just one second. I'm pulling it up.

MR. COOLMAN: I can't add that fast.

MR. HOOPER: but it is, that -- that's the point. That's the point. We shouldn't be sitting here arguing over municipal projects. We should be

promoting the fact that we're -- that we're 31 cities that sit in one county and that we are promoting regional connection.

MR. COOLMAN: We -- we can move on. You can give --

MS. CASSINI: It's --

MR. COOLMAN: -- us that number later.

MS. CASSINI: -- it's 617,000,000, and that --

MR. HOOPER: There you go.

MS. CASSINI: -- includes --

MR. COOLMAN: Six hundred?

MS. CASSINI: -- that includes carry forward.

MR. COOLMAN: So it's well above the MAG.

MR. HOOPER: Okay.

MR. COOLMAN: Okay.

MR. HOOPER: So, all right. If there's no other discussion on this item, we need to make a motion to approve our 2023 --

MS. LOVE: Chair, I had --

MR. HOOPER: Yes.

MS. LOVE: -- wanted to ask --

MR. HOOPER: Ms. Love.

MS. LOVE: -- Shea. You indicated that the certain demographic that you referred to was not supporting this.

Could you elaborate on that not supporting?

MR. SMITH: Well, what I'm saying is I don't see the awareness out



there when I talk to people, or -- I think there's a lot of different ways to look at it.

What -- what about this? I mean, we have this ability for people to come in and publicly participate, ask a question or two, or be any part of this public-facing process.

How many people come in? You don't think there are some people that it would -- that were more aware that this is out there and that their input could make a difference?

I mean, think about all the people -- and I just happen to live in Fort Lauderdale, so I'll just use it as an example, although I agree, it's -- the interconnectedness is what we're after.

But what about all the people that now live right in downtown and -- and want to get in and out of there, that are younger? They don't even really want to own cars anymore, right? We're -- we're in this different -- and I'm talking about 20 years younger than I am.

But I just think we -- we need to -- how are we touching each one of these populations and challenge that. Not just, okay, or put together a video that we all think, like, looks good and maybe it gets some distribution, maybe it doesn't.

Like, how do we really ram this to the whole community? Just because it's a landmark thing we're doing.

And my concern is that we will fall into doing things as we've done them, and I just want to make sure we challenge and go back to the idea of

how big this is and how long it's going to be going on for.

I mean, even to have like a group of younger advocates or something. Just like stir up the pot.

I mean, when I was doing this with the advocacy at the city level and started Bike Walk FTL and was just passionate about that, I mean, there are younger people that just need to hear that -- that spark, right?

And so that's just one way I'm thinking about this.

Same could be said for maybe the older population that is retiring and they want to get -- I -- it just doesn't seem like we have a ton of even public input. Just from that alone, I would say people are not super engaged over something that is this bid.

MS. CASSINI: So, Mr. Chair --

MR. HOOPER: Good point.

MS. CASSINI: -- may I? May --

MR. HOOPER: Yes --

MS. CASSINI: -- may I?

MR. HOOPER: -- you may.

MS. CASSINI: Okay. I'd just like to respond.

We -- we obviously had two years of a pandemic, okay. So I want to just -- let's start there.

MR. HOOPER: No, I don't --

MS. CASSINI: Okay.

MR. HOOPER: -- think anybody's throwing any --

MS. CASSINI: No --

MR. HOOPER: -- blame or --

MS. CASSINI: -- not at all.

MR. HOOPER: -- I mean, we're just --

MS. CASSINI: And I don't feel --

MR. HOOPER: -- talking about how --

MS. CASSINI: -- even slightly --

MR. HOOPER: -- incredible --

MS. CASSINI: -- defensive about it. I just want you all to understand that there were things that we had planned that we weren't able to do.

Our team goes out to schools, goes out to universities, goes out to festivals. I mean, we're there at night, we're there on the weekends.

As Tashawna mentioned, she just did the Black Chamber of Commerce event with Sandy.

We are there. We are showing up. And we're just a tiny team of 12 people --

MR. HOOPER: Right.

MS. CASSINI: -- so we have to leverage other resources.

But, you know, outreach is happening with -- through Transit. Transit, you know, their team does tons of outreach.

So -- and every time we do a Public Works project, we're doing outreach.

And, you know, obviously, as we do more and more of these huge

projects that are related to PREMO, there's a -- a required community public outreach.

But we will continue to do more and more.

And, as I mentioned to you, the next step in the public perception survey, where we've gotten input from a thousand people, is to do focus groups that are representative of this community. Age, the demographics are important. That's why we're using an application process, to make sure that we're hearing from the broadest possible array of folks about what their needs are.

And we want to be able to come back to you at your retreat with those preliminary results and ask you what you think the best approach for next steps are.

So this is really valuable to us and to the team to hear what -- what is important to you and what you want us to be focusing on, and I appreciate it.

MR. HOOPER: And -- and, you know, it's kind of like making a soup, you know. You start with water, and then you put bouillon, and then vegetables, and then the meat.

You just handed us a bunch of meat, and we're like knowing --  
(Laughter.)

MR. HOOPER: -- now the soup looks like it's going to taste pretty good, and we want to serve it up, right?

So I think what -- I think it's been a process of -- now we've got something to sell. It was hard to sell anything a year ago or two years ago,

because it was just getting going. But now there's some serious stuff.

And the connection, the commuter rail thing is going -- it can happen like that. So now will -- not only will we promote something, but it'll actually get online quick.

So -- so that -- I guess that's why we're all getting excited. And it's not -- it has no reflection -- I know exactly what you guys are doing, and you're doing it right.

But at some point, we're going to be able to ramp this up.

MR. SMITH: Yeah, I mean, what really -- the genesis of the comment, to be clear, was just looking at all this and thinking, okay, this is comprehensive, right, and where is the marketing piece.

And it's as simple as that because there's so many dollars. And I just happen to think that if those dollars are spent the right way, the ROI is huge, because a lot of this -- I mean, keep in mind, we're here representing the taxpayers, the County residents, that are paying for this, and they need to know.

And the -- and the ROI on that is absolutely -- it could not be larger, because we need to make sure we're engaging and people are supporting this and talking about it.

MR. HOOPER: It might even -- we might even want to consider, when we get to -- and this could be for the retreat, but when we do get the office built and we're -- we're using that for meetings, we might want to look at what hours our meetings are at so that more people from the community can

actually attend.

So that may be part of what we think about. And how do we connect them to us.

All right. Let's -- let's -- this is good stuff for the retreat, too, and --

MS. PENNANT: Hello. Can I have a -- make a comment, please?

MR. HOOPER: Oh, yes. Ms. Pennant.

MS. PENNANT: Good morning, everybody.

MR. HOOPER: Good morning.

MS. PENNANT: I think, you know, a lot of our -- a lot of our cities really need to be part of the marketing arm of this, because many of them are benefitting from these dollars.

And that might be the next step for us in terms of making this collaborative marketing strategy work on a broader level.

You know, the surveys are being done by the County, but some of these cities should -- should be engaging their Chambers and whatever other entities they have --

MR. HOOPER: She's right.

MS. PENNANT: -- to help market the impact that the penny tax dollars are having in their city, to your point that you made earlier to the fact that when we do a project it's really impacting other cities. And -- and I don't know that they're celebrating it as much.

So that's what -- that's my recommendation.

MR. HOOPER: That's an excellent point.

MS. CASSINI: And, Ms. Pennant, we -- we did a big marketing and training event for municipalities that we actually made a presentation to you all about last year.

We created marketing kits. And many of our municipalities are sharing information on their social media, in their newsletters.

Some of them actually have whole pages on their websites that are dedicated to the program.

We've done a couple of ground breaking events in municipalities.

So you will be seeing more and more of that. I think we invited many of you to that ground-breaking.

So point is well taken, and we have been encouraging all of our municipalities to share information about the program in as many different arenas as they can.

MR. HOOPER: Excellent.

Okay. Do we have a motion to approve the 2023 budget?

UNIDENTIFIED SPEAKER: I'll move it.

MR. COOLMAN: I'll so **move**.

MR. FRAZIER: Second.

MR. HOOPER: Okay. Is there anymore discussion on the item?

All those in favor, say aye.

Those opposed?

Okay. Action Item Number 3 passes.

**VOTE PASSES UNANIMOUSLY.**

#### **4 - REVIEW AND APPROVAL OF FIVE-YEAR PLAN**

**Motion to Approve as statutorily eligible the proposed projects and expenditures for Five-Year Plan 2023-2027, consistent with 31½-75(h)(3) of the Broward County Code of Ordinances.**

MR. HOOPER: So the next thing is the five-year plan, correct?

Thank you.

MS. CASSINI: Thank you, Mr. Chair.

So every year, we bring you a new rolling five-year plan for County Public Works, for Broward County Transit, for the municipalities, and then, of course, for your support services.

And when it comes to, especially, the municipal project plan, it really does offer those cities a level of certainty. And one of the other things that it does is, under our interlocal agreement, it does allow a city that wants to advance a project, if they're approved to do so, to utilize a different funding source to move a project a long that might be a few years out in the five-year plan.

It also allows us to review other -- more -- the FDOT work program, work with the MPO on opportunities to try to do collaboration.

I mean, as you could see in the presentation that Mr. Hui did, it really gives us a sense of how can we collaborate, how can we coordinate and look for, you know, efficiencies and the least impact, deleterious impact to the residents.

So at this point, I'm going to turn it back over to Mr. Garling, and he's going to walk you through the five-year plan for Broward County Transit.



## **A. Broward County Transportation Department**

MR. GARLING: Okay. So now we'll start looking at the five-year plan.

So some of this we already previewed at our workshop the other day, so this is going to be kind of laying out the numbers.

So I think this is important to look at the big pictures.

So we see over the five-year period that we've kind of got four categories that we're going to talk about today. Transitways, these are these high capacity Transit projects, the light rail, the BRT.

Transit, mostly going to be a rolling stock, the -- the vehicles.

Infrastructure, you know, our building facilities, both for customers and for operations.

And then intermodal center, Government Center East, so we'll have some discussion about that today.

So when you look at what we're projecting for the surtax, over five years, '23 to '27, we're looking at over 1,000,000,000 of capital investment. You know, so we really start to see the -- the -- sort of the fruits of this planning and -- and our activity start to kick in.

And one of the things, just to put it -- this -- and we just talked about this with -- with commuter rail, we're projecting support from the federal government and the state government on those LRT and BRT projects. And we're going to get into the real detail of that.

But in aggregate, we're projecting a -- budgetarily, over \$700,000,000 of leverage and support for those types of projects.

So when you put all that stuff together, it's close to 1.9 billion dollars that -- that we're hoping to be able to obligate in the next five years.

So, you know, as we come out of COVID and we start -- you know, we really start to get to work to earnest, we've got a pretty expansive program.

So this is just quickly some highlights, and we'll get into more detail.

We spoke again about the -- the PREMO plan. So that's the thing that gets those high capacity projects and gets our -- our network together and gets that started.

So we're going to be finishing off PREMO, which then, as you finish off PREMO, starts to define what those BRT and LRT projects are going to be. We'll get into that.

And then just overall -- and we spoke that we are not purchasing any more diesel buses, so over the next five years, the surtax is going to help us buy 106 all electric buses, 305 paratransit vehicles, 25 community shuttles over that time period.

We're requesting funding for three intermodal facilities, a new third bus facility, which will be dependent upon having a place to build it. But, you know, we've got money in there. It's going to be important. If we're going to grow our system, we have to have a place to store our vehicles.

Ongoing, we're working on the major rehabilitation of our Copans Road bus facility.

We're doing 75 bus shelters a year, so over the five years, that's 375. So we're continuing to improve access for our customers as we -- as we

continue with our program.

And, finally, general planning consultants. Over the -- over the course of the five years, looking at 11.7 million dollars to provide supplementary consultant support to help us do all these things that we have planned.

So I want to -- want to spend a little time on this. I want to look at the transitways.

So this is the -- the light rail and the bus rapid transit components that -- that we just sort of talked about.

So remember yesterday we were talking about, you know, PREMO. We're not done yet, right? So we -- we're still in the planning stages. We're hoping that the network will sort of be defined in winter of '23 and we'll know exactly where our routes are going to be.

And it sets up this -- kind of this -- this process, this program. You have your system network plan, then you approve locally preferred alternatives, then you do project development and environmental, then you do design. Then you get full funding federal grant agreements. Then you construct, and then you operate.

So you've got this long, long sort of horizon of activities. You have to do one after another, you know, to get things done.

So I do want to spend a little bit of time.

So, remember, with -- without knowing the specific project, we can start to project ahead, looking at schedules and some budgetary estimations of how much projects would cost.

We can start slotting projects into the budget, and we can kind of catch up to it.

As we define what those projects will be in the winter, we'll have a lot more clarity about where these things are going to be, but for the five years, we want to make sure that we've got the funding in place and that things are set up.

So looking at this, we'll start with light rail. We actually already have some money in the budget that's been approved for project development, environmental. So that's already in place.

We have a little bit of money in place for design.

So in this five-year program, we're going to be, you know, looking for about \$76,000,000, \$77,000,000 to do, you know, the remaining system planning and design for the project.

Then we hope to be in construction of our very first light rail line by fiscal '27, right, at -- at the end of the five-year program.

And this gets back to this -- this projection, right, of the program. We think a likely project could be in the neighborhood of over \$800,000,000, but we would be looking for this layering of funds. 25 percent from the surtax. We'd be reaching out to 25 percent from FDOT, and 50 percent of federal. This would be new starts funding.

So we have to go through that process and we have to get that money in place, but -- so you can see that for, you know, a \$200,000,000 surtax investment, look at all the money that we can bring into this project, again, if

we get it all set up the right way.

And then some money to provide for our support, to do project management, to get such a large endeavor done.

All that -- all that would lay out to -- you know, looking at normal construction schedules for projects, would put our very first light rail opening at maybe in the 2031 timeframe. So that actually sort of -- sort of gives us a target and starts to frame out how the future would look.

So at the same time that's going on, we can start working on a second corridor. Again, because we've got all these lead times, we would be looking for project development, environmental funding in the five-year period, getting the design initiated.

This would maybe lead us to a project construction start obligating monies in the next five-year program, around 2030, for the continuation or start of a second project.

And potentially then the operations of a second corridor, hitting in -- maybe in the 2034 timeframe.

So as you start looking ahead on light rail, you know, we're really talking about obligating funds in this five-year period to get the construction underway, opening up service in the next five-year period, and following right behind that with a second corridor project.

So in the area of bus rapid transit then, bus rapid transit we -- actually, we're hoping to be moving that along faster.

We, again, have some money for PD and E already in place, and we

have some previous design monies available, so we're looking for an additional -- smaller additional amount for -- for design of \$1,000,000.

Again, construction for this project, a -- a bus rapid project, again, which would be, you know, creating maybe some dedicated right of way, traffic signalization, some very nice stations along the way, vehicle purchases, and -- and the like, we're looking at a -- a project that would maybe be in the \$87,000,000 range.

And, again, we'd be looking for what would be called Small Starts money with that same kind of leveraging of FDOT and FTA money.

We would be looking to get into the first year of operation of that service -- construction starting in '26. First year of operation of that corridor in 2028.

So that would be one of the very first things that we would get going and moving with.

Again, back in the sort of overlap idea, we would then start working on a second corridor.

Again, we have a little bit of design and project development money already in place. You know, we would be looking at, you know, mostly the designing during that time period. The construction money would be in the next five-year period.

We would start construction in 2028 and would try to be in operations by 2031.

And then finally, a Corridor 3. We would just, in this five-year period,

have a -- a start at that project development and environmental that -- that we've talked about.

So -- so if you kind of look where we are, we would actually be able to -- to start construction on a light rail line, we could start construction on bus rapid transit, and start working on the design and the preparation for a second light rail line and have some level design and project development of two additional BRTs.

So it's an aggressive program, and we've talked about how we've kind of set up this sort of synergy of -- of kind of rolling along, that once we get things started, that is the kind of -- of program we can have in place.

So this year's going to be important. As we set that, the PREMO plan, as we set what the network will be, this will be the way to make it come to life. This would create the funding over the five-year period that would get us where we would need to go.

MR. HOOPER: And --

MR. ALLEN: Mr. Chairman.

MR. HOOPER: -- Tim, are the -- you know, if you're -- if you're -- is -- we're doing a study, right, on the corridors, on which ones we feel are going to be most critical in the Phase 1 of this?

MR. GARLING: Right. PREMO.

MR. HOOPER: PREMO. And so from your experience, do you find that you do maybe an east/west or a north/south, then you crisscross them? Or -- like would that be a way? Or do you do one, two in one direction and

then start going in the other direction?

MR. GARLING: You -- I --

MR. HOOPER: Or do you do a loop or what do you do?

MR. GARLING: -- well, so I think that, you know, first things first. We really have to see what the whole picture is like --

MR. HOOPER: Yeah, figure it out.

MR. GARLING: -- and you make that decision. But I think what's likely is we have desperate needs for better east/west connectivity --

MR. HOOPER: Right.

MR. GARLING: -- right? So I think that opens the door as once deciding what our priority would be, the bus rapid transit really sort of cries out to a high priority idea of a good east/west corridor. So I -- so I think --

MR. HOOPER: Right.

MR. GARLING: -- that is a likely place that you would do first. So --

MR. HOOPER: Right.

MR. GARLING: -- you know, you -- we have enough money in the -- in the long range program to do seven BRTs, 150 miles. So that's what we're trying to set up in the plan.

So we're just kind of getting those things started right now.

So we can have one of the best bus rapid transit systems in the entire nation. Many communities have one line, maybe a second line, but we're really talking about, you know, getting coverage across the County. So I think that's going to mean north/south and east/west corridors, right?



CHAIR HOOPER: Right.

MR. GARLING: And --

MR. HOOPER: Right.

MR. GARLING: -- and you can think of these main corridors that we have, the busiest corridors where there's the most development, I think the -- you -- those'll all be sort of obvious about where they go --

MR. HOOPER: Yeah.

MR. GARLING: -- and then you'll be picking the right one.

So I think a priority for east/west will be the thing to do, and then you've got to start looking at, well, what's the first light rail project. And then you've got to start thinking about how you kind of phase and put all those together.

MR. HOOPER: Okay. Thank you.

MR. GARLING: Okay.

MR. HOOPER: Any questions?

MR. ALLEN: Chair?

MR. HOOPER: Mr. Allen.

MR. ALLEN: Going back to our previous discussion about, you know, the people seeing the impact of what we're doing, and it's hard to get somebody's attention and focus on now we're going to do bus rapid transit or we're going to do light rail, but these projects aren't going to show any benefit to the public until 2034, not 2025 where some of the stuff may be even getting under construction.

So, I mean, we talk about these -- these are great plan, but yet the people want to see something today.

And so that's part of the communications issue that we have is that, yeah, we've got these great plans, we've got the money, but we don't expect that, because we've got to study it and we've got to study it and we've got study it, and we've got these federal programs that require environmental reviews five times over, all of which goes to impact when you can deliver something that you have promised the citizens that you're doing to deliver.

And that's -- that's the -- one of the major communications issues.

The question is, though, you're doing the PREMO study, you're going to be looking at where the -- what corridors are beneficial to light rail or bus rapid transit or whatever, but we don't know what those projects are, but yet you're throwing out budgets of three -- 300 or 700 or \$2,bil or whatever. What's driving the budget? Is it that's what is available that -- that you -- you built from the ground up saying, well, we want to do a project here and it's going to cost a billion dollars or it's going to cost \$300,000,000 here? Or are -- do you have the defined project that says that -- that project is going to cost us -- in -- in other words, what is driving the cost? Is it the -- the desire to do something or is it a beneficial result to the -- to the citizens of Broward County?

MR. GARLING: So --

MR. HOOPER: Both.

MR. GARLING: Yeah. So as -- right now, to create the budget, so

we're looking at two things.

The first is the schedule, right? So we're laying out when PREMO ends, when we can get into project development, when all those things lay out.

So that kind of defines the time that we can spend money.

The amount that we spend as we built the rest of it, we're just making some estimations on how long these projects will be. So we're using mileage estimates, per mile cost type things.

So these are broad placeholder numbers. You know, I think overall, when you -- when you look at these projects, there's a lot of consistency in overall project cost. The devil's always in the detail.

Those costs get refined as you actually get into the design and the development.

So I think for the -- for this purpose, I think it's important that we make sure that we're starting to set aside money and program it.

I think we'll see a lot better where we're at next year when we actually have projects that we're picking. We'll know exactly what mileage each of those projects will have, and those -- those costs will start to get refined.

So I would not expect -- you know, so these monies, we're really just trying to hold money, set it aside.

We're also trying to plan for the size of our workforce and all those things that we need to build those things.

We need to have a path on how we're going to get there. So we need

to know what year we're going to need money, what the approximate amount of money we need, and then each year that we come back to you and we go through the process, we'll have a greater refinement.

Project development refines the numbers. Design refines the numbers. Then -- you know, then we hit our construction.

And, ultimately, at the end of this, we're going to be coming to you for operating funds.

So, you know, I think that it's important that we just not leave it open-ended. It's important that we start to try to accept -- because, you know, we've got, you know, this -- the whole program is significant. You're talking about over a billion dollars of LRT and BRT that might need to be obligated in the next five years, that we just start to speak for it. That we hold that in place and then refine it as we go through these various processes.

And just to preview a little bit, you know, this is just bus rapid transit and light rail. We have other plans of things that we can do now, right? We can improve our -- our regular service and do other innovations and things in the meantime while we're trying to get these really kind of community changing projects implemented.

MR. HOOPER: He sounds like a developer. Estimates and future and we're going to come back to you and ask you for some more money.

(Laughter.)

MR. HOOPER: Sounds like my pitch half the time.

Okay. Shea.

MR. SMITH: Thank you.

So as we look out five years -- and we talked about this a little bit on Wednesday, but I want to bring it back up, as I think it's important. And I'm sure you're thinking about this already.

What are our targets in terms of ridership, right? We're putting a lot into buses and, you know, I think some of that does -- I agree with what was said the other day. It's sound logic. You need to put the buses where people will use them, right? And you need to fill in the grid. And I totally get that.

I just think we also need to take into account kind of the perception issue that we have in south Florida related to bus transit. I mean, it's an obvious thing.

Like, if you're in San Francisco or you're somewhere else, hey, how do you get to -- oh, you hop on this bus. Just common.

So I just wonder, like, what are we doing to innovate in that area.

And I'll just throw something out there. I mean, you know, what -- do we have pilot programs, test programs of routes that are visible that we can get different types of riders on?

You know, I kind of mentioned this group of people that are living closer in, that are not wanting to commute as much. I mean, are we targeting those groups with information?

You know, you mentioned that there's a -- a 30- or 40-person marketing department. So I just -- I just want to make sure that we're thinking about that.

And I think that we really should have a goal for ridership when we're talking about, you know, five years out, let's say.

MR. GARLING: So let me -- let me answer that kind of in two ways. And the first way, let's talk about these big projects, the bus rapid transit and the light rail.

So part of the development of each one of those projects is a ridership estimation, right? And so part of how we pick those lines is where it's going to have the most ridership impact.

And part of how you look at that is actually -- we get back to development -- is where is development likely going to be, and --

MR. HOOPER: Uh-huh.

MR. GARLING: -- what will it grow into and what are the possibilities and the opportunities to project over time.

So, obviously, those corridors that will have the greatest opportunities for ridership are the ones that have the best opportunities for bus rapid transit and light rail, right?

Then we move back to the rest of the network, right, the rest of the system.

And so we are actually getting ready to embark on a COA, a -- you know, a route analysis of our entire existing system.

And I think that -- that we've got to try to get an understanding of origins and destinations and where there are riders and trips that we can mine.

And how I look at public transportation, you know, people travel where they travel. You know, they travel now. So the question is, as a public transportation provider, you have to capture part of that market, right? You have to get people out of their cars and you have to get them out of their cars by providing a service that serves them.

So that comprehensive operational analysis, looking at our current system, I think will help start to redirect at least some of our existing services and, as we come back and add services -- and we'll talk in a little bit about how we're going to look to add to step up our service.

And I think that the -- the perception of bus in this area, I think is somewhat unfortunate, but I understand it. I think that we have traditionally underserved the public in providing public transit services. We just haven't had enough of it for the size of our community.

That is the very reason why many of us wanted the surtax, right? It's that we looked at the size of this community and there just wasn't enough bus service, there wasn't enough frequency. Nobody who was rational was going to, you know, take a two and a half hour trip to get to work because the buses just weren't that frequent.

So what we have to do is we have to build up the system from where it was into something that's useful.

So it's not something about, well, people don't know there's buses out there or whatever. The buses have to be set up to serve them.

And so in the middle of all this development and in the middle of all

this -- this thinking, then we had COVID that just, you know, crushed our ridership for about two years.

And we talked in the workshop about how we're going to try to work to build that back.

So, you know, we're going to work hard in the next year to try to build back to where we were, to get to pre-pandemic levels. And then we have at least plans to start to add those service in over the next few years.

So the bus rapid transit, the light rail, high capacity, that starts to address moving a lot of people.

And then as we come back with the COA and we add services, really starting from '24, '25, '26, and '27, additional bus service, then we're -- we're hoping to start to see people come back to the bus system and start to get use.

As we put those plans in place, it's kind of hard to estimate ridership until we actually have the plans in.

Once we have the plans in, we know corridors, we know the frequency, we know how many buses, we can get into a clearer estimation of ridership.

The reason we're here is to serve. The reason we're here is to maximize our ridership. That's what everything here is set up to do, and that's what the plan is looking to do.

MR. SMITH: That all -- well, that all makes perfect sense. I mean, it's kind of like build -- you build it and they will come type of approach.



But what about -- like what will we do to change the narrative at some point and to -- I'll give you an example. I didn't know we had an app that you mentioned on Wednesday that you can see the buses coming. That's pretty cool.

I've never seen a commercial of someone walking out of their apartment and saying, hey, cool, the bus is right here. I'm going to hop on it. You know?

So, I don't know. I just think at some point it -- it's another opportunity, I hope, to maybe garner the interest of other participants as opposed to just those that were there.

I get the concept you have to build from that base. That makes sense. But I just want to make sure we're thinking about that, that's all.

MR. HOOPER: Go ahead, Ms. Cassini.

MS. CASSINI: So this is one of the things that I'm most excited about for the surtax plaza and for us to also take out to schools and, you know, kids, and -- and even college-age students is we are trying, with Transit and with our Public Works partners, to come up with really engaging types of -- like when I was talking to you about AR and VR, ways of teaching people how to utilize the system.

Teaching people in a fun way, so, you know, how fast can you get from Point A to Point B using these three -- you know, you can get to pick your -- your type of -- but it's not a vehicle.

But you can walk, you can take a scooter, how do you put your -- how

do you actually put your bike on the front of the bus, how do you pay, you know, how do you use the My Ride app.

That's one of the things that we're trying to get into that surtax plaza and then onto tablets so that we can take this out to -- you know, to schools and have people learn about and see actual fixed route and bus rapid transit like in a virtual space.

How does this work? How does it integrate into your community?

And, you know, in the long term, trying to work with Transit on showing the way that light rail might be able to integrate, you know, without creating a lot of disruption into a neighborhood, in an -- you know, in an AR/VR 3-D type of environment that is really appealing to a younger generation.

So we are -- we've been talking about that for a while, and we're hoping that we can get that done before the surtax plaza is open.

MR. HOOPER: Well, the other thing is there's a term called choice riders. And that's what you are. You're a choice rider. You have the wherewithal financially to not ride a bus. You love convenience. So you don't want to even wait 20 minutes for a bus to come to a stop and take you there.

So the answer is that rapid transit is going to be -- say you lived in an apartment in Plantation on Broward Boulevard and they had a dedicated road with really nice buses that feel good, nice stops that you talked about building, and that it goes through the lights like that (snaps fingers), and now

you're assured that you've lost no time, okay?

Or if you live in down Fort Lauderdale -- this is how Gretchen and I got to know each other. We were trying to build a loop around downtown with a light rail program because some people like you say, I don't want -- even want to walk four blocks from 4<sup>th</sup> Street in Flagler Village to Los Olas Boulevard.

So you get in a car and you pay four bucks, or you park over at the Greenwise illegally and you come out of the Greenwise and you go --  
(Laughter.)

MR. HOOPER: -- so -- so -- but the truth is we've got to get you to not choose to use your car. It has to be super convenient, especially for your demographic. Let's be honest.

And then -- but at the same time, the ones that are non-choice riders, we've got to serve them better, because right now -- because I can tell you, from riding a bus, there was always that one time when there was something wrong with the bus that was going to connect to the drop-off where I was getting off, and I literally -- I was sitting there for 25 minutes, and then I started walking home from that one bus stop.

And people shouldn't have to -- people that can't choose shouldn't have to be left with that situation. And that's what we're trying to fix.

But choice riders are going to require light rail, they're going to require rapid bus. Like 16<sup>th</sup> Street Mall in Denver.

MR. GARLING: Denver, yeah.

MR. HOOPER: It is a dedicated road with regular buses. Like a Los Olas Boulevard. It probably goes about 12 blocks. Everybody's on that thing. I don't care if you're -- where you're -- where you come from. Everybody's on it. Because it's, I know another one's coming in about 25 seconds, and -- so it's all about convenience and it's all about getting the choice rider.

And that's like Step Number 2. That's just not -- that's going to come with the light rail.

Brightline already does that for choice riders. I ride it all the time.

So -- so -- right? I mean, it's kind of that way. It's -- there's two different riders, and the only thing I could say that would really (inaudible) people a little bit is maybe if you lived in downtown, if you -- if Fort Lauderdale created the Lauderdale Trail and scooters could move faster. Because young people like to be free, they like to move around fast.

But other than that, I think it's going to come down to the rapid bus, which we're trying to do, which is easy to plug in, and the light rail.

I think that's going to be the thing that gets us over the -- yeah. I do.  
But --

MR. GARLING: And --

MR. HOOPER: -- I'm sorry, I --

MR. GARLING: -- and --

MR. HOOPER: -- did it again.

MR. GARLING: -- oh, just -- just to kind of finish that conversation, to

me, in transit it's the old marketing mix, right? It's product, price, and promotion.

So price, we're good. You can't have a cheaper way to get around than transit.

But promotion, there's no amount of promotion you can do on a service that is infrequent, that doesn't serve people.

Product is everything. So part of getting to --

MR. HOOPER: Yeah.

MR. GARLING: -- to that future is you have to have a product that people will see value. They're rational. People will use what's usable to them. That happens across the country.

So there -- there's nothing special here about people that won't use the bus, right? You know, the issue is we never provided enough service. It was kind of -- almost like a social safety net.

MR. HOOPER: That's true.

MR. GARLING: We're working on things like express buses, now all these products that we're talking about coming up that we can actually meet those things.

So, you know -- so I think we'll get there.

I -- also, just a quick thing about our marketing department. We have some really bright people in our marketing department now working on social media. You know, I thought I was pretty hip on Facebook, and they told me, yeah, nobody uses Facebook. You know, I thought -- you know, I use

Facebook and -- but we've got people working on content and really trying to leverage that. Better content every day.

So I actually -- I feel good about where we are, about our ability to promote. We have a marketing plan this year where we're actually looking to attract people to come back to the bus system after the last couple years, so.

So I think sort of more to come on -- on this topic. So all those things have to kind of come together in the development of that marketing mix, that product.

MR. HOOPER: And we should talk more about these kind of ideas in our retreat, too, you know? Keep pumping it out.

MR. SMITH: Yeah.

MR. HOOPER: So what else you got?

MR. GARLING: Okay. Moving ahead. So, again, doing our electric buses. \$151,000,000 of electric buses.

Again, 2035 is our target for the complete replacement of the fleet.

Our paratransit program, you know, we're -- we're looking at a purchase of 217 replacement vehicles.

And, again, looking ahead, we talk about ridership, we're looking at our paratransit program. Beginning in '24, we're expecting and projecting ridership increases as the community starts to come back from the pandemic, the need for more paratransit vehicles.

At this point, our paratransit vehicles are converted to propane. Cleaner burning. As we talked in our workshop, in the long range, we think

we're going to have electric opportunities and we'll just have to keep monitoring how the -- you know, how the business is working.

Planning studies. Again, we mentioned that briefly.

We've got 2,000,000, 2,000,000-plus over the next five years that's going to be available to supplement our individual staff on innovations and things that we can do better.

This is really money for our -- our second comprehensive operational analysis. We're really looking to do that about every four to five years, reassessing where we are and -- because we put so much money into our service.

We expect a lot of changes over time in patterns, so we really have to stay on top of it.

And then Mr. McCoy at our workshop talked about this thing called the Transit Development Plan. It's required by the State of Florida. It's our ten-year business plan, where all this stuff comes together and we work off a plan and the way to do it.

And the major update's coming in 2026, and we get consultant help to do that.

Okay. Moving on to Transit infrastructure. So in the area of Transit infrastructure, we have customer facilities, operational facilities, bus shelter improvements we talked about, and then Transit infrastructure/IT/Security type projects, all totaling over \$470,000,000 in the next five years.

Customer facilities, again, at our workshop we saw the design money

for most of these things (inaudible). This is the construction that comes.

So you can see that, again, the design is generally a function of the size of the construction.

We're looking for a west Broward intermodal center. This would be over in the Sunrise area, near the Florida Live Arena.

A west regional transit center, new transit center in Plantation by our emergency operations center just off Broward Boulevard.

Downtown Hollywood, a smaller sort of first phase of a -- of a transit center that we're going to be looking to create better transferring opportunities and maybe in the long run might be part of some transit-oriented development or things that are planning in downtown Hollywood.

And then park and ride facilities to support mostly these heavier systems like the bus rapid transit and the light rail.

Again, we have to find facilities, we have to find land where we can build them, but it's going to be important to really know where our network is.

So we're setting money aside that we can be in a position to create those opportunities for the future.

Operational facilities. Again, we talked about Copans Road at the workshop. This brought in over \$17,000,000 of federal funding to help us.

The fact that we had surtax money to provide a match for that made those federal funding opportunities possible.

\$97,000,000 for a third bus operations facility. We expect to grow the system, right? We have two bus facilities. To get to the future, we're going



to have a lot more buses that we're going to -- going to put out. We have to have a place to store them.

We're looking hard to find a site. We find a site, we're going to try to get busy with building this facility so we can grow.

Paratransit operations. Again, we talked about that, that if we can build our own -- right now, the paratransit services are provided by vendors. The vendors have to provide their own facility. We have to lease that facility from them.

We think we can encourage more opportunities for contracting of those services.

We also think, in the long run, if we electrify the paratransit fleet, if those technologies become available, it's going to be very hard for individual vendors to put that kind of infrastructure in on the hope that they would get a contract.

So our idea would be to really set up that facility and then have the paratransit vendors come in and operate it.

Electric bus charging stations. As we transition, we're going to need a lot -- you know, every -- every bus, we're going to need charging, both -- both at our facilities and out in the -- in the system, in-route charging stations.

And then, listen, all the facilities that we have, we continue to, you know, have HVAC systems get old, we have equipment that fails, things that we have to come in and update and restore.

Bus shelters. Again, important. You know, we said before we had

4500 bus stops in our system. We have over 1100 bus shelters. We're going to continue to try to get -- based on ridership and usage, we want to continue to push ahead with providing shelters to get people out of the sun and out of the rain as they come and enter our system.

So we've committed to do 75 annually to build these new shelters for the future.

And then, as we have route expansions that we're planning really beginning in 2024, we have to have new bus stops, we have to new -- new (inaudible) pads to put those stops up. Bus poles.

We've got other improvements we're looking at. You know, maybe doing some lighting where we don't have shelters. Lighting for security at some of our stops using solar panels.

So we've got a number of those things that we can sort of make the entry into our system better for our customers.

New Transit infrastructure. Security projects. You know, we talked about some of those things the other day.

We have cameras that we put on all of our buses.

We're looking at security and safety project. Crash avoidance systems that we can put on our buses.

IT projects, we're moving from older analog technology to digital technology.

Our CAD AVL system, that system in which we can see the buses coming, will be ending -- or getting at the end of its useful life that will need a

replacement in this five-year period.

So we actually are hoping to, you know, bring in new projects there that have even better technology for those types of things in the next five years.

And, of course, all these things that we talked about, you know, all these hundreds of millions of dollars of projects, we need support. We need help to do project management and engineering support to supplement our staff as we're really doing this immediate ramp-up from the type of system we had into doing all this construction.

And then, lastly, I just want to say a few words about the Government Center East and the intermodal project.

For a long time -- and I think most of you have heard about this idea of a project, of a -- a joint project between Fort Lauderdale and Broward County. It does not appear like that project is going to go forward.

However, our bus terminal, the land where the us terminal is, that's -- that building, that facility, which I actually like. It's laid out well, but it's really outlived its useful life. And that needs to be replaced one way or the other.

It is still a possibility, the County is looking at that same site as a potential place for a County building, some potential space for a Transit Administration building.

So one way or another, we're -- you know, we're -- we're still looking at maybe leveraging that process -- that land.

I think no matter what, we're going to want a downtown, modern

intermodal center that we can be proud of. The question will be part of -- of another development.

So we're -- we're really asking that that money be left in place as we try to figure it out, like what is the next step. And I think as those things become clear -- and this -- this money that was in the budget was all for Transit, right? This didn't have anything else to do with any of the other part of the business. This was to help build a communication center for us, our administrative facilities, and then leveraging into a intermodal center in downtown Fort Lauderdale right here off Broward Boulevard.

MR. HOOPER: Can I ask a question on that?

MR. GARLING: Yes.

MR. HOOPER: So when the time comes to approve that project -- I just think it's important that all those things that you just said are true, and that it -- it is -- the 125 is towards call it a \$400,000,000 building, and the 125 is going towards traffic control center, modal center. It's all surtax Transit, meets the ordinance.

Because I think that's important to divide that out and to segregate that -- those costs, especially for the public.

MR. GARLING: And just to -- to support that, the original plan, this was all broken out. And then there's opportunities to get discretionary federal funds for these types of projects.

So another reason to segregate it, as you talk about, is to bring potential federal funds in.

So we can't use federal transportation funds to do anything else but to buy transit.

So whatever we do, it will be -- even though we might be part of something bigger, or not, it will be strictly for the transit use.

MR. HOOPER: And I'm totally on board with economy of scale and participating in a larger project. You'll end up getting -- you're -- you'll only have to build one foundation for the building rather than two foundations for two buildings. Fewer project managers. It's more efficient to build something within another building.

So I'm totally on board with that. Totally. And I think it would be great if we had a new Governmental Center, first of all. This is -- what was this? Burdine's, the old Burdines --

MS. CASSINI: Functionally --

MR. HOOPER: -- you know.

MS. CASSINI: -- obsolete.

MR. FRAZIER: Mr. Chairman.

MR. HOOPER: Yes, sir.

MR. FRAZIER: Now that you mention federal funds, I notice in your presentation you didn't mention anything about this new federal money in connecting neighborhoods.

And as I read through all these projects, they all are connecting neighborhoods in some fashion or another.

Could you tell us something about that, whether or not you plan to --

MR. GARLING: Sure. And I'm glad you brought that up.

There are really unprecedented opportunities for federal discretionary funds. So from a budgeting point of view as it relates to the -- the surtax, we're being a little bit conservative. The money that we really projected was part of those New Starts or Small Starts, those major corridor projects.

But for Transit facilities, for connection, for other projects we do, we plan to ask for and apply for federal funds in every opportunity we can to make our local dollars go more.

But there's so many of projects, and it's discretionary and competitive. You don't know if you get it each year. You know, we'll -- we'll add those to the program as we get awards.

An example of that would be that \$17,000,000 we got for that Copans facility, right, that we'll -- we'll add that. That means that's 17,000,000 we don't have to use surtax money to do.

So we'll be looking to add every bit and leverage every bit of those increased federal funds that are available.

MS. CASSINI: And if I -- if I could, Mr. Chair, I would also like to respond to Mr. Frazier.

We intend, when we come back to you for the retreat, to talk about all of the federal funding opportunities, kind of give you an idea, high level, what the strategic plan is around pursuing those, and we'll also be talking to you about some of the municipalities that are utilizing surtax awards to try to seek federal discretionary grants, as well.

MR. HOOPER: Any other questions? Ms. Madden.

MS. MADDEN: Yeah, I -- I was just wondering, we talked a little bit about setting aside money that we know we're going to need. What -- how does that happen? The surtax approves it, it goes into a budget and then it's swept into an account? And then how do we track -- make sure it gets spent for the purpose that it's intended?

Thanks.

MS. WALLACE: So statutorily, the County can only allocate funds for the upcoming fiscal year. So funding for FY '23 will actually be -- actually be allocated.

The five-year plan is required by statute so that we can have a projection of things that we would like to do.

And what this does is it -- it shows the planned project are -- and when they'll be programmed and how they'll be programmed over the -- the rolling five-year period, but -- so of the FY '23 through FY '27 five-year plan, the only funding that will be allocated is the FY '23.

So the others will be reflected as amounts that, you know, we -- that are planned for those subsequent years, but the funding is not allocated until the budget is approved for that fiscal year. Right, Mr. Allen?

MS. MADDEN: Right. But maybe our auditors and finance folks know this very well, but what I was trying to understand is we had particular line items, 80,000,000 last year and 60,000,000 that's being set aside, and I'm just wondering, when we say set aside, what's happening?

MS. CASSINI: So they roll forward unspent funds. In this -- in this particular capital funds, my discussion with Budget so far, they indicated that surtax capital fund unallocated, unused, unexpended rolls forward and it just keeps accumulating.

And then when we get the -- when -- each year, when we have our audit of the funds, we bring that forward to you so you can see exactly what has been expended in each particular line item and what remains, what's rolled forward, any assumptions.

You'll notice that the amount that available for FY 2023 when I reported it to you is much higher than the actual projected revenues because there is money that's carrying forward from previous fiscal years.

MR. HOOPER: Mr. Allen, and then Mr. Coolman.

MR. ALLEN: It's like your checkbook. I mean, and you don't have to worry about withdrawal -- or over withdrawing or penalty fees when you run out of money. I mean, it is invested.

But the question. You had areas of -- a program that allows municipalities to advance projects. Has any municipality advanced a project on their own account and then come to us and say, hey, you know, we'd like to be reimbursed?

MS. WALLACE: We have not received any requests for that to date.

The second amendment allows municipalities -- if a project is included in the five-year plan, the municipality has the ability to request approval from the County in writing to advance the project.



And as long as it complies with the County's requirements, like CBE and whatever, then the city can actually fund the project and complete it before the year that the project is in the five-year plan, and then seek reimbursement when the funds are actually allocated.

MR. ALLEN: Or move -- or, alternatively, they could also then come back and say, you know, just move it forward one year, I mean, if you've got room in your budget.

MS. WALLACE: If there's room in the -- so and that has occurred. So projects that are ready and the -- sooner than anticipated and the municipality has requested that the project be moved up in the five-year plan, that has occurred.

MR. HOOPER: Mr. Coolman.

MR. COOLMAN: Yes, to drill down further on the 80,000,000 from last year and the 60 this year, that money is real and is somewhere. And is that somewhere earning us any interest or invested, et cetera, is my question.

MS. CASSINI: It is invested. There's a significant amount of the reserves that are invested. And I would have to -- when we --

MR. COOLMAN: That's fine.

MS. CASSINI: -- when we come back in November with the much more detailed financial reports, we'll try to make sure that it's very --

MR. COOLMAN: And protected --

MS. CASSINI: -- clear.

MR. COOLMAN: -- and, I assume, protected somehow.

MS. CASSINI: Yes.

MR. COOLMAN: Thank you.

MR. ALLEN: The County has an overall investment pool that -- that pools all of the County cash into an investment option. And a proportion comes back in interest earnings, you know, based on the performance of the fund.

MR. COOLMAN: So it's growing. Hopefully, it's growing.

MR. ALLEN: Yeah, it is.

MR. HOOPER: Do you want to keep going, or are we done or?

MR. GARLING: Well, just one more -- one more topic for me on the operating budget. So we'll finish up a couple slides on operating budget and then I think we'll -- we'll be set with the BCT program.

MR. HOOPER: Okay.

MR. GARLING: So this next slide is actually in response to Mr. Allen's question from the workshop.

So what we did is we went back three years and looked at our operating funding, and then projected that ahead to five years.

So let me just make a couple points.

So on the top line, you see the contribution of transportation surtax as that progressed, you know, from 2020 all the way to 2027.

You'll see that there is a dip in the surtax amounts for '21, '22, and '23.

That is commensurate with the COVID relief money that was given to the

transit agencies. So we had some \$200,000,000 of that COVID funding that was available to us. You see that down in the -- in the line item.

2023 is sort of our last year of that sort of manna from heaven that we got from the federal government to help supplement our operating budget.

Then it kicks back into where we always thought we would be with our funding requirements.

Just to hit specifically what some of our funding sources are, certainly farebox revenue, so we've seen that significant hit to farebox revenue as there was a portion of time we didn't even charge fares.

We -- we lost significant amounts of our ridership. We're just now getting back to that 80 percent of our ridership.

So you see the farebox revenue dip, and then you see us start to pull the farebox revenue back and project over time.

We're hoping to do better than that, but we're just trying to be conservative fiscally and -- and -- and trying to project how -- how that can reasonably come back.

The third item, General Fund transfer, the ad valorem contribution to the system, that's fixed at \$27,000,000 per year.

I worked on the original 30-year plan, on that budget, so all 30 years of that budget, it was always planned that we were fix that amount of the General Fund all throughout the plan.

Gas tax funds. Again, we got some relief. The gas tax funds were then kind of freed up for other uses, you know, during the '21, '22, '23 period.

Then those gas tax funds will be coming back to us in '24.

We do sell advertising on the side of the buses, and we have some miscellaneous revenues. We get some revenues back on, you know, if we -- if we get into accidents or something and somebody owes us money for the accident. We have small amounts of that.

The state gives us block grants sort of based on our ridership and usage. Those block grants slowly increase over time and are based on the amount of service you provide.

So as we project to provide more service, were expecting that amount -- amount of money to go up.

There's a state requirement that on those monies that -- that we go out and are responsible for, like our farebox revenue and this advertising revenue, whatever, we don't know, we can't guarantee that we're going to collect all of it. So we're only allowed to budget 95 percent. So this is just kind of -- it's just the budgetary offset of that.

If we collect it, we collect it, and then we've got it to spend. So, you know, we have that.

And I guess back in -- in '20 and '21 that there was some additional money that was put in reserves from the County to balance off the budget in those particular years.

So, as an overview, that's -- that's kind of where we are.

I -- I would like to say about the farebox revenue again, we're anticipating -- and even the size of -- of -- of our budget kind of growing --

we're just trying to get back to where we were in fiscal '19, right, before COVID.

We're trying to get our service put back together, we're trying to get all those operators hired, we're trying to get back to where we were in fiscal '23.

Once we do that, our plan is then in fiscal '24, '25, '26, and '27 to add two percent service each year, to start to grow our service. New routes, additional buses, to slowly start to ramp that up and to bring back -- to bring back our ridership.

And so, you know, from overall service hours, you know, the 2019 service level was -- believe it or not, was 1.5 million hours of service in 2019.

So when you start talking about two percent additions off of a base of 1.5 million, that's not insignificant. That's a lot of additional service to start to put up.

So we're hoping then by end of this program to have a system that's about eight percent larger in service hours, and then even faster growth as we get outside this five-year period as we add the BRTs and the LRTs and the other projects that come.

MR. HOOPER: Any questions? Mr. Allen, do you have a question?

MR. ALLEN: Could you just send me a copy of the -- email that to me or give me a copy of it here?

MS. CASSINI: It's in there.

MR. ALLEN: Is it in here? Oh, okay.

MS. CASSINI: Yes.

MR. ALLEN: Thank you.

MS. CASSINI: It's in your additional package.

MR. COOLMAN: It's not in there. It's in the handout that was --

MS. CASSINI: In the handout.

MR. COOLMAN: -- on the table.

MR. HOOPER: Mr. Garling --

MR. GARLING: Yeah.

MR. HOOPER: -- I have a question. On the farebox, I -- it baffles me that, you know, the world has kind --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. HOOPER: -- oh -- the world has kind of come back, and has the farebox not grown back because of the gas prices? You know, you would think that would drive some people to say you know what? I'm only using the car to go long trips. I'm going to go to work in the bus.

MR. GARLING: Well, I think, just to step back to what happened during the -- the pandemic, you know, originally, we fell to 25 percent of our pre-pandemic ridership, and we were basically telling people to stay off the bus --

MR. HOOPER: Right.

MR. GARLING: -- unless they absolutely had to. So we had that first shock, right?

Slowly, we've been putting things back together.

And, as I mentioned at the workshop, nationally we're seeing that

ridership has only recovered about 60 percent of pre-pandemic totals nationally.

So in our area, I think reflecting some of those things, because our riders are typically people that aren't the choice riders, we've come back to 80 percent of pre-pandemic ridership.

So I think --

MR. HOOPER: Right.

MR. GARLING: -- the answer is it's kind of happening here.

MR. HOOPER: Okay.

MR. GARLING: We're seeing some benefits, but we just had such a climb to get to.

And then travel patterns have changed and people's work --

MR. HOOPER: Yeah.

MR. GARLING: -- and working from home --

MR. HOOPER: And work patterns.

MR. GARLING: -- and there's a lot we don't know, and there's a lot that continues to evolve. And you're seeing --

MR. HOOPER: Yeah.

MR. GARLING: -- companies having people come back to work now.

So we just don't know, right? So we're --

MR. HOOPER: Right.

MR. GARLING: -- kind of riding the rapids right now to try to figure it out and try to get in front of it.

So -- but I think part of it is we've got to get our ridership back, our --  
I'm sorry -- our bus operators back so we can --

MR. HOOPER: Yeah.

MR. GARLING: -- provide those -- that last ten percent of service that  
we're not --

MR. HOOPER: (Inaudible.)

MR. GARLING: -- providing right now, put the service back together,  
and then start growing it. And then we hope that it will take off.

And I'm -- I'm actually optimistic we can do better than we're  
projecting, but we're projecting conservatively, you know, about a two  
percent increase and -- and we'll -- we'll see how the -- how the future goes  
with these --

MR. HOOPER: Okay.

MR. GARLING: -- services.

MR. HOOPER: Thank you.

Any -- yeah.

MR. GARLING: Oops. Sorry. And then I guess there's this -- this is --  
this was the original slide. So we've just kind of talked about it.

This is over the five years, the operating contribution to our service will  
be about \$486,000,000.

That also includes some contributions that to that late shit and -- and  
micro-transit. But we've talked about that in detail.

So --



MS. CASSINI: Did you all want to take a break or just keep going?

MR. HOOPER: I would like to take a break. You guys like to take a ten-minute break?

MR. COOLMAN: Yeah.

MR. HOOPER: Okay. Thank you very much.

MR. GARLING: Thank you.

MR. HOOPER: That was a --

MR. GARLING: Appreciate it.

MR. HOOPER: -- great conversation.

**(THE MEETING RECESSED AT 11:28 A.M AND RECONVENED AT 11:40 A.M.)**

MR. HOOPER: All right. Let me see where we are here.

**B. Broward County Public Works Department**

MR. HUI: Okay. Good morning, Mr. Chair, members --

MR. HOOPER: Good --

MR. HUI: -- of the board.

MR. HOOPER: -- morning.

MR. HUI: I will be discussing next the Public Works five-year plan.

Very quickly, the Public Works five-year plan totals about \$338,000,000. And that includes the 71.7 million that we discussed a couple days ago.

The breakdown of the Public Works projects are in the same categories that we have talked about two days -- two days ago.

Just to bring it to your attention is that the only category that's on the list for the next (inaudible) yesterday, but we have discussed in the past before is the road capacity expansion.

And just very quickly, the road capacity expansion projects are projects that are on County road that we have right of way space available to expand it from -- typically from four lanes to six lanes, and where the road conditions are in a situation that they're getting very close to being congested or are congested and so forth.

So we are currently working on a couple road expansion projects that you guys have seen that we've discussed in the past right now.

And just because of the way that we ask for money, that we only ask for money when we need them, we don't need construction dollars for FY 20 -- FY '23, but we need construction dollars going forth in -- in the future years.

That's the reason that we didn't discuss it a couple days ago, but it -- it's on the list here.

MR. HOOPER: Okay.

MR. HUI: So it's generally the same project types that we discussed. I don't think that I need to go over that. I think we spend enough time on it on it a couple days ago.

And, of course, these numbers are going to go forth and adjust as we see fit and -- and a big reason is is going to be that, as we talked about yesterday, we're going to continue our efforts to identify areas, identify programs that we can tap into in terms of leveraging and funding and so

forth.

As we continue to hopefully be successful at them, that will make some adjustments in our program as -- as we go forth.

So that's -- and -- and then -- and, then, of course, as we come to each year, we will go through the same degree of detail as we did yesterday on the projects as we go forth of -- on -- on every year. Uh-huh.

MR. HOOPER: Can I ask a question?

MR. HUI: Sure. Please.

MR. HOOPER: It has to do with bike lanes and road capacity, I guess.

What if there's a County road and somebody on this board thinks that it could use some improvement? Is there someone we can talk to about that?

I mean, you know, the idea that it -- it's -- that all the County roads have to -- that we believe that the County roads have to be worked on as a city municipal project, if there's -- for instance, we were talking about downtown today and Andrews and -- Andrews and 3<sup>rd</sup> Avenue.

I'm just asking, is there something -- can -- can one of us propose -- and you can say, you know, it has to go to the County Commission. We know all the things that it has to go through.

But we're sitting here, and we're in the middle of stuff, or if somebody says, I live in, I don't know, Lauderdale Lakes, or I live in Pembroke Pines and I think there's an opportunity here, can we propose something?

MS. CASSINI: Mr. Chair, you're no different than any member of the public. So we have people reach out to us. I know Tony

MR. HUI: Uh-huh.

MS. CASSINI: -- and --

MR. HUI: Yeah.

MS. CASSINI: -- Tim -- I mean, I have people who contact me. I'm sure at the cities it's the same.

You are always, you know, welcome to express your thoughts or, you know, opportunities for improvements. Absolutely.

MR. HOOPER: Because I -- you know, when I sit here, I think serve it up to us, right? That's the way I look at it.

And then, if I live in a city or if I'm going through a city and I'm like, this isn't right, this is messed up, I just think that, okay, well, then that particular needs to put it on their plan and put it into the cycle, when in fact, I mean, we're the ones that are sitting here and studying it, through you guys, through all the information we get from you guys.

And it just feels like every once in a while, I'd like to offer something up, that's all.

MS. CASSINI: No, and I think when we do workshops and retreats, it's a great opportunity to do that.

I want to clarify. If it's an improvement on a city-owned --

MR. HOOPER: I got it.

MS. CASSINI: -- road, obviously you're going to --

MR. HOOPER: Totally got it.

MS. CASSINI: -- want to go to the city.

MR. HOOPER: Okay.

MR. HUI: We would be happy to take ideas, and take a look at the feasibility of them.

MR. HOOPER: Okay.

MR. HUI: Yeah. Uh-huh.

MR. HOOPER: Fantastic. I'm sorry to interrupt you.

MR. HUI: No.

MR. HOOPER: Keep going.

MR. HUI: That's all I have in terms of -- I don't want to go to details of

--

MR. HOOPER: No, you did that yesterday.

MR. HUI: Yeah. Right. Exactly.

MR. HOOPER: Okay. All right. And also the intersection improvements --

MR. HUI: Uh-huh.

MR. HOOPER: -- those are the -- that's the -- the stuff to improve the

--

MR. HUI: Individual intersections, many cases, typically, turn lanes and, in some cases, additional through lanes, but primarily turn lanes that improve the traffic.

MR. HOOPER: Right.

MR. HUI: Uh-huh.

MR. HOOPER: Does that kind of combine with adaptive traffic control at times?

MR. HUI: It's a great question. And one of the things about it is that when we do the intersection improvement projects, we eliminate bottlenecks in -- in the intersection.

MR. HOOPER: Right.

MR. HUI: It eliminate bottlenecks in the network.

So what we typically do when we go through and finishes up an intersection improvement project is that we take a look at now that the bottleneck is eliminated, what can we improve in terms of signal timing, because that now changes the timing of the signal.

So how that ties into -- you know, we definitely -- we definitely adjust the signal timing once we finish a intersection improvement project.

And then how that ties into adaptive, you know, when -- when the -- when the adaptive come in, we also make a similar type of adjustments. Uh-huh.

MR. HOOPER: Okay. Anybody else have any questions? Yes.

MR. SMITH: Quick --

MR. HOOPER: -- Mr. Smith.

MR. SMITH: -- question. So we do -- like we see resurfacing and bike lanes, and that's a good amount there.

And I don't know if this is the right place for this, under Public Works,

but if we're looking five years out, the connectivity that we've talked about before in terms of where these things go, I think becomes really important.

Because what I see is setting up a future where people have options, right, and they can connect to things.

You know, where -- the area that I live in, I -- I've ridden every bit of tarmac in the area, and I have all kinds of ways to get around, right? But a lot of the infrastructure that's been put up for multi-modal -- and I think a lot of times people think, oh, bikers and people all kitted up in -- in bike gear. It's not really that.

I look at this as just a different way to get around in the future. It could be smaller electric personal vehicles. I think scooters are just the first of this.

So I always try and tell people that, because it's not -- don't think about bikers out there exercising. Think about someone getting around on -- like a paratransit type of person that maybe has a different way of getting around or a smaller electric vehicle.

There's -- there's -- we need to make a way for that in the future.

So just how are all these going to connect over these five years and -- and where are we in that kind of vision?

MS. CASSINI: So I'm sorry she's not here today, actually, but Josette Severyn, the Senior Planner with MAP Administration, has been working for two years on getting a low-stress multi-modal master plan out the door.

MR. HOOPER: Wow.

MS. CASSINI: She got it through procurements. We selected the vendor. They're in negotiations right now. We should have a contract, we hope, in September.

And what I had asked Josette to do is periodically, at least twice a year, to come back to you all and provide updates on how that's going.

It is expected to be about a 24-month engagement, and then, of course, when it's finished, we're going to be doing a really big, robust presentation to you along with some of the partners that we're working on with that.

Because, you know, the cities are at the table, FDOT is at the table, obviously Public Works is very, very engaged in that project, as well.

MR. HOOPER: And does she have a bunch of connections with bike paths? Is that --

MS. CASSINI: It's to connect the entire County with separated, safe --

MR. HOOPER: I love that.

MS. CASSINI: -- multi-modal -- you know, hopefully grade --

MR. HOOPER: I love that.

MS. CASSINI: -- separated with signal systems, you know, the whole thing. You know, to get people around in a safe manner.

We wanted to look at cover, want to look at places where people, you know, can rest if it starts pouring rain. We want -- you know, we're looking at everything.

And sensor technology so that we can actually be able to come back



to you and tell you how it is performing, how are these performing.

And many of the municipalities are so excited about them and have had them in their own CIPs that, you know, the idea here is that when they're -- when they're constructed, that the cities will actually maintain the greenways that are in their jurisdictional boundaries.

So there's a lot of exciting things about that particular project.

It is not surtax funded. It is funded in the constitutional gas tax, because it is not eligible for surtax funding.

But it is an incredibly important --

MR. HOOPER: Is that true?

MS. CASSINI: -- component of this program. So we'll be coming back --

MR. HOOPER: Wait a second.

MS. CASSINI: -- to talk to you about it.

MR. HOOPER: Bicycle paths -- is that true?

MR. SMITH: It's kind of insane, when you think about it --

MR. HOOPER: It's insane --

MR. SMITH: -- because --

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

MR. SMITH: -- why is it not --

MR. HOOPER: -- a vehicle.

MR. SMITH: -- it's -- it is a roadway. It's just not for cars. So that's -- then you get into the definition of what is a road, right? Because, you know, I

'm sure we can get real granular when we start talking about this later. But it's -- it's -- that's crazy.

MR. HOOPER: So -- so I'm just going to give you guys an anecdote.

So I -- I -- I was -- I was in Jackson, Wyoming, two or three weeks ago, and they have a bike path that has so many bicycles on it going back and forth. And that -- and people are commuting with electric bikes, okay?

MS. CASSINI: I've seen it.

MR. HOOPER: I would love to -- because -- because it takes the -- a little more of the sweat off of you, you know, so that when you do get to work, you're not like covered in -- drenched in sweat.

But I would love to buy an electric bike and go to work. But I'm like, how am I going to get down Andrews --

MS. CASSINI: In a jacket.

MR. HOOPER: -- you know? Well, and just the fact that there is --

MS. CASSINI: Oh, it's terrifying.

MS. WILLIAMS-WILSON: There's no separation.

MR. HOOPER: Yeah. And I watch people coming down Andrews, because I drive home towards Oakland Park Boulevard on Andrews --

UNIDENTIFIED SPEAKERS: (Inaudible.)

MR. HOOPER: -- I -- I'm like, God bless him, because he's trying to ride a bike, and he's in the road.

MS. WILLIAMS-WILSON: Yeah.

MR. HOOPER: So why is not -- why can't we change it? Why can't

we say, okay, well, yeah, the ordinance says this, but we are now -- we want to make bike paths as part of an improvement to a road eligible.

And now I guess we're going to get into that conversation, so let's --

MS. WALLACE: So --

MR. HOOPER: -- not talk about sidewalks yet.

MS. WALLACE: -- just to clarify the law, so there's only one section of statute, Chapter 206, which is the constitutional gas tax, that authorizes bike paths and greenways as funding under that particular Statute.

It is not authorized under any of the other transportation taxes that are used for roads.

And so the analysis is is that roads -- the -- the statutes that are transportation tax, that authorize transportation taxes, specify what those funds can be used for, whether it's gas tax, whether it's the transportation -- County -- what are we -- Charter County and Regional Transportation Surtax, which is 212, the Legislature has delineated how the proceeds can be used.

And so there are Attorney General opinions that outline that, you know

--

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. WALLACE: -- because the Legislature delineated the uses, specified the uses, then we have to use it for those purposes.

And to the -- our previous conversations have been to the extent that there are road improvements, because the statute authorizes road improvements, the -- the bike lanes that are part of the road improvements or

sidewalks that are part of a road improvement project are eligible.

The analysis of the statute and what the Statute -- the plain language of the Statute tells you what you can use it for.

MR. HOOPER: Okay. Let's --

MS. WALLACE: That's why you can't use it --

MR. HOOPER: -- let's take that --

MS. WALLACE: -- for something separate.

MR. HOOPER: -- we'll take that to that agenda item. I'll stop on that, okay?

Okay. So Mr. -- Tony, you can --

MR. HUI: Uh-huh. That -- that's all I have unless there are any other questions.

MR. HOOPER: Because we're going to get to bikes and sidewalks in a few minutes. Okay?

MR. HUI: Sure.

MR. HOOPER: All right. No other questions?

MS. CASSINI: Appreciate it.

MR. HOOPER: Thank you, Tony. Appreciate it.

MR. HUI: You're welcome.

### **C. Municipal Projects**

MR. HOOPER: So now we're into municipal projects five-year plan.

MS. CASSINI: Yes. And, again, I'm really sorry for how small this is on the screen.

But for those that might be watching and wondering how they might be able to see a larger version, go ahead and check the agenda materials in the PDF that's on the website.

So, again, we're excited about the five-year plan that we're bringing to you today because we are advancing projects for the very first time in 2027 that were not part of the original 2018 plan. We were finally able to fully fund all phases of the original set of 97 municipal capital projects that came to you, you know, back in 2020.

We were able to get through all of those except for two in 2026.

You'll see the carryover of those two projects. One is that a large-bundled project for Miramar Parkway. The very first one, that's Miramar 001, 2, 3, and 4.

When we bundle a project, we roll it up to the highest ranked project number, but just for full transparency, I wanted you to see where we have projects that have actually been combined.

If you see a blue arrow -- we used the same type of visual cues last year. A blue arrow means that the project is moving out.

We do not do that in a vacuum. We communicate with our municipal partners, make sure they're comfortable with that move.

In most cases, the municipalities are the ones that are requesting rescheduling. And when we know that a project is not ready, we will reach out to the cities and just ask for their concurrence with the readiness.

We also ask the MPO if we are proposing, as we are in this page, to

move a project up. The MPO completes a construction readiness review of that project at our written request and reaches out to the city, works with them to identify whether or not the project will actually be ready for construction funding in a given fiscal year.

So you'll see that both a West Park and a Pompano Beach project have moved in to fiscal year 2024 based on that readiness review.

Now, what you'll also notice, once we get over here to fiscal year 2027, and this is the final page, so there are three pages here --

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. CASSINI: You'll notice that if a project's original cost estimate has decreased or changed in any way, it is highlighted in yellow.

And another exciting opportunity for us is being able to recommend rehabilitation and maintenance projects.

And what you'll see is that while we didn't have very much money in fiscal year 2023 for municipal rehabilitation and maintenance projects, we were only able to fund those three that we talked to you about on Wednesday, in fiscal year 2027 we actually have significant funding left over after fully funding all of the capital projects that have been recommended by the MPO.

And so we are going -- we have recommended three large rehabilitation and maintenance projects, again, based on their ranking. So these are the projects that were ranked 1 through 6.

And then any carry forward funding will -- well, it won't all carry

forward. We're going to have a buffer in 2027 for cost escalation and contingency as -- and anything that is unspent will carry forward to the municipal projects that are being recommended in 2028 when we come back to you next year.

And with that, I would take --

MR. HOOPER: Any questions?

MS. CASSINI: -- any questions.

MR. HOOPER: I do have a question. Other than the 10,000,000 bucks that got moved from 2026 to 2027 --

MS. CASSINI: Right. The --

MS. WALLACE: Miramar.

MR. HOOPER: -- Miramar --

MS. CASSINI: Oh. It's not that it was --

MR. HOOPER: No, no, no. I understand. It just shifted with -- schedule-wise.

MS. CASSINI: Correct.

MR. HOOPER: Yeah. So I'm going to take that 10,000,000, and that was -- that was considered the year before, correct?

MS. CASSINI: Right.

MR. HOOPER: 41,000,000 divided by four, starting -- okay.

So it just doesn't seem like there's many projects proposed at this point in time for 2027.

MS. CASSINI: So it's true. The MPO did their ranking and

recommendations with the new evaluation and ranking criteria for 2027.

I'll go to 2027 so we can see those.

And what you're seeing -- and we didn't call it out on the sheet. And for that I apologize. We should have probably done that -- is the reason that the amount is low in '27 is because they're all in design.

So the -- what we call the tails of these projects, it's significant. Because this is just the design funding, and then once the design is completed in 2027, they'll be coming back to request construction over the course of the next few years.

The tails of these projects in 2027 actually consume a significant amount of the MAG in what we would expect to be probably 2028, 2029.

MR. HOOPER: So then why aren't we seeing a bunch of tails from 2025 and 2026 dropping into 2027?

MS. CASSINI: Go ahead.

MS. WALLACE: So what the five-year plan has reflected from 2020 through 2026 is the FY '20, or the Cycle 1 projects.

And the second amendment required -- so there was a bunch of projects that were ranked and recommended and included. And when -- when we -- the cities, the County, and the MPO dealt with the second amendment, there was an insistence upon funding all of the remaining cycles of the FY '20 projects before you got to --

MR. HOOPER: Oh, geesh.

MS. WALLACE: -- new projects. So it's design, and we have those in



design. And so that -- and when we -- if you -- you may recall that back in your meeting in February, you considered an adjustment of the five-year plan. And it brought the remaining phases of those -- that first year of projects forward into the five-year plan.

And that's what Gretchen was just explaining. Because we had to take those in order and fund the remaining phases, now we're starting -- the second amendment, I will tell you, states that each year is a different application process.

And if the project is not recommended for funding or ranked by the MPO and recommended for funding in that -- for that next fiscal year, then it starts over again.

So we don't have those tails, and we'll be prospectively evaluating projects based upon the design and the progress of the project, rather than having the -- a kind of bottleneck that we're -- we've been trying to dispose of.

MR. HOOPER: Mr. Smith.

MR. SMITH: I was just -- I mean, to that end, right, just kind of big picture speaking here, I think at our board level, we should have a feel for how the cities think this is going and how the process is going, right? Meaning I know that we had -- I remember the League of Cities speaking at one point. Maybe that was when we were doing the ILA.

But it's been -- I don't feel like we're having that direct feedback at this point, and I just want to make sure that we get these dollars spend, right, in

the right timeframe. And if enough come off, then we have more in reserves and then the money's not going where it's supposed to be going.

So I just think it is up to us to kind of know how that's looking from all sides, and I just would -- if the cities are listening, I would invite them to participate with us and give the feedback.

And I'm not saying there's negative feedback out there. I just don't know what the -- the pulse of that is.

Because what I wouldn't want to see happen over time is cities just not putting in projects and saying, hey, it's kind of a pain to do, and it just, you know, -- and how do you guys feel like it's going? Are we on pace? Are we accelerating? Are we -- you know, how do you think it's going?

MS. CASSINI: So I will tell you, as someone who's in communication with the municipalities on a daily basis, as is my -- as are at least two of my staff members, because that's their full time job, it depends on which city you talk to, right?

Like all things, there are a variety of different perspectives about how the program is working, whether they're happy with the number of projects they have, whether they're happy with the process. Whether they like the fact that capital projects hold their rank in the second amendment depends on how many capital projects they have holding rank.

So there are quite a few municipalities -- I went and did a -- as I often do, I did a presentation to five municipalities, their lawyers, and their major leadership and project managers. And, you know, I got a variety of

perspectives from them.

There are cities that really want to see more rehabilitation and maintenance projects, right? That's their primary focus. They're built out. They can't widen a road. There's no place for them to do congestion management. And the projects that they really want and need are rehabilitation and maintenance projects.

And the way that the second amendment is structured, we have to get through all of the remaining unfunded rehabilitation and maintenance projects from 2020, of which there were more than 20, before we can entertain any new ones.

So that was one of the reasons why I went to the County Administrator with recommendations to try to get through six of those 20 unfunded projects. Because, you know, that's important to our municipalities that they're able to apply for and get new projects.

Why was it so important to do an adjusted five-year plan? Because of all the feedback that we were getting from the cities that they wanted to be able to apply for new projects. They didn't want to be stuck with these projects from 2020 forever. There were cities that didn't get any projects that they wanted.

And so we -- in order to get through all of those projects in all of their phases, we had to over fund the MAG significantly. And that's a policy decision that my Board needed to make, and that our County Administrator needed to support, which they did.

So that you can see we don't have any more tails from 2020 after those two in 2027, and we've got some new projects in there, including one that was not even in the 2018 plan.

But I will invite all of the municipalities to your retreat and I will ask that -- there is a Broward City Managers Association subcommittee on the surtax. And there are about three to four main members. They came and met with Angela and myself and Monica and Bertha last year.

And they are constantly meeting to discuss various issues and trying to keep a pulse on kind of general how the cities are feeling about the program.

And so, you know, they may come and represent the groups. But there -- you know, I'll make -- I'll do an all-call. I'll just let them know that you're interested in hearing from them at our meeting in November.

MR. HOOPER: You want to say something, Ms. Wallace?

MS. WALLACE: Yes, thank you, Mr. Chair.

So -- and there's no, I guess, shortage of applications, because there were more than a hundred applications submitted for municipal projects, municipal capital projects submitted to the MPO for evaluation in 2022.

And so these are the projects that the MPO recommended, and they recommend, you know, within the minimum annual guaranteed funds that are available.

And so we're all bound by the parameters of the second amendment, which governs the relationship among the County, the 29 municipalities, and

the MPO.

And so while I understand that I guess there are different perspectives with regard to how things are going, we have to ensure that we comply with the terms of that agreement.

And that's what we've been doing. We've ensured that.

MR. ALLEN: Mr. Chairman.

MR. HOOPER: Yes, Mr. Allen.

MR. ALLEN: Yet there is \$25,000,000 about in this budget proposal here for ineligible projects that could be programmed into additional sites if they were to be withdrawn?

MS. CASSINI: So the way that we actually program the five-year plan is in order to be consistent with the second amendment, we show the project, we show the funding, but we do not actually include the funding in the five-year plan.

So it is not holding up. I -- just for clarity, because I know there's a lot of discussion about ineligible projects holding up money that other projects could access, we're not programming that way.

So if the project has been deemed ineligible, we are -- while we have funding allocated for that project someplace else, we are programming what - - you know, real money. And --

MR. ALLEN: But -- but some of this money is in the '23 program year.

MS. CASSINI: So it's not -- if you add it up, you'll see that that money is not actually part of the calculation.

We -- we don't actually -- we show it because it holds its place, based on the second amendment, and, yes, the County appropriated money in the tune of 126.9 million dollars in 2020 for all of the municipal projects.

That money continues to carry forward at a lower level. But it's -- you know, it's still there in the budget.

But I -- I want to be clear --

MR. HOOPER: You have a question?

MS. CASSINI: -- that we are programming over ineligible projects at the -- at this moment.

MR. HOOPER: Mr. Coolman.

MR. COOLMAN: I have a question related to Phil's comment.

There are 32 projects here that have no checklist documents submitted, of the 122.

Some of them have a deadline, thank God, that they're going to disappear.

But these -- these 32 are the ones, if I'm -- correct me -- that the cities want to make sure they're taken care of before you go on forward, correct?

MS. CASSINI: (Inaudible.)

MR. COOLMAN: So our concern has always been how do we get these cities to either withdraw it or -- so we can move forward.

I still think we have that concern. And that -- that's just a response to that.

I have some other comments related to municipal projects, specifically

related to the ones that are deemed ineligible. What type of projects are those?

And before you answer that, yesterday, I did believe we could take up the question of standalone sidewalks at the end of the meeting. However, we may need to take it up at this point in time, at least talk about it, just for everyone's understanding that --

MR. HOOPER: Okay.

MR. COOLMAN: -- apparently, I will not be able to make a motion today because the issue over my concerns with not meeting the intent of the -- the voters' ballot language will not be able to be discussed until our next meeting because it has to be announced.

But we are going to have some discussions relative to the emails that were forwarded to you yesterday. And I also have some additional input to discuss.

But prior to that, I think we need to find out why these projects are deemed ineligible.

MS. WALLACE: Okay. So the nine projects that were listed in the presentation yesterday and the ones that are listed in the -- I mean on Wednesday, and the ones that are listed in the presentation today are projects for which the County received the required checklist and documents associated with the projects that outline what the projects include.

And when we received the project documentation, we determined that there were standalone sidewalk projects.

And the -- because the projects do not include any road improvements and they are standalone sidewalk projects, they are not eligible under 212.055 Florida Statutes, which delineates how the proceeds from the surtax can be utilized.

MR. COOLMAN: Okay. I would like to go into --

MR. HOOPER: Go.

MR. COOLMAN: -- discussion of the emails you got.

My first question, however --

UNIDENTIFIED SPEAKER: Uh-huh.

MR. COOLMAN: -- is did everybody get it and read it?

MR. HOOPER: That's like asking a bunch of middle schoolers did they do their homework.

(Laughter.)

MR. SMITH: Can I -- can I ask one clarifying point? So just to clarify -

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MR. COOLMAN: Well --

MR. SMITH: -- what we're talking about, the -- so Coral Springs had almost \$30,000,000 in ineligible sidewalks? That would -- that's what all of that was? Are we talking -- are we apples to apples here? Like that's why it's ineligible?

MS. CASSINI: It was a citywide --

MR. SMITH: Those two?

MS. CASSINI: -- sidewalk program. They submitted one -- one



section of their city -- as you know, very large city -- as one and -- as one project. They submitted another section of the city as another project.

And both of those are -- they -- it's -- it was a planning, design, and construction. It had three -- both had three phases.

So they wanted to do a plan for --

MR. HOOPER: Right.

MS. CASSINI: -- updating and connectivity and, you know, rehabbing citywide --

MR. HOOPER: Sidewalks.

MS. CASSINI: -- sidewalks. Citywide.

MR. HOOPER: Sidewalks.

MS. WALLACE: Yes.

MR. SMITH: Would they --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. SMITH: -- I wonder if they would describe it exactly as sidewalks. It -- it was really sidewalks, just a walking path. There was nothing else to it.

MS. WALLACE: That was it, yes.

MR. HOOPER: Okay.

MR. COOLMAN: Well, let --

MR. HOOPER: Doug.

MR. COOLMAN: -- let me -- let me preface what I'm going to say.

The situation we're in today reminds me of the situation we were in when the state wasn't going to let us spend our surtax money in Broward

County, from Broward County taxpayers, and put the DBD requirement in it. They weren't going to let us.

We asked them to change it and opt out of that requirement, and we got it.

I think, after the more I study this problem, that's where we're at.

And let me point out to you why. I'm sorry I'm going to have to read this. I did give it to the stenographer. That's what you're called today? Or probably not.

THE REPORTER: Not today.

MR. COOLMAN: Showing my age.

(Laughter.)

MR. COOLMAN: If you'll bear with me, I have one correction on page 5 of the email I sent you. I misquoted by saying the MPO approved an initial list of eligible projects.

It's supposed to say the MPO provided an initial list of -- of ranked projects.

The MPO does not determine eligibility.

UNIDENTIFIED SPEAKER: Right.

MR. COOLMAN: We determine eligibility with input from legal counsel.

MS. WALLACE: Uh-huh.

MR. COOLMAN: And that -- which is fine.

However, as a layman, the following is intended to be in addition to

what has been provided the surtax board as a summary supporting what isn't going to be my motion today related to standalone sidewalks because of a technicality of notice.

In light of the following criteria, ballot language from 2018, which specifically included develop safe sidewalks and bicycle paths, and all expenditures overseen by the Independent Oversight Board.

That's the actual ballot language, talking about safe sidewalks and bicycle paths. That's what we voted on. Develop safe sidewalks and bicycle paths. Expenditures overseen by an independent -- that's A.

B, specific reference to sidewalks and bike paths -- bike paths under applications for funding for permissible capital projects.

I'm only going to read the first part of this. It says municipal capital projects. Municipalities in Broward County may submit written applications to the Broward County MPO for transportation surtax proceeds to fund statutorily eligible capital projects, projects that do not involve rehabilitation or maintenance of the road -- which I'm confused over -- including but not limited to projects for new roads, widening of existing roads, traffic calming improvements -- traffic calming improvements, transportation related ADA accommodations, sidewalks and bike paths and bridges.

And it goes on.

So the taxpayer voted for sidewalks and bicycle paths.

The municipalities were asked to submit plans for sidewalks and bicycle paths.

However, Item 3, although under Florida Statute 12.055(1)(d)4, which is fairly general and does not even mention specifically sidewalks, but references roads -- however, Section 3 of the second amendment is more specific and, under Item G, road improvements, references ADA accommodations and traffic calming projects are eligible.

It further goes on to specifically call out high-end decorative lighting, decorative road signage, brick pavers, and similar items are not eligible.

Of particular note here is that sidewalks or standalone sidewalks were not on list -- this list of ineligible projects, nor are greenway or bike path projects.

They're not on the list. It's more detailed, more specific, and they eliminate some things, but those weren't eliminated.

All of which are on the ballot language voted on by the taxpayers of Broward County. I just read it to you.

Secondly, road improvements generically include sidewalk, and sidewalks are a requirement for qualification for receiving grants and are design criteria for Complete Streets as they are deemed as traffic calming elements of a roadway.

So, therefore -- well, I won't go there.

Note, the underlying goals of these taxpayer approved funds is to improve mobility, connectivity, and safety. And the Oversight Board has this as one of its obligations.

Last point. The Oversight Board is to approve projects as to statutory

eligibility with due consideration given to the opinion of the transportation surtax general counsel.

We've heard that a number of times.

However, keep in mind what I said before about DBE requirement that we were able to change so we could spend our money, our tax money in Broward, the way we wanted it.

Where's -- where's my -- my favorite guy over there? He's not here today.

However, in light of what the taxpayers of Broward County approved per the ballot language, what the applications for funding for municipal project required, combined with the fact there is no language making standalone sidewalks, nor, for that matter, greenways or bikeways ineligible for funding from surtax dollars, due consideration does not render these types of projects ineligible.

Apparently, it is -- it is the Statute that is flawed.

We're only in year three of 30, and we're learning every day.

I am not going to make the motion, but I think up for discussion, we need to find out a way to approve these bicycle and sidewalk projects.

And I believe, interpreting this -- but I'm not an attorney -- there's already (inaudible) language in there, because the -- the -- the Statute is pretty vague.

And it doesn't even allow -- the Statute doesn't even talk about sidewalks --

MS. WALLACE: It doesn't.

MR. COOLMAN: -- let alone bike paths.

So, therefore, how we got to this point is not right.

So we will, I assume, be talking about this further. And I would like to -

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MR. HOOPER: No, let's talk about it now, because we're into it --

MR. COOLMAN: Well, no, no. My point is I cannot make a motion today because it wasn't announced.

MR. HOOPER: That's okay.

MR. COOLMAN: We can talk about it a lot more, and I'd love to hear a lot of people's responses.

MR. SMITH: I mean, I'm -- I'm certainly supportive of really breaking this down and seeing where this is stuck.

And I think in terms of counsel and how we look at this, we should maybe even bring in an outside counsel to have an objective look.

I mean, we should look at lobbyists.

I mean, what needs to change so that the community can get the improvements that they think they voted on.

I'm -- I'm with you on that, because it seems kind of silly to me. I mean, some of this stuff is very arbitrary. Like we're talking about you can come in and put in \$10,000,000 of lights on a road that's already there, to improve it, to make it better, to make it safer, but you can't come and put a sidewalk next to a road that gets people off the road and out of their cars. I --

that doesn't make sense to me.

MR. HOOPER: Ms. Wallace.

MS. WALLACE: Thank you, Mr. Chair.

There are a couple of points that I would like to clarify.

So I'm not sure if everyone understands, I guess, the point that Mr. Coolman, the Vice Chair, was making with regard to CBE.

So during the legislative session in 2021, there was proposed legislation to exclude local goals, local preferences from --

MR. HOOPER: I remember that.

MS. WALLACE: -- projects that are funded by FDOT. That -- so projects that include state money.

Prior -- prior to that time, if 50 percent of the project was funded by state funds, then you could not incorporate the local goals.

The Legislature changed that statute to reflect that if any state money was used for a construction project, that local goals could not be included.

And during that legislative session, the County was successful in getting the Legislature to exclude Broward County from that statutory revision because the County had incorporated CBE as part of its surtax process.

So to the extent that a surtax funded project also includes state funding, we are allowed to use the CBE -- the County CBE program.

So I wanted --

MS. CASSINI: On the surtax amount.

MS. WALLACE: -- on the -- on the surtax funding for that project.

That's what that was about.

But that required legislative action.

So to the extent that we had not been successful in getting the Legislature to exclude Broward County and its CBE program, we would be obligated to not utilize our CBE program.

And so -- and that's -- that prohibition exists for federal funding. If there's a project that's funded with federal money, we cannot place a County CBE goal on it. The federal DBE requirements apply to the whole project, including the surtax funds.

So -- and there are a lot -- we receive -- the -- the Transportation Department receives a lot of Federal Transit Administration funding, and we cannot use CBE goals for those projects. We use the federal DBE program.

And so I hope that that kind of clarifies that issue.

And with regard to statutory requirements, a change in the Statute, through the Legislature, is what is required.

It's not something that we can do on the local level.

And so the Oversight Board -- Board's role and its authority under the transportation surtax ordinance that was enacted by the County Commission reflects that the Oversight Board makes a determination as to statutory eligibility.

And to the extent that the project is eligible under the Statute, you have the authority to make that determination.

The determination cannot be based upon something outside of the



Statute.

So to the extent that there is confusion about, you know, I guess, the ballot language -- and so, to me, I don't think that there's confusion with the ballot language.

To the extent that they are road improvement projects that include bike lanes, we can do -- bike lanes or sidewalks, we can do that.

The issue is standalone. And the and so because the statute specifically indicates -- if you look at the screen, 212.055 delineates proceeds from the surtax shall be applied to as many or as few of the uses enumerated below in whatever combination the County Commission deems - - deems appropriate.

And so it delineates them. And the fact that it does not delineate sidewalks or bike paths means that we cannot have a project that is limited to a sidewalk or a bike path.

There is a section of Florida Statutes that I mentioned earlier, and it's Chapter 206, which is the constitutional gas tax. It specifically delineates road improvements and bike paths. So that one, you could do a greenways project, a bike path. And greenways project is being funded with the constitutional gas tax, because it is permissible under that Statute.

But to the extent that we don't have that, we can't.

And so to clarify the second amendment language, Mr. Coolman was reading from the section of the second amendment that delineates eligibility.

And I don't know if you had an opportunity to read through the email

string, but I tried to explain that that section, the eligibility section tells you what's eligible. And those items, street lighting, drainage, sound walls, it -- it tells you the criteria that is used to evaluate those projects and their eligibility and the amount of funding.

So drainage calculations, you know, will determine how -- how much surtax funding could be used for a drainage project.

Soundwall, if there's a -- we don't just build a soundwall, pay for a soundwall because there's a road. There has to be a capacity increase to the road that increases the decibel levels of the noise -- the noise decibel levels that would impact the area before a soundwall is eligible.

So in road improvement, it delineates what can be used. And Mr. Coolman was indicating that it mentioned ADA and traffic calming, and those are eligible as part of a road improvement project. And it says that enhanced lighting and so forth are not ineligible -- are not eligible.

The distinction is standard components are. Standard concrete. Not brick. Not brick pavers. Standard lighting. Not decorative or -- or fancy lighting.

So we will fund the standard -- the cost of the standard element.

The -- the surtax does not fund decorative or -- or non-standard elements that are outlined in that section.

That's the distinction. So it wouldn't list sidewalks because sidewalks are not, in and of themselves, as a standalone project, eligible.

Lighting is -- street lighting is eligible because it's a road improvement,

right? Because it illuminates.

And if you look at the definition under the second amendment, which was provided in that email string, it delineates what street lighting does, right?

And so to the extent that you have street lighting that's going to illuminate the road and make it safe, you can do that. But we're not going to pay for fancy, decorative (inaudible) lighting. That's the distinction.

MR. HOOPER: All right. I just want to -- oh, please. Let me say something.

First of all, I think that we've got a pretty good cross section of the -- of the public here. I think that we feel like we represent the public --

MS. WALLACE: Uh-huh.

MR. HOOPER: -- and I -- and I feel like you're sticking to the legal details of the law. So I appreciate and respect that.

But we need to figure out how we can help cities and our County if there's a project brought by a citizen that makes sense or whatever. And we need to create ways or figure out ways to create flexibility, say, you know, you can't just do a sidewalk, but if you repave the road and a sidewalk, that gets you there, okay?

We've got to figure out how we can deliver bike paths. I mean, in the name of safety alone, I -- I don't understand why, if -- if traffic counts have increased on 441, you don't touch the road at all, but it's getting super dangerous for the kids, okay, and the families, and you say we're -- and

there's no sidewalk.

So people are walking like right up against the -- the curb because density has increased. And there's more traffic. It's become super dangerous. And we want to put a sidewalk in because it just added safety due to the increased pressure of the population, the cars and whatever.

So we've got to figure this out, because it shouldn't be about just delineating the legalities of it, but it should be, okay, let's figure out what the criteria are and if a -- if a sidewalk achieves a criteria that's in that list, like safety, then maybe we're just doing a safety plan and not a sidewalk plan.

Or -- and the other thing I -- I don't like, and you probably -- I think you answered it, so I might be off.

But if a city wants to improve its sidewalk or its lighting to an elevated level so that the folks that live there say, gosh, that's nice, that's really nice, and it increases their value, I think you said that you'll pay to the level of a standardized number, and then they can add to that. So that's good.

But I just think we have to figure out how -- because -- because, quite frankly, I can think of about a million ideas of where we could get multi-modal on a bike path and only put in the bike path and not put in the street, or get something achieved for safety reasons on just a sidewalk that's adjacent to a very dangerous road.

And I just don't -- we have to figure out how to help ourselves get to where we want to go.

Because I think it's this board's goal to add sidewalks, add bike paths.

So --

MR. ALLEN: Mr. Chairman.

MR. HOOPER: Yes.

MR. ALLEN: I think we -- we noted that the -- there is a difference in the constitutional gas tax and the other highway programs.

And I think it would be a recommendation from this board to the County Commission to request an amendment to the legislation. They've got a legislative program that should be underway shortly for next session, and to get that to the attention of the Board to add that item to the next legislative session next year.

MR. HOOPER: I would -- I would agree with you. And I think we should be able to -- just like Mr. Smith said, if we have to add some lobbyists or if we have to pay to do that through surtax, I think that amending the legislation to meet our -- the goals that were set in the ballot for the people, then -- then we should. I agree with you. I totally agree with you.

MR. COOLMAN: That is no different than what came out of this board on the DBE. We're the ones that --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. COOLMAN: -- asked them to go back.

Well, this is a perfect way to ask the County or the -- to go back.

Now --

MR. ALLEN: I think we could ask staff --

MR. COOLMAN: -- there may be a question of --

MR. ALLEN: -- between now and our next meeting to --

MR. COOLMAN: -- and --

MR. ALLEN: -- draft up a proposal --

MR. COOLMAN: Yeah. And that --

MR. ALLEN: -- that we could vote on at that point.

MR. COOLMAN: -- it may be an easier way to do it than to change this legislation, which I think is totally inadequate.

Do you believe that a -- a -- our legislators could write legislation that's inadequate? But that may be a way out of not opening Pandora's box. This would be interesting for Gretchen to comment on. You might read that back. I'm not sure.

Because that -- that's a different way than changing the legislation, but gets the same thing done.

MR. ALLEN: What's that? I'm sorry, I don't understand.

MR. COOLMAN: You were -- you were asking if they can do this under the gas tax. Maybe it's a question --

MR. ALLEN: We could use that as a -- as a rationale to request an amendment to the other --

MR. COOLMAN: Yeah.

MR. ALLEN: -- section to make it consistent with the constitutional sales tax -- or gas tax.

MS. CASSINI: So we've been talking about this for two years, and this is not the first conversation that we've had here, and it's certainly not the

first conversation that we've had internally.

I mean, it's -- it's something that you all can recommend. Obviously, you can communicate what you think makes the most sense in your transmittal letter.

And, you know, I -- I'm sure that the County Commission -- you know, they're hearing about this as well, so I'm sure they've considered it -- various options.

In fact, I've talked to, you know, Commissioners that have asked about this.

I just think it's important that this group understands that there's always a risk associated with opening up a section of statute that provides local governments with taxing authority.

And 212.055 is not just the Charter County transportation surtax. There are quite a few other local option taxes, sales surtaxes that reside there that are very popular. The infrastructure surtax. There have -- I think there's a healthcare surtax inside that section of the statute, as well. And there are others.

So in this environment, where we have been seeing more and more and more preemption legislation, I just think it's important for you all to consider and weigh the risks associated with opening up a statute where several of our city -- our sister counties across the State of Florida are looking to go after a transportation surtax either this year or in --

MR. HOOPER: What do you mean by that, go after?

MS. CASSINI: So they don't currently have a transportation sales tax, right, surtax.

MR. HOOPER: Uh-huh.

MS. CASSINI: I've been working with Orange County. It's a regional effort.

MR. HOOPER: Uh-huh.

MS. CASSINI: Osceola's involved. Their --

MR. HOOPER: Uh-huh.

MS. CASSINI: -- transportation authority. They plan to go after it this year.

There are other -- Palm Beach is looking at going after a transportation or maybe a combination infrastructure/transportation sales tax when their current infrastructure sales tax sunsets.

There -- there -- you know, there are other counties that are interested in trying to put things on their ballot.

And if we open this up to try to get clarification about what is the definition of a road, and the whole thing goes away -- I just want you to just --

MR. HOOPER: No --

MS. CASSINI: -- keep that in mind --

MR. HOOPER: -- no, no. But why couldn't you -- why -- but why wouldn't they be on board, too, to want to have sidewalks and bike paths be delineated? Why would they not want --

MS. CASSINI: No, my -- my comment is not intended to -- to -- it has



nothing to do with whether or not --

MR. HOOPER: They just want --

MS. CASSINI: -- the counties --

MR. HOOPER: -- the surtax.

MS. CASSINI: -- want -- it -- its' not about what the counties would want. The counties would want that, because most everyone wants to be able to do those types of projects.

MR. HOOPER: Right.

MS. CASSINI: The issue is whether or not the Legislature and the folks that are in power and in, you know, committee seats would use the opportunity, once the statute is opened to clarify it, to gut it.

MR. HOOPER: How can you gut it if it's already been approved and we've got a --

MS. CASSINI: Oh, they --

MR. HOOPER: -- 30-year --

MS. CASSINI: -- they can do it. They can do it, and they have done it.

MR. HOOPER: They can just end our 30-year surtax?

MS. CASSINI: They would not -- it wouldn't affect us. It would affect everyone else.

MS. WALLACE: But it could affect our ability to --

MS. CASSINI: Reauthorize it.

MS. WALLACE: -- reauthorize it at the end of its term.

MR. HOOPER: Okay. Mr. Allen, did you have a question? I'm sorry, I interrupted you.

MR. ALLEN: No, I think that's -- that's a risk that you always -- when you're requesting legislation, that -- that's always a risk that some committee member or chair will hold it up in committee --

MR. HOOPER: Yeah.

MR. ALLEN: -- because they have an axe to grind against --

MR. HOOPER: Right.

MR. ALLEN: -- the local jurisdiction that is trying to vote --

MR. HOOPER: Right.

MR. ALLEN: -- on it.

MR. SMITH: This is where you have to get counsel in terms of with your lobbyists. It is a risk/reward. I understand that.

But even this as written, right, like it might sound silly, but what is a road. So before we had cars, we had horse and buggy, right? But in the future, 30 years from now, if we have a smaller -- let's call it a path for a moment. Forget about sidewalks because that just implies someone's walking on it.

Say a path, and Mr. Hooper, as he mentioned, gets on his electric bike and he commutes on that path, and he goes and he stops by the grocery store on that path. And he gets around and does his business for the day. Is that a road? And he does it on his electric bike, let's say. Is that now a road or is that --

MR. HOOPER: Is there a definition of road on the -- I'm sure there's a definition.

MR. SMITH: What is that? Does it have to be cars?

MR. HOOPER: Right.

MR. SMITH: Because that's my hang-up with this stuff is that everything is about cars --

MR. HOOPER: Yeah.

MR. SMITH: -- and -- and I think that's a -- that is the part that ends up getting --

MR. HOOPER: (Inaudible) --

MR. SMITH: -- a little short sighted.

MR. HOOPER: -- I hear you.

MR. ALLEN: You also have to consider that perhaps the State Department of Transportation would not be in favor of -- of opening up that statute, either. So I -- that's another risk --

MR. HOOPER: Yeah.

MR. ALLEN: -- to consider.

MR. HOOPER: Ms. Madden.

MS. MADDEN: I was wondering, for these nine projects, has this board already had an opportunity to vote on the eligibility or not or are we just relying on a legal opinion and it was never brought to us.

MS. WALLACE: So in 2020, the -- all of the projects that were listed in 2020 were recommended, and the transmittal -- recommended, and the

Oversight Board approved them subject to further review. So that's how that happened.

MR. COOLMAN: Well, I've got a question on process.

MR. HOOPER: Uh-huh.

MR. COOLMAN: This -- the MPO provided a list of ranked projects. They were brought here. We determined, and they were deemed eligible by this board.

A year and a half later, they come back and now they're ineligible.

That, to me, independent of what we just talked about, doesn't seem right.

They've already been approved by the County. We sent it to the County, they approved it. Now they're ineligible?

MS. WALLACE: Yes. So the transmittal, this board took action based upon recommending them subject to further review.

This was Cycle 1. I think everyone needs to be mindful that that was the first year that funding was provided, the very first year of this program.

And the -- there was -- a lot of the projects did not have documentation that was submitted that provided the information that we needed to evaluate the projects.

So the County established a process, a checklist process. And the checklists were provided to the municipalities, and the municipalities had to provide the actual documentation for the projects.

And when we received the documentation for the projects, they were

evaluated and, to the extent that projects complied with the statute, we funded them. Projects that were -- and have prepared interlocal agreements to fund those projects.

MR. COOLMAN: They --

MS. WALLACE: To the extent that they did not have any road improvements, as required by the statute, we have not prepared agreements.

And I want to turn your attention to page 13 of the second amendment that says transportation surtax proceeds shall not be utilized to fund any municipal project unless the County, through the transportation surtax general counsel, after consultation with counsel for the municipality, and after considering the recommendations of the Oversight Board, confirms the project is legally eligible for funding for transportation surtax proceeds.

So pursuant to the second amendment, I'm required to confirm that they are legally --

MR. COOLMAN: Just -- just a point of --

MS. WALLACE: -- eligible.

MR. COOLMAN: -- question.

MS. WALLACE: Yes.

MR. COOLMAN: Were those brought back here after they were determined by you, apparently, ineligible and told us they were ineligible?

MS. WALLACE: They've been included in several presentations at meetings.

So there has not been another item brought before the Oversight

Board to take action on them, but the Oversight Board has been notified as this information has become available, which is the checklist process and documentation --

MR. COOLMAN: But that --

MS. WALLACE: -- that the ILAs were not prepared for those --

MR. COOLMAN: -- but those --

MS. WALLACE: -- projects.

MR. COOLMAN: -- (inaudible) came out of the second amendment, right?

MS. WALLACE: Correct.

MR. COOLMAN: So in the -- in the first case, they were approved, they should have gone through --

MS. WALLACE: They were subject to further review. They were --

MR. COOLMAN: Not in -- not in -- only in the second amendment, right?

MS. WALLACE: No. The transmittal from the Oversight Board from June of 2022 says that the Oversight Board recommends them as eligible subject to further review.

MR. COOLMAN: 2022?

MS. WALLACE: 2020. Every year, actually. It happened in 2020 --

MR. HOOPER: Hold on. Okay. All right. This is what -- this is where I -- my opinion.

MS. WALLACE: Uh-huh.

MR. HOOPER: It'd be great if we could get legislation changed, okay? Sounds like there's risk involved there.

UNIDENTIFIED SPEAKER: Yes.

MR. HOOPER: This board's -- at least, a lot of people at this board believe, we haven't taken a vote, believe that there's value in safe sidewalks and bike paths, okay?

If somebody comes with a -- with a sidewalk, we need to fund an asphalt repavement of the road that it's adjacent -- no. No, no, no.

MS. WALLACE: We can do that.

MR. HOOPER: We need to tell the city, add asphalt to your --

MS. CASSINI: So --

MR. HOOPER: -- why can't we do that?

MS. CASSINI: Well, so, that is what some of the cities heard you say. So this is not, again, the first time we've had this conversation, right?

MR. HOOPER: Right.

MS. CASSINI: So cities were listening. They heard, if you have a road improvement -- and I think it was a joke, but you mentioned, so, if I just put a stop sign, you know, and so they heard that.

MR. HOOPER: Right.

MS. CASSINI: And so then one of the municipalities added their own funding to add roadway improvement elements to a standalone sidewalk project.

MR. HOOPER: Oh, they should have --

MS. CASSINI: But --

MR. HOOPER: -- done it the other way around.

MS. CASSINI: -- but -- well, but I think what's important is whatever you all decide is going to be the process going forward is going forward.

But for the cities that had the projects in the original 2020 Cycle 1 recommendation list, right, they were recommended based on a particular scope of work, right? And so --

MR. HOOPER: I get it.

MS. CASSINI: -- when they add something to that scope of work, it's a material change to the project, and the project loses its ranking and it -- it goes away.

So they've tried to be creative, but it's not a solution for these nine projects that you all are talking about.

MR. HOOPER: All right. So I get that. I get that.

It would be great if we could figure out how to help those nine, okay? It would be great if we sat down with the MPO and the other cities and said, we're here to help, okay? If you other 50 or a hundred projects behind let them -- let them resubmit and move them to the front of the line, it would be great if they could do that. Because it's only fair.

But even if they don't, I would rather us go forward in the future -- and, again, this is for the County, too. I want to be able to have the flexibility for County projects to be able to do something where we've done just enough to meet the statute, but we've gotten our bike paths put in, or we've gotten our



sidewalks put in.

And then I would like to help the cities, because they're going to be the ones that are going to come to us with city problems, which often are sidewalks and things like that.

But we should really try to figure this out and, rather than saying no to each other, we should figure out how to say yes and meet the legality of it but, at the same time, help us all help each other.

And so that -- rather than trying to go to Tallahassee and change laws, I'd rather us figure out how that add that one extra ingredient, spend a little bit more money to get an objective complete.

That's what I'd like to see happen.

But if we want to go to the -- to Tallahassee, then we need to spend money and -- and cross our fingers.

So I think you've got consensus that we all want to see what's next?

MR. COOLMAN: We all -- we all want to see it -- something done a little differently. We want to meet the intent of what the people voted for.

MR. HOOPER: I think everybody agrees.

MS. MADDEN: Can I just --

MR. COOLMAN: Okay. So --

MR. HOOPER: (Inaudible.)

MR. COOLMAN: -- we do that. I don't know whether we ask you to figure that out, or we discuss it more. I don't know. But we need to figure it out.

MS. CASSINI: I -- I'm going to take all of this information, all of your discussion. I'm going to put something together in the transmittal letter and, you know, obviously, the Chair will see if it captures what he believes was --

MR. HOOPER: And we'll share it.

MS. CASSINI: -- the consensus.

MR. COOLMAN: Okay.

MS. CASSINI: We'll share it with the group, make sure that you all are comfortable with it.

And we can have another discussion in November. You know, I'll invite the lobbying team to come and kind of give you a flavor of what might work best. Would an AG opinion specific to this section of statute be preferable to trying to open up the statute? Are there any other options that maybe Angela and I haven't thought about, that, you know, somebody else much smarter than me is going to come forward and say, here's another option that you might have.

MR. COOLMAN: Thank you.

MR. HOOPER: And I'll tell you right now, the County Commissioners, they're hearing it, too, okay? They would love -- everyone would love more flexibility, right? And be able to do County projects or city projects in a way that allows you to get it done.

And if it -- that's the way I see it. So I -- we would appreciate --

MR. COOLMAN: I do have one technical question, because I don't want to break any laws, sunshine.

I have not sent this out to the board. Am I allowed to send it to you guys to be sent to the board? It's additional information, food for thought. It is on the record anyway.

MS. WALLACE: It's what you read --

MR. COOLMAN: Yes.

MS. WALLACE: -- in the record today. It's just the written --

MR. COOLMAN: So I can --

MS. WALLACE: -- summary.

MR. HOOPER: Are we really going to have to read a --

MR. COOLMAN: It's a page and a half.

MR. HOOPER: -- ten-page -- after we've already discussed it --

MR. COOLMAN: Apparently, you've got a month or two to do it.

MR. HOOPER: -- for an hour?

MR. COOLMAN: I'm just asking how can I get this to the board without --

MS. CASSINI: It's no -- it's no different than the email string that you asked that I distribute between you and Angela.

MR. COOLMAN: All right. I --

MS. CASSINI: So --

MR. COOLMAN: -- I just --

MS. CASSINI: -- if --

MR. COOLMAN: -- need to forward this to you.

MS. CASSINI: Correct.

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. COOLMAN: Both of you.

MS. CASSINI: Yeah, and then we'll distribute it.

MR. COOLMAN: Okay. All right. Thank you.

MR. HOOPER: Ms. Madden.

MS. MADDEN: So I'm hearing like a lot of process here. So we voted that they're eligible subject to further review. We didn't get a chance to see them again after they were deemed ineligible at counsel level.

Could they be brought back so that -- I'm hearing like maybe at least two people may have a vote or an opinion that maybe contrary to counsel but they're perhaps eligible still?

I mean, and then we'd have that on the record. Or -- or do we get a chance to have an Attorney General opinion?

Because I've seen a ten-page email chain, but I -- not a legal opinion that actually cites 206, that compares the language.

I -- I just didn't know if -- procedurally, if we could tee it up to this board again to vote yes or no on whether we think it's actually eligible as a standalone sidewalk.

And then that could resolve it, and then we'd know whether we'd need to pursue legislation changes or not?

MS. CASSINI: Well, we can certainly -- you know, Angela and I can work together. What we -- what I can do --

UNIDENTIFIED SPEAKER: Yeah.

MS. CASSINI: -- again, for November, if there's still a -- a desire for any of the motions or different motions, if there's a desire for an action item by the board in November related to these issues, what we can do -- because, again, you weren't part of the board then, so also for the -- for, you know, the members that weren't here in April and May of 2020, we can show you what was given to the board then, and Angela can put together, you know, a slide -- slides or multiple -- a slide or multiple slides indicating the information that was received subsequently that indicated that the project that had previously been recommended as eligible was not eligible.

And -- you know, and that -- I don't know if that would meet your needs, if that's kind of what you're looking for. And then you can have a discussion about it.

MR. HOOPER: I think so. I think that's what you're asking, right?

MR. ALLEN: Will we still have time after November to add that to the legislative program for next year if that's one of the options that we consider?

MS. CASSINI: So one of the reasons why I was suggesting that we do this in November is because we already bring -- when -- every retreat, we have a conversation about the legislative program, we bring the federal lobbyists down to kind of give you a lay of the land, the elections will have occurred. There'll be more information about there about some of the IRA discretionary grants and things like that.

And we can have a conversation about what might be best to try to place into the state program.

Keep in mind the -- the Board of County Commissioners acts like literally right after that, so as soon as we have a new Mayor in place, which is the Tuesday before your meeting, the very next meeting, they act on the program.

So it won't be a whole lot of time for us to craft something. It might be something that they add on later.

But I -- I'll definitely at least start the conversation so that the folks that do run and develop the state program know that this is coming and that this may be a conversation that is, you know, an action item for you all in November.

MR. HOOPER: When's our next meeting?

MS. CASSINI: November 18<sup>th</sup>. Friday, November 18<sup>th</sup>.

MR. HOOPER: I mean --

MS. CASSINI: Would you rather have a special meeting?

MR. HOOPER: -- short special meeting on this, and get -- get some ideas put together. Maybe we can do something in October where we have a one- or two-hour meeting and we resolve some of this so we know what we're -- so it's not leaving you so short between November and the first meeting after that, our meeting.

If something is resolved.

Okay. Anything else to discuss on this matter? All right. Where were we, anyway.

MR. COOLMAN: Just set -- just set the meeting for October. That's

all.

MS. CASSINI: Okay. So at the end, when we get into Non-Agenda, I'm going to ask you all to be looking at your calendars --

MR. HOOPER: Yeah.

MS. CASSINI: -- to see if there's a special availability, and then we'll check whether or not this room is available.

Okay. So let me go back, because we skipped over quite a few things.

So we -- we were here.

MR. HOOPER: Yeah.

#### **D. Municipal Community Shuttles**

MS. CASSINI: And now we're in the existing community shuttle surtax capital program.

And as I know you've noticed, while the existing and expansion community shuttle expenses are actually appropriated in Broward County Transit, because they administer that program and all of the contracts with the individual municipalities, of which there are 18 in the existing program, two in the expansion program, they are part of the municipal funding, the -- that minimum annual guarantee. They're the very first component that's funded off the top of those revenues.

And this just gives you an idea of the associated costs with operating and capital for the existing program.

Again, that's 18 municipalities in that program.

Capital is replacement vehicles; is that correct, Tim?

MR. GARLING: Correct.

MS. CASSINI: Okay. And then for the two new municipalities, which are Plantation and Hollywood, there wouldn't be any capital because they would --

MR. GARLING: We already have existing vehicles to give them.

MS. CASSINI: That's what -- that's what I figured. Okay. So there are existing vehicles available that would go to these two municipalities. So what you're seeing is primarily the operating subsidy through the five-year plan.

#### **E. MAP Administration & Support Services**

MS. CASSINI: Then this is the five-year plan for your support services. Again, this includes the Office of Economic and Small Business Development three full time staff.

This includes legal, so Angela's team.

It includes an Auditor.

And it also includes all of the contracts associated with supporting you.

And you can see that we did a substantial reduction from '22.

And then the five-year plan assumes that we have no additional staff. We did, as I mentioned to you in '23, add a staff person in Public Works, where Tony is.

And then there's a three percent cost of living adjustment year-over-



year off of the base of '23.

Any questions?

MR. HOOPER: No, I don't --

MS. CASSINI: Okay.

MR. HOOPER: -- think so. Anybody?

MS. CASSINI: All right. So we'll move into why are we here, okay?

So what -- what is the Code of Ordinances related to the budget and five-year plan process.

I'm going to turn it over to Angela.

MS. WALLACE: Okay. So the approval of the five-year plan is outlined in 31½-75 Code of Ordinances, which is the transportation surtax ordinance. And it provides that the Oversight Board will -- that the -- the County staff presents proposed projects and expenditures as part of the five-year plan, and the Oversight Board reviews them as to statutorily -- statutory eligibility under 212.055(1) Florida Statutes.

Once the Oversight Board approves the projects, they submit them in a transmittal to the County Administrator, and the County Administrator recommends -- incorporates the recommendations into her recommendations to the County Commission.

And the County Commission acts on both the annual budget and the five-year plan during the course of the County's regular budget approval and five-year plan approval process.

And so the Statute authorizes the proceeds from the surtax to be used

for planning, development, construction, operation and maintenance of roads, bridges -- roads and bridges in the County, for planning development, expansion, development, and operations and maintenance of bus and fixed guideway system, and for the planning, development, construction, operation and maintenance of on-demand transportation services.

So, okay?

MR. HOOPER: I've got a question.

MS. WALLACE: Yes.

MR. HOOPER: So if we're doing a five-year plan and you -- and we're supposed to now approve proposed projects and proposed -- I can understand on the year of the expenditure, but we are basing our approval on the five-year now, after talking through this entire thing for the last hour.

MS. CASSINI: Mr. Chair, you're -- you're not wrong. That's my error, probably.

The ordinance specifically states that you all have to simply act on the five-year plan. You don't actually have to indicate that it's statutorily eligible -

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MR. HOOPER: Okay.

MS. CASSINI: -- because we bring back --

MR. HOOPER: Okay. I just --

MS. CASSINI: -- a -- a high level of detail every single year --

MR. HOOPER: Yes.

MS. CASSINI: -- of that five-year plan.

MR. HOOPER: That's what I wanted --

MS. CASSINI: So the statutory --

MR. HOOPER: -- make --

MS. CASSINI: -- eligibility is on '23.

And Angela's checking me, but I do --

MS. WALLACE: Yeah.

MS. CASSINI: -- I do recall that. It just says that you all have to act on the five-year plan.

MR. HOOPER: Okay. That's different.

MR. COOLMAN: I don't have to abstain.

MR. HOOPER: So -- so then --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. HOOPER: -- so on Action Item Number 4, we -- it says motion to approve as statutorily eligible.

UNIDENTIFIED SPEAKER: Yeah, that shouldn't --

UNIDENTIFIED SPEAKER: Uh-huh.

MR. HOOPER: So it would rather be a motion to approve the proposed projects and expenditures, I guess, because they're proposed, and estimated expenditures, I would rather it say, for five-year plan '23 to '27 consistent with -- do we make it consistent with 31½-75(h)(3) of the Broward County Code of Ordinances?

MS. CASSINI: Yes, that's the area that requires you to actually see the five-year plan and act on it. That --

MR. HOOPER: Okay.

MS. CASSINI: -- that's the section of the ordinance.

MR. SMITH: And then the supporting services, that's -- this MAP budget is in that, right?

UNIDENTIFIED SPEAKER: Right.

MR. SMITH: And this -- I mean, this breakout that we got, this is for -- this just shows one year, but we're saying that this is a consistent amount and this amount is kind of repeated over five years?

MR. HOOPER: Five years.

MR. SMITH: Is that right?

MS. CASSINI: So it's not -- it's not a consistent amount. It is increase three percent --

MR. SMITH: But not much, yeah. That's just --

MS. CASSINI: Right. It just --

MR. SMITH: -- like a --

MS. CASSINI: -- it's a --

MR. SMITH: -- cost of living adjustment.

MS. CASSINI: But, again, as my budget director will tell me all the time, it's -- it's just a plan, right?

MR. SMITH: Yeah.

MS. CASSINI: So if we need additional resources in -- in '24, even if we needed additional resources in the middle of '23, we do multiple budget supplementals, as you all.

MR. SMITH: Yeah.

MS. CASSINI: If we need something, we bring it to you. Public Works has come in the middle of the -- of the year, Transit's come in the middle of the year. We've come with Pat Salerno Drive in the middle of the year, commuter rail.

This is just what the budget book is -- says, but every single year, we're going to come to you with a detailed breakdown of what those costs include, if there are any changes to it.

And now I'm hearing that you would like a detailed breakdown even if there --

MR. SMITH: No, I'm just -- I just --

MS. CASSINI: -- aren't any changes to it --

MR. SMITH: -- I was --

MS. CASSINI: -- necessarily.

MR. SMITH: -- just looking at these items. And, I mean, going back to -- going back to the marketing question --

UNIDENTIFIED SPEAKER: Yeah.

MR. SMITH: -- right? So we had -- I thought we had a multi-year marketing contract. I think it was with Adept, correct?

MS. CASSINI: Yes, sir.

MR. HOOPER: Hey -- hey, can I bring that up in the next --

MR. SMITH: Yeah.

MR. HOOPER: -- I'm going to do it as a -- like a new business.

MR. SMITH: No, that's great. Yeah.

MR. HOOPER: Yeah. But -- but is that -- are you trying to make an example?

MR. SMITH: Yeah. It -- it's --

MR. HOOPER: Okay.

MR. SMITH: -- I'm not -- yeah. I'm not tied to the particular -- it was brought to my attention there's some issue with that. But it's more to say where are the marketing --

MR. HOOPER: The numbers.

MR. SMITH: -- dollars. I would expect these to be ramping up. And so it's kind of an example, yeah.

MR. HOOPER: So that's another reason why we've probably got to deliver the numbers (inaudible).

MS. CASSINI: So I did provide the numbers. I hope you all each got to see the exact breakdown in the budget for MAP.

I will do that in all future budget presentations so that you can see where there are any increases or decreases.

But I'm prepared to discuss the issue of Adept, and I understand that it's something that several of you would like to bring up in Non-Agenda.

MR. HOOPER: So if -- if I could -- if I could -- I don't -- Phil, you probably know how to do this better than I do. But I just wanted to -- to delete the -- the --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. HOOPER: -- words as statutorily eligible.

MS. WALLACE: No. Uh-uh. So it is as statutorily eligible. Right? So the Oversight Board approves proposed projects and proposed expenditures as statutorily eligible.

The purpose of the five-year plan is -- is programming. And so each year, they will come back, and what's in the budget, just like the FY '23 budget, is specified, you know, because those are the -- that's the year that the funds are going to be appropriated by the board.

The five-year plan is the planning tool that, you know, just acts as the basis for a plan for project delivery, and it will get -- it can get modified later.

But the issue before this board is whether what's been presented as part of the five-year plan is statutorily eligible.

MR. HOOPER: But I don't know if it is.

MS. WALLACE: So the projects are. They fit within the categories which is --

MR. HOOPER: How do I know?

MS. WALLACE: -- because they've all been transit or roads.

MR. HOOPER: Well, there's one of them that says it's a government - government center with a -- with an attachment to a modal -- multi-modal facility. I don't know --

MS. WALLACE: So the transit --

MR. HOOPER: -- so when --

MS. WALLACE: -- facility --

MR. HOOPER: -- I know. But you're saying that I know, and I don't. I don't have a plan in front of me. I don't know. I don't have a budget.

A five-year plan is conceptual. So --

MS. WALLACE: Right.

MR. HOOPER: -- we could say, to make it more clear, motion to approve proposed projects that become statutorily eligible and estimated expenditures --

MS. WALLACE: Uh-huh.

MR. HOOPER: -- for five-year plan. We could say it that way, and --

MS. WALLACE: Yes.

MR. HOOPER: -- that would be more clear to me.

MS. WALLACE: Yes.

MR. HOOPER: Okay.

MR. COOLMAN: Not only that, I wouldn't have to abstain.

MR. HOOPER: So -- so motion to approve the proposed projects that become statutorily eligible and estimated expenditures for the five-year plan '23 to '27 consistent with the ordinance.

Can we say that?

MS. WALLACE: Yes.

MR. HOOPER: And it's been put in the record as that?

MR. COOLMAN: I **move** the motion --

MR. ALLEN: Mr. -- Mr. Chairman. Just -- just a second.

MR. HOOPER: We'll -- we'll go to discussion.



MR. ALLEN: I had stated at the last -- our last meeting that, should a project be proposed for inclusion in the five-year program from a jurisdiction that had not withdrawn an ineligible project, that I couldn't vote for that.

I hear from staff that in no way does that money that remains allocated for those projects that are ineligible --

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. ALLEN: -- does that affect the application of the -- or reapplication of those monies to other projects currently.

So, you know, based on that, I can also not abstain or vote -- vote for that motion and still maintain my position that those ineligible projects are, in fact, holding up monies that could be used.

But, again, staff has assured me that's not the case.

MR. HOOPER: So we're going to --

MR. COOLMAN: I call the question.

MR. HOOPER: Okay. He -- he made the motion. Do we have a second?

MR. FRAZIER: Second.

MR. HOOPER: Do we have any more discussion?

Okay. All those in favor?

Those opposed?

Okay.

**VOTE PASSES UNANIMOUSLY.**

MR. HOOPER: You want to do the next steps?

MS. CASSINI: Sure. Very quickly.

I just wanted to alert you all to the fact that there will be a workshop on the surtax on the 30<sup>th</sup>. It'll be quick. County Commission does this on an annual basis.

If you all are interested in tuning in, let me know and I'll kind of give you an idea of when we expect the surtax budget to come up.

### **NON-AGENDA**

MS. CASSINI: And now we can move into Non-Agenda, Mr. Chair.

### **CHAIR REPORT**

MR. HOOPER: Okay. All right. So, you know, I -- just speaking as a Chair, I -- I do want to say something other than what I said I was going to bring up.

I think that it -- it's almost been four years, right? Almost ben four years. COVID certainly put a little bit of a damper on it, but we -- you know, we've kind of figured out a lot of things that we don't know and that we've started to -- and that's why a lot of the meat and potatoes are showing up on the projects.

And I just think we've made a lot of progress. And even though there's bumpiness in the meetings and we're still learning every day, I think we've learned a lot. And -- you know, because you clearly are asking questions and reading.

I think we're doing a great job of getting into the details as much as we

can as volunteers. And so I think we're doing a really good job.

I think after four years, if we were to hand this off to another board, I think we would give them a nice layup so that they could keep playing the game.

And so I appreciate all the time and the effort that staff and our board members put into this -- this business of transportation.

And I think -- and I'm really proud that we are getting to a point where we're going to really affect our -- our community.

So I wanted to say that. And it's -- a lot of it is I just wish, like you, that other people could sit through some of these meetings, maybe the juiciest parts of the meetings that are less boring, and they could understand what's going on, because the future is bright in Broward County.

And then I did want to bring up this issue. I did receive an email and -- and a phone call. And it was from a vendor who has a contract.

And I know that staff knows about this. Gretchen and Angela know about it.

And I just -- maybe you guys can tee it up, because I just want clarity. There's a little bit of angst from the vendor.

And, you know, at the end of the day, we're -- we are volunteers. And once we approve a budget or something to go out for RFP, we're not in -- we're not in the business of understanding the contracts or the details of the deal to that -- to a great extent.

So if you could open it up for that discussion.

MS. CASSINI: Thank you, Mr. Chair.

And, yes, I'm familiar with the situation. We have been -- I've seen quite a bit of communication going back and forth over the last few years.

And the first thing that I want to do is I want to correct the record from Wednesday. And I apologize. I said that their contract was expiring this September. I meant next September.

So their contract expires, the first three year term. There were options to renew for two additional periods.

But the contract was executed on September 22<sup>nd</sup> of 2020.

At that time, I had no PIO. My Public Information Officer who had initially started off was retiring. We did not have a Public Information Specialist position. And we also did not have a large-qualified vendors list kind of master agreement with much broader array of marketing and public informational services under our Office of Public Communications, which we currently do.

At the time that this contract went into effect, the structure of that contract was also not with MAP Administration. So I think that is really important for you all to know.

It was a big umbrella contract. That's what it was intended to be, with all County agencies able to purchase off of it for a variety of different reasons.

And the contribution to this large countywide contract from the surtax was \$93,500 for the three-year term. That was our total contribution.

There was the expectation that other agencies would be contributing as well. And other agencies have used the umbrella contract.

But the one that has come in behind it and kind of in place of it is a better contract with more offerings.

And Adept is on that contract.

So what I was trying to explain, inartfully, I guess, on Wednesday is that there's about \$19,000 left in that original \$93,500 that the surtax contributed to that particular agreement.

In fact, just recently, as I'm sure Mr. (Inaudible) may have mentioned to you all in his communications with you, we asked -- we sent a task order out trying to utilize Adept to work on our annual report, to provide design services, because I'm really trying to be responsive to your request for us to continually iterate and be innovative. And we were looking at perhaps doing an animated three-dimensional type of electronic report rather than just having hard copy reports and translate -- you know, we use translations services for that.

And it's really a great tool for communicating about the program, and people are interested in it.

So we did send out a task order to Adept to provide that service.

I have not received a final response.

So we continue to use Adept. And with the money that's in our budget for the variety of different types of services that I've expressed to you and that you've received in detail about, right, a lot of it is videography, a lot of it is

website support, many of the services that were in the flat fee service categories of the existing relationship with Adept are not necessary.

So branding, logo, coming up with a list of, you know, like an email list, that's been completed. They did an excellent job.

You all saw the branding. You all, I think, really like the logo and the branding and all of the efforts associated with that.

We have a robust social media presence. I have a internal staff person that is, again, excellent community outreach, engagement.

When we need specific types of work done that, obviously, we don't have the capacity internally to do, we go out and we ask who would like to provide these services. And Adept is -- you know, if I'm using that OPC qualified vendors list, which -- which is almost always the case, they are more than welcome to bid on the work.

And, you know, if they are the best person for the job and it's the right price -- because I'm always very cognizant of the fact that this is a tax-funded program -- they're going to get the job.

So that's all I have, Mr. Chair.

MR. HOOPER: Does anybody have questions?

MR. COOLMAN: You guys talked in a lot of vagues. I don't know who did what to who, but I guess it's under control.

MR. HOOPER: Do you have anything?

MR. SMITH: Look, I'm not going to go through the entire contract and interpret it and that sort of thing, so I don't have it in front of me.

But my understanding of it was just the spirit of what it was didn't seem like it was getting honored. And maybe that depends on the perspective that's out there.

But I -- I would say that I don't -- my concern -- and this doesn't really even have to do with Adept. It has to do with for-profit marketing agencies that I think in general are going to be better at certain things.

And I do get concerned when it's like we're going to turn that into a task and break it down and then have people bid on it and control the whole thing versus like, hey, we need.

You're going to have to engage these -- the right firms at a high enough level to get them motivated to do these things and rebrand and that sort of thing.

So I do get concerned that we're going to get stuck in doing everything inside the County. And, yes, we have a person doing that sort of thing. But there's a reason why you have these for-profit agencies. They have more reach, they have more cutting edge techniques. Like that -- I think that that's probably a fact, right?

And this is not in reference to --

MS. CASSINI: We -- we don't disagree with you at all, Shea --

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

MS. CASSINI: -- no.

MR. SMITH: -- Adept. So that -- that was -- there's two different things going on here that, to me, they kind of merge together, which is when

that contract got approved, I was aware of it, and I was like, okay, this is cool. Somebody's going to come in, look at this thing, give us some slick stuff. And it just seemed like it got kind of stalled, right?

And then separately, I was also informed, like, look, we're -- basically we're trying to do more under this and we're not really able to, right, was like kind of the feeling, without getting into every interpretation of what the contract is.

But hopefully we've interpreted that correctly, because I don't -- like, you know, I don't have the wherewithal to go back and -- you know, everything in front of me, go back and compare that and, you know, that sort of thing.

MS. CASSINI: Well, Mr. Chair, if I could just respond.

I would -- I'd just like to make sure I -- that I'm clear when I say that there are things that we do internally that are not what we would ever hire an external consulting service for on a long-term basis. It would not be cost effective.

Social media management --

MR. HOOPER: Right.

MS. CASSINI: -- you know, all the things that we do around ordering signage, all of the things that we do around organizing ground breakings. I mean, these are things that we are completely competent and able to do at a very like low cost compared to going out and paying \$155 an hour for a consultant.



However, the funding that we have in our budget, we absolutely are using consulting services. Like hosting a website is a very, very expensive thing. And it's going to require extremely talented group.

And we went out and we competitively bid it, and it's to cheap.

And the ongoing maintenance of that and SEO support, it's not cheap.

And we know that we don't have the capacity to do that in-house. In fact, it was our own Office of Public Communications that said, you need to have your own website off the County's website, and it needs to be professionally managed.

So we completely agree with you. And we would do the same with advertising or buying ad space. Nobody does that in-house in the County.

MR. HOOPER: Go ahead.

MR. COOLMAN: Did you bring this up because they contacted you and you had concern? Is that --

MR. HOOPER: They contacted -- first --

MS. CASSINI: They contacted everybody.

MR. HOOPER: -- they contacted a lot of people. So --

MR. COOLMAN: Okay.

MR. HOOPER: -- but -- but I'm going to ask a few questions.

So, basically, you said something about another contract came behind it. Like what does that mean?

MS. CASSINI: Subsequent to us entering into our contract that was, again, an umbrella contract that the Office of --

MR. HOOPER: Uh-huh.

MS. CASSINI: -- Public Communications manages --

MR. HOOPER: Yeah.

MS. CASSINI: -- they went out and they did a whole 'nother solicitation process, because --

MR. HOOPER: Who did?

MS. CASSINI: The Office of Public Communications.

MR. HOOPER: For the County.

MS. CASSINI: For the County.

MR. HOOPER: Okay.

MS. CASSINI: Right? And it has a much broader array of services than the initial one.

MR. HOOPER: Okay.

MS. CASSINI: Again, we only use --

MR. HOOPER: Is there -- is there --

MS. CASSINI: -- the flat fee --

MR. HOOPER: -- is there a fee for that or a monthly or something (inaudible)?

MS. CASSINI: No. You -- just -- none of these are -- none of these are guarantees. Like you don't get a -- this is not where you're getting --

MR. HOOPER: So they don't do a contract that says it's going to be maximum \$250-60,000 and you're going to -- you're going to get \$20,000 a month.

MS. CASSINI: No. Never. Except for --

MR. HOOPER: There's --

MS. CASSINI: -- lobbying --

MR. HOOPER: -- no --

MS. CASSINI: -- services.

MR. HOOPER: -- retainage or --

MS. CASSINI: No. We don't have -- we don't -- we don't enter into contracts like that at the County. I mean, not -- not that I'm aware of.

The only ones that I've ever seen are for --

MR. HOOPER: So --

MS. CASSINI: -- lobbyists.

MR. HOOPER: -- so you only give contracts out that have a maximum, not-to-exceed maximum, and then, if we give you the work, you get it. If we don't give you the work, you don't get it.

MS. CASSINI: Yeah, you get -- you -- you --

MR. HOOPER: Is that that way that it's done?

MS. WALLACE: Yes. The contracts are a maximum not-to-exceed, and they include hourly rates.

And so there -- there are -- and the work that is paid for is work actually performed and billed at those hourly rates. There's no --

MR. HOOPER: Okay.

MS. WALLACE: -- you know, guaranteed amount that you don't have to document through billable hours and -- and eligible like --

MR. HOOPER: Right.

MS. WALLACE: -- reimbursement --

MR. HOOPER: But like --

MS. WALLACE: -- expenses.

MS. CASSINI: And task -- task orders.

MS. WALLACE: Right.

MR. HOOPER: So then why -- so I'm -- again, I'm just trying to learn here.

MS. WALLACE: Uh-huh.

MR. HOOPER: Trying to be fair. Why would anyone want to do a contract that doesn't give you some form of guarantee that you have work? Why would you bid on something that, when you're done bidding on it, you've got nothing in your hand but the hope that they're actually going to do it with you? Just asking the question.

MS. CASSINI: I -- you know, it -- it's probably not a question that's properly to --

MR. HOOPER: So --

MS. CASSINI: -- to Angela and I, but --

MR. HOOPER: -- so --

MS. CASSINI: -- we get a lot of interest -- when we do qualified vendors lists, there's no guarantee of work.

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

MS. CASSINI: Yeah. It's a --

MR. HOOPER: That's what it is.

MS. CASSINI: Right. It's a --

MR. HOOPER: It's not a -- it's not a contract to do marketing for the surtax --

MS. CASSINI: No.

MR. HOOPER: -- for three years.

MS. CASSINI: No. It was never intended for that. It was to help us stand up the program, and there were very limited services. There were only four categories of services that could even be procured.

MR. HOOPER: Okay.

MS. CASSINI: And I would have to go out and do a task order and say, here's the scope of work, here's the timeframe, can you tell us -- you know, send us back a proposal how much would it cost you.

MR. HOOPER: So that's how you have to do it. You have to --

MS. CASSINI: Yeah.

MR. HOOPER: -- go to your vendors and say, here's the task, give me a price for --

MS. CASSINI: Yeah, give me a --

MR. HOOPER: -- the work.

MS. CASSINI: -- proposal. How long will it take you. Can you do this. Will you have to hire --

MR. HOOPER: But you have the option --

MS. CASSINI: -- subs.

MR. HOOPER: -- to go to someone else by contract.

MS. CASSINI: Well, with this particular contract, it was just Adept. On a qualified vendors list, which Adept is on, it's anybody that's in those particular areas that's on that qualified vendors list.

And, generally, what Public Communications does for us is they'll say, okay, these three CBE firms and these three non-CBE firms provide these types of services.

And then you release your task order out into the world, and those six qualified vendors have the opportunity to bid on it.

MR. HOOPER: And in this case, you only have one qualified bidder.

MS. CASSINI: Right. So under this particular contract, it was just Adept that I could work with.

MR. HOOPER: Okay.

MS. CASSINI: With the flat fee service, flat fee. And it was a maximum that they could get paid in a month. And there were only four categories of services that I could engage them for.

MR. HOOPER: So if you have other -- if you have other marketing tasks or scope to do, why wouldn't you just give it to Adept? Just -- that's the question I would ask.

MS. CASSINI: Okay. So what I have been doing is that if it is within those four categories --

MR. HOOPER: Yes.

MS. CASSINI: -- I give it to Adept. If it's a 3-D video --

MR. HOOPER: And those four categories are in the contract.

MS. CASSINI: Yes. And she can read it. So if it's -- if it's web hosting or website creation or SEO or 3-D videos, or augmented reality or virtual reality, I'd have -- I have to go out into a different space --

MR. HOOPER: Got you.

MS. CASSINI: -- and request --

MR. HOOPER: So you've --

MS. CASSINI: -- people who are --

MR. HOOPER: -- given --

MS. CASSINI: -- qualified in that space.

MR. HOOPER: -- so you've given anything that goes under the four categories, you'd give that -- you'd give that to Adept.

MS. CASSINI: If we need any type of external support in those four categories, they have gotten it. That's why they've spend down the -- you know, I mean, they only have 19,000 left out of 93,500, because they have been working.

MR. HOOPER: Okay. All right. I understand. I -- you know, I'm not a -- I'm not privy to the contract. I guess there's -- if I had an issue, I'd probably look at my contract, and if I thought I had a case, I'd probably sue. Or send a legal document first and say, hey, can we work this out.

But I don't understand it enough. Maybe Mr. -- Mr. (Inaudible) should be here if he wants to talk about it. But I don't know enough about it. I know that if we have the four -- the four categories and we're doing them, we're

probably -- we should give them to that vendor, which you say you have done so far, so.

MS. CASSINI: Like I said, they have a task order right now to work on the annual report, which is a three -- three- to five-month-long engagement --

MR. HOOPER: Okay.

MS. CASSINI: -- depending on, you know, again, what they feel that they are capable of doing.

MR. HOOPER: Okay. Well, do you have any other things to bring up?

MR. SMITH: (Inaudible) and circle back.

MR. HOOPER: I'm not -- I'm not going to get -- I can tell you right now, I'm not going to get pulled into another one of these, okay? I -- if there's some sort of dispute, it should be between the County -- we're not here to referee contracts.

And so I'm not going to get pulled into this again.

And if -- if we want to hire a marketing company or something outside, like at the surtax level, and we want to participate in it, then maybe we'll do it different next time.

But right now, the way it's set up, it's really -- it -- I feel like I'm -- like we're wasting our time here talking about it.

But -- and if he's getting the work that his contract says he gets, then that's fine. I don't think there's anything --

MR. SMITH: The -- yeah, the part -- there are two different things,



right? And I didn't want them to merge completely together.

And I think the part that is definitely not a waste of our time is just keeping in mind that we need to, at some point, make a big splash with this. And I think that's where the for-profit marketing come from or come in, and that's the part that we should keep -- we should keep tabs on as we go.

MR. HOOPER: And maybe it falls under one of those four categories and it will increase our amount of time that we need to spend with the particular vendor.

But if not, then -- then it falls under other categories.

I don't know. I just -- I think we've talked about it enough. All right?

## **MEMBER REPORTS**

MR. COOLMAN: Members comments.

MR. HOOPER: Oh, members comments. Please, no bike paths, no -

-

MR. SMITH: Oh, yeah.

MR. HOOPER: -- sidewalks.

MR. FRAZIER: Yeah, we already had you.

MR. COOLMAN: I want to thank you for letting me vent.

MR. HOOPER: Vent. That's nice.

MR. COOLMAN: Number one. Number two --

MR. HOOPER: There's a number two.

MR. COOLMAN: -- I -- regarding us re-upping or not re-upping, I just

want to say that I hope everybody does. I think we're such a -- we're neophytes. We've learned a lot. And I would hate to see all of us disappear.

I think even though you may not have the time, I really think we've got a good foundation, but it's just not quite there yet.

And I hope everyone can commit to at least re-upping for next four years.

MR. HOOPER: Oh.

MR. COOLMAN: That's your letter you're supposed to -- you know about that?

MR. HOOPER: Did you send us another (inaudible)?

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. CASSINI: No. This is -- this is under the board comments. He --

MR. COOLMAN: It's in your book there.

MS. CASSINI: -- he's doing my report.

MR. COOLMAN: It's in your book.

MR. HOOPER: Oh, okay.

MR. COOLMAN: You have to respond.

MR. HOOPER: Okay. I will.

MR. COOLMAN: Or you're not eligible.

Enough said. Thank you.

MR. HOOPER: Any other members have something they would like to say? Only get to do this once every couple months. Okay.

## **GENERAL COUNSEL REPORT**

MR. HOOPER: Our general counsel.

MS. WALLACE: Okay. There was -- the Board of County Commissioners is -- we anticipate that they will consider revising the Section 1-233 with regard to -- which is an ordinance that governs advisory boards that are comprised of members who are actually appointed by the Board of County Commissioners.

This board is different in that you're not directly appointed by the Board of County Commissioners. You're selected by the Appointing Authority.

So you have a set of rules related to this body in the Administrative Code.

Currently, both the -- 1-233 from the Code of Ordinances and Section 34 of the Administrative Code require a physical presence of --

MS. CASSINI: The majority.

MS. WALLACE: -- a majority of the body in order to form a quorum.

The Board is going to consider -- or what's going to be proposed to the Board of County Commissioners is changing the quorum to a minimum number, perhaps three members physically present and then a virtual presence, allowing the physical presence to occur, for example, for three people present and everyone else could participate by virtual means.

And so what I wanted to know from this body is whether -- and (inaudible) -- this body would like to have its procedures revised consistent with whatever the Board decides to do, the County Commission, with regard

to a quorum for other County-created boards.

MR. SMITH: Yeah.

MR. HOOPER: What does it say in our -- on our Charter now?

MS. WALLACE: It says quorum, the physical presence of a majority of the total members of the Oversight Board constitutes a quorum. So --

MR. HOOPER: How many --

MS. WALLACE: -- you need at least five out of the nine of you to be physically present to have a quorum and take official action.

So -- and the proposal is to reduce that number. Instead of making it a majority of however many members are on the board -- and the -- the boards that are created by ordinance, County ordinance, vary in terms of their size. Some have 30-plus members. This body has nine.

So a quorum has been defined as a majority of the members of that body who are physically present. And that is going to be revised.

And so the question is if that number is reduced, is this board amenable to having your attendance requirements for purpose of a quorum revised consistent with that process.

MR. HOOPER: My opinion on that -- can I say -- go ahead, Allen -- Phil. I'll speak after.

MR. ALLEN: I think the size of this program in terms of the potential impact on the community is such that I would not be supportive of a membership or a quorum of three members and the -- I think, you know, what is it, \$13,000,000,000 over the 30-year program?

MS. CASSINI: More.

MS. WALLACE: Sixteen, I think.

MR. ALLEN: -- I think that that's something that -- that behooves us to have ourselves to meetings and not, you know, allow uncontrolled use of electronic appearance.

That's just -- I think this is such an important obligation that --

MR. HOOPER: Right.

MR. ALLEN: -- if you don't have the time to come to meetings and that -- the program would suffer.

MR. HOOPER: Anybody else have something to say?

MR. SMITH: I don't disagree with the sentiment. I -- I think the -- the flexibility -- the thing it makes me think of is it allows for another like crazy COVID surge or something and that we can still get stuff done as needed.

But, yeah, I wouldn't be -- I wouldn't be supportive of doing that so then we can on purpose not be here and then people are just virtual, right? But it's more kind of a scenario that you need it, right? It's like a backup scenario where, you know, maybe it's good to have that. I don't know.

I mean, I'm okay coming in person, at this point.

MS. WALLACE: And so I -- I guess I want to clarify or make sure that everybody understands that the -- the -- a physical quorum is required to take action. So the three people who are present, if nobody else participates, those people decide, those three people who are in person --

MR. HOOPER: Right.

MS. WALLACE: -- will make the decisions and take action on behalf of the entire board.

So it would give the option to appear physically but the -- the crux of it is that you could have three people who come on a consistent basis and decide everything for the body, and is that something that you're interested in.

MR. HOOPER: No.

MR. SMITH: No.

UNIDENTIFIED SPEAKER: No.

MR. HOOPER: What -- what we're interested in is -- is keeping it the way it is, five people, I think I've heard, and I think that that's minimally a good number.

I think if you could add language to our Charter, and maybe we can talk about it further in our retreat or -- if -- if there were a pandemic or some other event in which a government agency puts restrictions on social gathering, that in that particular case maybe we -- provided that it's a Zoom call or something, that -- that we could have everybody get on a -- on a --

MS. CASSINI: (Inaudible.)

MS. WALLACE: Right.

MR. HOOPER: But other than that, other than some external circumstance beyond our control, it should remain five people in person.

That's -- that's the way I see it, and I agree with what you said.

MS. WALLACE: And so during COVID, we were able to accomplish

that. So there was a declared state of emergency, and the state --

MR. HOOPER: There you go.

MS. WALLACE: -- on the state level and on the County level. And on the state level, the in person meeting requirements for public meetings was suspended as part of that emergency order for COVID. And that applied to this board.

MR. HOOPER: Then we're good.

MS. WALLACE: And so in the event of a declared emergency, the same situation would apply. You declare an emergency and then the accommodations are made based upon the declared emergency.

And that would -- that would cover the concerns that I'm -- that I'm hearing now.

MR. HOOPER: Yes.

MR. COOLMAN: I'm in agreement with the five being here.

My question is is the County considering reducing presence of people, but how are they going to count the call-ins or -- are they going to count them as part of the quorum or not? I mean, that's where I'm --

MS. WALLACE: So when there is -- when the quorum requirement is met, the -- the body, whichever board it is, can take formal action. And the members, the board members who participate virtually participate in the meeting --

MR. COOLMAN: They vote.

MS. WALLACE: -- and they are present, yes.

MR. SMITH: They get to vote.

MS. WALLACE: Yes, they get to vote.

MR. FRAZIER: But if you're not virtually, the three people present makes all the decisions.

MS. WALLACE: Correct.

MR. HOOPER: Okay. So -- so stick to where we are, everybody?

MR. FRAZIER: Absolutely.

UNIDENTIFIED SPEAKER: Yeah.

MR. HOOPER: I don't think we even have to vote on that. We'll just leave it the way it is.

## **BOARD COORDINATOR REPORT**

### **Oversight Board Member Teams**

MR. HOOPER: Board Coordinator.

MS. CASSINI: So the first thing I'd like to ask is do you all want to meet in October. And, if so, can you check and see whether or not the 7<sup>th</sup> would work, because the -- this room happens to be available that day, all day.

MR. HOOPER: And that's in order to discuss the ineligibility projects, right?

MR. COOLMAN: What's the date?

MS. CASSINI: The 7<sup>th</sup> of October, which is a Friday.

DR. KELLEY: I'll be unable to be here. I'll be out of town.

MS. CASSINI: Okay.



MR. HOOPER: This --

MS. CASSINI: Okay. The -- Dr. Kelley is not available on the 7<sup>th</sup>.

MR. HOOPER: I don't know if I am, either. I may -- I've got to go to Tallahassee.

MS. CASSINI: Okay.

MR. HOOPER: I'm better in the middle or the beginning of the week.

MS. CASSINI: Okay.

MR. HOOPER: If you put me on a Friday, I could be traveling.

MS. CASSINI: All right. So we have availability on the 11<sup>th</sup> and we have availability on the 13<sup>th</sup>. Tuesday and Thursday. How's that looking for everybody.

MR. SMITH: The 13<sup>th</sup> is good.

MS. CASSINI: Okay.

MR. FRAZIER: I'm good on both days.

MS. CASSINI: Okay.

MS. MADDEN: I'm fine.

MR. HOOPER: So I have -- on Thursday, the second Thursday, I always have DDA in the morning, but I'm good in the afternoon.

And then I -- on Tuesdays, I have meetings from 9:00 to noon every -- every Tuesday, so I'm good in the afternoon.

I'm good on both afternoons.

MS. CASSINI: So would -- do I have a consensus for the 13<sup>th</sup> in the afternoon?

MR. COOLMAN: Yes.

MR. FRAZIER: Yeah.

MS. CASSINI: Is that good for you, too, Dr. Kelley?

DR. KELLEY: I have a feeling I will be out of town the month of October, so I -- I didn't realize we were going to have a meeting at all that month.

But I can participate virtually whatever --

MS. CASSINI: Okay.

DR. KELLEY: -- you all decide.

MS. CASSINI: That'd be great.

All right. So the 13<sup>th</sup>, 1:30? 2:00? What's the preference?

MR. HOOPER: Do it right after lunch. 1:30 would be good.

MS. CASSINI: Okay. 1:30. Can you lock that in for me?

All right. We're going to lock this room in for the 13<sup>th</sup>.

Final thing, I think Vice Chair Coolman already handled it for me, but if you all could please provide an indication of your willingness to continue to serve in your existing category by the date that's on the letter in your binders, I would very much appreciate it.

We are meeting with the Appointing Authority, just so that you're aware, on the 28<sup>th</sup> of October.

At that point, the Appointing Authority will give us direction about what additional information they might need, most of which we already have for each of you.

I'm hopeful it will just be the typical resume, you know, your certificates of no conflict, your attendance records.

And I will keep you posted when we meet again in November about what the next steps will be.

MR. ALLEN: You -- but you want us to -- to give you a statement of interest prior to the Appointing Authority deciding what they want? Is that being presumptuous on our part?

MS. CASSINI: No, the Chair of the Appointing Authority specifically asked that I get --

MR. ALLEN: Okay.

MS. CASSINI: -- letters from each of you indicating your willingness to continue to serve prior to them meeting.

UNIDENTIFIED SPEAKER: (Inaudible) before then.

DR. KELLEY: The letter should be --

UNIDENTIFIED SPEAKER: September 30<sup>th</sup>.

DR. KELLEY: -- to you, though (inaudible).

MR. HOOPER: Okay. All right.

MS. CASSINI: You can send the letter to me, but the letter is really to the Appointing Authority.

MR. COOLMAN: Emails okay?

## **ADJOURN**

MR. HOOPER: Okay. Meeting adjourned.

Thank you, everybody.

(The meeting concluded at 1:35 p.m.)