

## MINUTES

### INDEPENDENT TRANSPORTATION SURTAX OVERSIGHT BOARD

Meeting - March 26, 2021

9:30 a.m.

#### MEMBERS PRESENT:

Phil Allen, Finance  
Deborah Madden, Attorney, Law Firm Gunster  
Douglas Coolman, Vice Chair, 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  
Anthea Pennant, District Director of the Broward College Office of Supplier Relations and Diversity

#### MEMBERS ABSENT:

Allyson C. Love, Former City or County Manager, Assistant City Manager, City of Delray Beach  
Shea Smith, Accounting, Director of Audit and Attest Services, Berkowitz Pollack Brant Advisors and Accountants

#### Also Present:

Angela Wallace, Surtax General Counsel  
Gretchen Cassini, Board Coordinator  
Audrey Thompson, Administrative Support Specialist  
Laura Rogers, County Auditor's Office  
Dr. Eric Dumbaugh, Ph.D., Professor, Florida Atlantic University and Associate Director, Collaborative Sciences Center for Road Safety, via telephone  
Bryan Caletka, Director, Transportation Policy, Broward County Metropolitan Organization, via telephone  
Todd Brauer, President/CEO Whitehouse Group, Inc, via telephone  
Linda Connors, Lauderdale by the Sea, via telephone  
Marty Cassini, Broward County Intergovernmental Affairs, via telephone

Sandy Michael McDonald, OESBD, via telephone  
Chris Walton, Director, Broward County Transportation  
Sowande Johnson, Assistant City Manager, City of Parkland, via telephone  
Christopher Moran, City Engineer, City of Parkland, via telephone  
Horacio Danovich, City of Pompano Beach, via telephone  
Johnny Caldera, The Laws Group

A meeting of the Independent Transportation Surtax Oversight Board, Broward County, Florida, was held in Room 422, Commission Chambers, 115 South Andrews Avenue, Fort Lauderdale, Florida, at 9:30 a.m., Friday, March 26, 2021.

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

## **CALL TO ORDER - CHAIR HOOPER**

MR. HOOPER: I'd like to call the meeting to order.

Welcome, everybody. It's nice for us to be in person.

We're waiting for two more who are going to be showing up, two more members, so we'll have kind of a full house.

And for those of you who are watching, you know, almost all of us are fully vaccinated. We're using all the proper procedures to separate each other. And there are those here today that have received special clearance so that we can take our ethics training and to get our ID badges.

We appreciate being able to meet here as a group.

And I would like to welcome our newest member, Ms. Debbie Madden.

Welcome. We're really happy to have you.

And if you want to say a few words about some of your background and why you decided to become a member and so forth.

MS. MADDEN: Thank you, Mr. Chair. I'm Debbie Madden. I'm an attorney at the law firm Gunster, here in Fort Lauderdale. And I've lived in Fort Lauderdale for about eight years.

And before that I -- my background is in environmental science. I -- before law school, I was an environmental consultant biologist.

So I'm really glad to be here.

I want to say thank you to the Appointing Authority for having faith in me and considering my application. And also very much thank you to Gretchen, Audrey, and

Angela for bringing me up to speed and welcoming me -- me here today.

And thank you. I'm glad to join all the other board members here today, too.

MR. HOOPER: Well, thank you. And we really appreciate having you and the time that you're willing to commit to the -- to the board.

I can tell you that, you know, you mentioned staff. They're the best. And they do keep us headed in the right direction. They steer the ship in the straight forward.

And also I would also say that the rest of the members I find to be extremely committed and -- and -- and take their job as being the eyes of the public very seriously.

So thank you so much for participating with us.

#### **ROLL CALL - AUDREY THOMPSON**

MR. HOOPER: Okay. Ms. Thompson, can we call the roll?

MS. THOMPSON: Good morning, Chair. Thank you.

I would like to say first that Allyson Love and Shea Smith will not be present for today's meeting.

So I will continue with the roll call.

Alan Hooper.

MR. HOOPER: Here.

MS. THOMPSON: Doug Coolman.

MR. COOLMAN: Here.

MS. THOMPSON: Phil Allen.

MR. ALLEN: Here.

MS. THOMPSON: Ronald Frazier.

Consuelo Kelley.

DR. KELLEY: Here.

MS. THOMPSON: Deborah Madden.

MS. MADDEN: Here.

MS. THOMPSON: Anthea Pennant.

Okay. So we are missing two members who are apparently on their way.

So would we like to continue?

MS. CASSINI: We do have a quorum.

MS. THOMPSON: We do have a quorum.

MR. HOOPER: Okay.

MS. THOMPSON: Thank you.

MR. HOOPER: Provided that we have a quorum, we'll continue.

Thank you, Ms. Thompson.

### **PUBLIC PARTICIPATION**

MR. HOOPER: The next item is public participation.

Is there anybody in the public that has registered to speak?

OPERATOR: Yes, I do have registers in the public that registered to speak.

MS. CASSINI: I believe -- if you could confirm, please. I have a list, and all of the folks on the list are registered to speak on specific agenda items.

So is there anyone that is a member of the public that is -- wishes to speak not on an agenda item, on an action item?

MR. HOOPER: Okay. Hearing none, let's move on to the next item, to the

presentations.

## **PRESENTATIONS**

### **I ENVIRONMENTAL AND SOCIAL JUSTICE ISSUES IN PEDESTRIAN AND BICYCLE SAFETY - DR. ERIC DUMBAUGH, PROFESSOR FLORIDA ATLANTIC UNIVERSITY AND ASSOCIATE DIRECTOR, COLLABORATIVE SCIENCES CENTER FOR ROAD SAFETY**

MR. HOOPER: Okay. We have a -- a virtual presenter. I'm going to do a -- a brief description of his background.

Mr. Eric Dumbaugh. He's a Ph.D., a professor at Florida Atlantic University, and Associate Director of the Collaborative Science Center for Road Safety.

He's globally recognized leader in the planning and design of safe, livable, urban streets.

He recently served on the Academic Expert Group responsible for the report Saving Lives Beyond 2020, the Next Steps, which led to the United Nations' adoption of A Second Decade for Action in Road Safety in February of 2020.

Dr. Dumbaugh has received the profession's highest scholarly accolades, including best paper awards from the Transportation Research Board of the National Academies of Science and Journal of the American Planning Association.

His research has been featured in the New York Times, NPR, Scientific American, Atlantic Cities, among numerous others.

Dr. Dumbaugh holds a Ph.D. in civil and environmental engineering from the Georgia Institute of Technology -- that's Georgia Tech -- as well as a Master's degree in

civil engineering and urban and regional planning.

So I welcome Dr. Dumbaugh, and you're on.

MS. CASSINI: Well, actually --

MR. HOOPER: He's not on.

MS. CASSINI: -- I need some help from our Public Communications staff, because I don't see Dr. Dumbaugh's presentation loaded.

Thank you.

STAFF: You're welcome.

MR. HOOPER: Okay. Is -- is -- is the doctor on?

DR. DUMBAUGH: I'm on. Can you guys hear me? I haven't done a presentation this way before.

MR. HOOPER: Okay.

DR. DUMBAUGH: Once you punch the Zoom and -- and phone. Everything coming through?

MS. CASSINI: Everything's coming through well, and we have your presentation up.

Thank you.

DR. DUMBAUGH: I've got it. Thank you.

Well, thanks to -- to staff for inviting me. I'm delighted to speak to you guys.

So, again, I'm Associate Director of the Collaborative Sciences Center for Road Safety. And one of the things that our center is focused on -- we're a USDOT funded center focused on advancing safe systems concepts in the United States.

And if you can go to the next slide, please.

So what I want to do today, so staff asked me to talk about a few things for you. One is the safe systems stuff that we've been working on through my center, as well as some results of a recent report we completed sponsored by the Florida DOT that looks at pedestrian and bicycle crash risk in Broward and Palm Beach counties.

So I'm going to discuss that today. I'll briefly outline what safe systems is, if you guys aren't familiar with it.

But what I really want to drill down in is the nature of urban crash risk, because it's quite a bit different than we often assume. And I'm going to particularly bring home the concept of latent error and, as you'll see as we go forward, why this is so critical for understanding safety in South Florida.

And then I'll conclude with some of the recommendations we have for FDOT based on our findings, as well as something that I'd like the County to consider moving forward.

So next slide, please.

So this is an outline of what safe systems is. So one of the things that safe systems as an approach to road safety tries to do is we try to bring in the knowledge developed in areas like organizational system safety, behavioral economics, to address traffic related deaths and injuries.

And the whole thing is centered -- is -- is a health-centered thing on -- on what it is that prevents injuries and death.

And at the -- at a core level, safety is fundamentally about the amount of force a



human body has to absorb in an impact, right?

So the centerpiece of a safe systems approach is minimizing the physical trauma associated with the traffic impact.

Now, this leads out to different sorts of considerations. I won't go into all of these, but I'll simply highlight them.

It is really sort of a four-tiered approach. We look at starting from the -- from the 12:00 o'clock position going clockwise, safe speeds, which I'm sure you guys are already intimately familiar with, right? Higher speeds result in more force absorbed in an impact. So getting those speeds appropriate for the level of trauma that might be experienced by likely users of a road.

The second is safe people. Can people's behavior advance safety? Can we encourage safer behaviors?

Next, safe vehicles. The vehicle designs that we have can impact crash severity. So a lot of folks may have seen the new Post Office trucks and sort of laughed that it looks like a duck, but the entire configuration of that vehicle is centered around minimizing the trauma associated with an impact. So should one of those postal vehicles impact a pedestrian or a bicyclist or a child, for example, that vehicle's designed to minimize the severity of the injury that -- that those road users experience.

And then finally, where I do most of my work is in the dimension of safe roads. How can we design environments to minimize traffic related death and injury, and I'm going to talk quite a bit about that topic today.

So next slide, please.

So what I'm going to start with is -- is sort of the conventional wisdom on crashes. And this is not just the conventional wisdom of the public. This is what many of my colleagues in the domain in traffic engineering also think.

You'll hear statements like most crashes are attributable to driver error, or sometimes 94 percent of all crashes are attributable to driver error, or what they mean is human error.

And to state this another way, you know, the driver or the pedestrian was -- you know, in layman's terms, they were behaving like an idiot. They did something stupid, and they got injured or killed. And it leads us to think, well, if only we could get the person not to engage in that behavior, we could eliminate the crash.

But it's a really -- as I'm going to argue today, a very naïve perspective on why crashes occur. And I'll -- I'll give you a great example.

So one of the -- one of the errors that we have that we -- we classify as a driver error is an error in judgment, right? So, you know, for example, with older folks, they attempt to take a left turn or cross a street upon oncoming traffic. They fail to observe a vehicle coming and they get hit, right? So we attribute this as a driver error problem.

However, there's a biological dimension to this that exists, which is based on natural biological rates of visual decline -- we're all going to experience this -- we have a hard time estimating the speed that a vehicle is approaching at speeds beyond 30 miles per hour.

Natural decline in visual acuity. And as a result, each year over 65 a person's likelihood of being struck in a crash increases by about eight percent.

We know this. It's biologically encoded into us. Yet these drivers are operating in environments where they can't safely operate.

And this isn't an argument to prevent them from driving, but rather a recognition that there are basic features that we understand and can predict, and, if we're thoughtful, we can design for. It is a lot more complicated than saying, oh, it's the driver's fault.

Another one you guys might be familiar with, by the way, is the looked but did not see crash. We categorize these as a driver error, too. And you guys will have done this. You're driving down the road, right, and you go to make a turn and you go forward, and all of a sudden, you nearly hit a pedestrian and cyclist. And it's not because you're a bad person. It's because you didn't see them, right?

The way we process information in our environment is we break things into categories. And when things pop up in environments when we don't expect to see them, they don't register in our consciousness, right?

So we're going about our business and, oops, something pops up. Now, if you guys can stop, that means it was able to penetrate your consciousness, but for a lot of folks, it doesn't.

And the problem's quite severe. So a -- a great study in the UK looked at how often this happens. And about ten percent of all fatalities are the result of people just not seeing things they should have seen. It's not because they were drunk, it's not because they were bad people or distracted. They just cognitively couldn't process information.

This also is encoded in there.

Now, we can redesign our environments to make them more salient to prevent them from happening.

So what I want to assert to you with this is this idea that drivers are responsible for error is a bit misguided, because it fails to acknowledge the fact that a lot of these errors are things that are just part of the innate human condition that we couldn't do away with even if we wanted to.

Next slide, please.

We do the same thing with pedestrians. Well how do we classify these crashes. You know, pedestrians are responsible because they failed to yield the right of way. They weren't visible, so any of you that want to go out at night and look sharp in your dark clothing, right, if you get hit by a car, it's your fault. You should have dressed in bright clothes. We should all go out at night wearing florescent orange and neon, right? And you can go on -- on and on down these.

So we look at these -- these behaviors that happen -- next slide, please -- right before a crash, and they say, well, if we changed that, it wouldn't have happened, right? This is what we call counterfactual reasoning, right? This is just how we, again, as a species, biologically try to process information. We look at a particular consequence, and we think, well, what happened immediately prior to that, right?

Okay. So in the case of the pedestrian crossing the street, right, if the pedestrian had paid attention to oncoming traffic, he or she wouldn't have been struck, right?

So then we -- what we do is we flip the antecedent. So we say, okay, the

pedestrian didn't look, but what if the pedestrian did? Well, if the pedestrian did, that consequence wouldn't have occurred.

This is how we characterize all of these crashes. And what I'm going to argue to you in the remainder of my time is that this misses what fundamentally is a core problem of traffic safety, not only here in south Florida, but throughout the United States.

Next, please.

Right, our normal safety approach. We look at crashes. We attribute them to errors and violations on the part of people, by and large. Were they paying attention, did they speed or the like. And then we try to engineer in defenses into the environment. So we do forgiving geometry. So you guys will have traversable hardware on the side of the road. You guys will provide clear zones. You guys will try to provide slightly wider lanes for more mitigation on weaving movements on your higher speed roads. We put in in-vehicle safety --

OPERATOR: -- foreclosures, loss of electric and water services, and assist with tuition --

DR. DUMBAUGH: Hello?

OPERATOR: -- financial management, employment, transportation, nutrition --

DR. DUMBAUGH: I think I'm on hold.

OPERATOR: -- and childcare --

MS. CASSINI: Dr. Dumbaugh, you're not.

OPERATOR: -- visit [Broward.org/familysuccess](http://Broward.org/familysuccess) for more information. --

MS. CASSINI: Actually, somebody else that's on the line has placed their line on

13

hold, and we're going to mute that so that you can continue.

DR. DUMBAUGH: Oh, okay. For a second there, I was waiting to talk to like a lender. Okay. That was funny.

Next, please.

And you're looking at our safety campaign, Safety Doesn't Happen by Accident, Alert Today, Alive Tomorrow, right? Pay better attention and you won't get hurt.

Next slide.

Right, distracted driving. Keep your eyes on the road.

All of these are fundamentally concentrated on that what was the driver or the pedestrian doing right before the crash occurred.

And it's not necessarily that this is a misguided approach. Certainly if you can change those behaviors, you can address the problem.

But a lot of those behaviors you can't change, even if you wanted to, because we lack, as a species, the capacity to change certain things. We're biologically programmed to engage in certain ways. And our environment, as I'm about to argue to you, exacerbates that.

Next, please.

So what I want to do is -- is talk about a real crash with you, one that is so egregious that I think makes a good case, and it's the case of Raquel Nelson, who was a single mom in suburban Atlanta. She had three children and no car.

And so about ten years ago -- you know, her and her children all had similar birthdays. They decided to go celebrate at Chuck E Cheese. And they took -- took the

bus to get there, right? So they take the bus to get to Chuck E Cheese, they have their birthday celebration, and they come home. And they miss the bus, right?

So in Atlanta, the headways for this bus are about an hour. And the kids are all young. I think they're two, four, and six, right? So the headways are about a hour. She's juggling three young children. They get home about an hour later.

And she lives -- her bus stop is directly across the street from her apartment complex. They're near a signal. It's about a third of a mile up the road.

So she does -- and if you guys have young children, you -- this would be a perfectly reasonable decision. Gee, am I going to walk my cranky kids now that we're late a third of a mile up, so you're talking seven minutes, cross the street, seven minutes back. You're talking about 15 minutes. Or am I going to go directly across the street.

So she -- and as well as other people who were -- who were getting off the bus and were in the same location, they went across the street.

Now, she's got three kids and two hands. AJ slips out of her hand. They make it to the median. AJ slips out, trying to follow the other people that are crossing, right?

She sees at this moment a car coming. This car isn't slowing down. She steps out to grab her child, with her younger daughter in her hand, and all three of them get hit, right? AJ dies.

All right. Now, this is a tragedy, and subsequently it was discovered that the person who hit them had been under the influence of alcohol, was on prescription painkillers, and had a history of -- of hit and run crashes, right? Soon prior to this one,

he also was a hit and run crash. And he drove off.

So she's left on the street, trying -- injured herself, caring for three children, one of whom is seriously injured, and the other one who is dead.

The outcome of this? She was charged for vehicular homicide for failing to use the cross walk. All right? She was not only charged, right -- this carries a three-year sentence -- she was convicted, right, for the death of her son.

And so let's go to the next slide, please. Let's see -- let's see what's going on here.

So this is the context. You can see the bus stop, you can see where she lived, and you can see where she tried to cross.

And if any of you do any regular walking, I'm sure you would feel this is perfectly reasonable.

Now, the question then becomes can this be truly understood in terms of errors and violations.

Certainly, a person who's had two subsequent DUIs shouldn't have a license, all right? He still did. Right. Okay. That violation exists as a condition.

The second thing, what were the errors here. She didn't make a random error. She wasn't distracted, right? She was doing what normal ordinary parents would do with three kids who were up too late. She tried to do something that, for any normal person, would be perfectly reasonable.

She did not succeed.

Now, the context of this makes it very clear. What are all the conditions that



caused this?

Can you hit the slide button two more times? All right.

The first thing is you can't understand this just in terms of that. There are hazards encoded into the design of this.

The first is we've got an apartment complex targeted for lower income people on a high-speed roadway, right?

There was a decision made by the transit operator, the Metropolitan Atlanta Rapid Transit Authority, to put in a bus stop on that route, which makes perfect sense. That's great ridership, right? But it went across the street in that direction from the apartment complex.

So now you're establishing the conditions that exist, right? These are the near-term conditions. A crosswalk wasn't put in place, so that could have been done. A stop wasn't in place, so that could have been done, right?

So all of these environmental decisions were made well in advance of the crash occurring. All of them could have prevented this crash from occurring.

But you can even go further upstream in the decision process. At some point, decades -- decades previously, somebody decided to designate this corridor for residential use, knowing full well that it's a mobility corridor for the region and that this housing would be located on that.

But it was very likely done without any regard whatsoever for its longer-term safety impact.

So what we see here are a chain of actions that, when aggregated together,

establish the conditions for that crash to occur, right? It's not just the decisions this one individual made, or some error on her part, but, rather, the subsequence of the series of decisions made without regard for their and life and safety impacts.

Next, please.

All right. So what I want to distinguish, and I think it's important here, is between active failure, which are these idiosyncratic behaviors that result in crashes, the fooling around with your phone, right, for -- you know, playing around with the radio, like these are just things that happen across the population. They, by themselves, you can expect as sort of an underlying base condition for crashes, right?

You would not expect to see crash hotspots if everything was result -- a result of things like distraction and the like. You see crash hotspots, right, hazardous locations, when there something defined as latent error, right? These are underlying hazards in the environment that result in predictable patterns of behavior, but, with a certain regularity, will be triggered into crash events, right?

Everything to kill AJ Nelson was the result of a series of decisions. Any one of those, a difference in any one of those points, could have prevented that crash, right?

And you need to think of these things as the resident pathogens in the system, right? They're laying there -- they're like the loaded gun, right? The engineer may be the creation of the gun, the high-speed road, but, as I'm going to argue to you, it's the local planning department that loads the chamber, right? Those conditions get put into place, and all it takes is for somebody doing something that we can predict that they will likely do to translate those latent conditions into a death or serious injury.

All right. Thank you. Next slide.

All right. So here is -- we think of it -- can you hit the things three more times?

All right.

So there's a latent error pathway, right, that extends to decisions that may have been made decades ago. Like, certainly, we can address the errors and violations.

Florida DOT, many folks in -- in the State of Florida have fortunately been paying more attention to these environmental hazards, so we see reconsiderations on urban geometric design. We can address this through both the application and configuration of traffic control devices and traffic signals, right, how we allocate right of way. Broward County's got it's Complete Streets program that's focused on these sort of things, right?

These are really, in many ways, an attempt to get at some of these environmental hazards, but they do nothing to mitigate the -- the hazards that are ultimately the result of decisions that were made a decade or more ago, right?

What does our Regional Development Plan say? Where have we forecasted growth to go? When we put together a zoning ordinance and subdivision regulations, what forms did we require that growth to take, right? Are we doing things more compact? Are we spreading them out? Are we making them auto-centric? Right? Are they located on high-speed roads? All of these were decisions that were made a long time ago but have effect today.

How we functionally classify the street system, which FDOT's trying to address with its contacts class. And then travel demand forecast. As often as not, historically what we've done is centered all of our future programming for streets on how much

travel demand's going to be in the future and have we designed a system to accommodate it, right? This is our concurrency requirement.

Next, please. Yeah. Next, please.

All right. And just to show you how -- leave -- stop it right there real quick.

Just to show you how this plays out, in 1999 -- this is US 441, St. Cloud, right -- the arterial on the left, it's a rural arterial, mobility thoroughfare. And there's nothing wrong with this road. I do a safety audit on this, and I say that's a perfectly fine rural roadway.

Between 1999 and 2005, the roadway stays almost entirely the same, but the result of the local development decisions that are made transforms this context entirely. We see the introduction of the Walmart and the big box stores in the commercial outparcels.

Next slide, please.

All right. And we create the conditions solely through development decisions, solely through our land use decisions, right? It is the embodiment of everything that gets people injured or killed everywhere, right? I mean, this is South Florida's major problem.

Next, please.

All right. And just statistically, right, we can be -- we're looking at these problems for Florida DOT, and south Florida, as you guys are probably well aware, when it comes to pedestrians and bicyclists, and we're one of the worst places, you guys, I'm sure, have seen the dangers by design reports, one of the worst places in the country. And

the bulk of those crashes concentrate in lower income areas.

So to get an estimate of the per capita issues that occur there, lower income environments have three times the per capita injuries and deaths as more affluent ones. Bicyclists have two times the risk of being injured or kills than more affluent areas, right?

So the risk here is particularly pronounced, and it's concentrated in our lower income areas.

Next, please.

All right. And we often -- you know, we often say, well, you know, the problem is that, you know, that pedestrians, low income pedestrians, their drunk, right? They're on drugs. They're not -- you know, they're just not behaving responsibly.

Even ignoring all of the stuff that I just showed you, that is factually incorrect. When you go into the police accident reports and you try to figure out if somebody was - - and not that anybody who's been a pedestrian who's been drinking or on drugs deserves to die, right? We often just, eh, we'll write them off, they did that and if they weren't drunk, whatever, right?

That's not what's going on here, all right? Only six percent of the total pedestrians were even suspected of -- forget -- forget the alcohol test -- even suspected of being under the influence of drugs or alcohol, and only about two and a half percent of the bicyclists. And that's not the problem.

Now, these occur when you would expect. They tend to be late night.

Can you just click this four times?

It's a very small part of the problem.

So we tried to break down for the -- for the two counties where are the issues, who specifically is at risk and when, and we came up with four general categories for pedestrians, right? And they're all going to make sense to you, right?

The first three will be classified as school trips and street play. It's weekdays in the a.m., early after or late afternoon, early evening periods when kids are going to school and released from school. That's when you see the concentration of people under 14 that get struck in a collision, right?

There's a big concentration that occurs between 3:00 and 9:00, right? Most -- for most adults, that period, that age from 25 to 64, that's when they most occur. So it's the -- the end of the p.m. peak. They're coming home, and then they run errands in their community, right? They're going to the grocery, they're picking up food, they're doing whatever you do at the end of the day. And that's when the pedestrians get struck.

And it extends outwards a little bit for that 25 to 34 cohort, right? These are people in the process of family formation. They're going to be more likely to be engaged in nightlife. They -- their risk extends out a little longer, right?

But for adults, it's mostly just doing the stuff we do in the evenings ordinarily. That's when the pedestrians in lower income areas are getting hurt.

And then lastly, there's a cluster of what we categorized as active older adults, right? These are people very likely retired, right? And their risk as pedestrians concentrates when you would also expect, after the -- after the a.m. peak but before the start of the p.m. peak, right? So they wait, they get up, p.m. [sic] peak ends, they go about and run their errands, and that's when they get struck.

Next, please.

Bicyclists, it's even simpler, right? And bicyclists, one thing is for lower income areas, these are almost all males, 80 percent of them are male.

For children 19 and under, right, it all happens weekdays after school, because they get released from school, they get on their bikes, they play, they get injured, and they get killed.

And then the second group is what we categorized as adult utilitarian cycling. So there's very low rates of automobile ownership in these communities, resulting in people using bicycles, you know, not for recreation. You'll see -- you know, we did observations of like Worth Road, right? I didn't see a single set of Lycra, I didn't see a single bike helmet, right? There were no water bags on people's backs.

These are people, as often as not, they're in service uniforms, right? They're biking to work to go be a dishwasher, right, or some service type jobs, Chipotle outfit, right? They're biking to get to work or to come home, or to run errands, right? They're totally utilitarian, and they're getting injured and killed as a result of that.

And, again, look at this. It's midday periods, 6:00 a.m. to 9:00 p.m., when you go to work. And you have an extension slightly for service industry jobs, right? They're just going about their ordinary business, right?

And, again, alcohol and drug use, at most -- this is suspicion, not even the test, just the officers thought it might be a factor, it's only two and a half percent of these folks. All right?

Next, please.

All right. And just to show you, here's two brothers crossing the street, all right? And they're doing -- honestly, they're doing the same thing Raquel Nelson tried to do, and, honestly, the same thing I would do in the exact same conditions -- situation, having spent the last 20 years doing road safety. They cross, they stage at the median, and then they cross again.

Next slide, please.

This guy's doing some groceries, coming home with them. Crossed, staged at the median, continued the crossing.

Next slide, please.

Bicyclist, right? I want to cross here. I get off the bike -- I teach my kids to do this -- off the bike. You push across the intersection, stage in the median, and cross.

Now, before we gasp and say, you know, we don't want pedestrians crossing at the median, when you look at the distribution of these crashes, most of them don't happen at the median. Most of the people that are getting struck are getting struck at the intersection.

And the reason why -- and I'm not arguing that we, you know, should encourage people for mid -- mid-block median crossings, but that our intersections are too complex and they're poorly configured to the needs of these individuals.

The signal timings are too long, the gaps are too long. It encourages jaywalking.

But even worse than that, right, is you've got a more complex environment, because you've got the pedestrian trying to cross at the same time -- you can't see my hand movements here -- as you have the permitted left turn, right? That person trying



to make that permitted left turn is paying attention to traffic in the oncoming stream, not the pedestrian or bicyclist that's trying to go through the crosswalk, all right?

So all of those things are in play. These folks, even though they're doing -- they're jaywalking, they're engaging in a criminal activity, according to the State of Georgia, right, are doing what, in this context, is very likely the safest thing for them to do. You're crossing two phases of traffic, all of which, in the first half, is coming from one direction, so you only have to pay attention to the one direction. They get to the median, that's the refuge. And then they look the other direction, and all the traffic is coming from there.

So they gap, cross, gap, safe. All right. That's what's going on.

Next, please.

All right. Just click this five times.

And, you know, they told me not to give you a bunch of models. You know, we researchers like to run our models. I'm not going to do that, but I want to give you just the highlight of it, right?

We often think of traffic safety as an issue of traffic volume, and it is a little bit, but the effect of increasing vehicle miles traveled, the amount of traffic on a roadway per day, is really pretty slight. You know, increase DVMT by a thousand vehicles a day, right, it's only about a .5 percent increase in crashes. It's almost negligible, right?

But you add a mile of a big road, five or more lane road, your crashes are, on average, going to go up 26 percent.

You add a little commercial strip development, they're going to go up by about

ten percent.

You add a single restaurant -- in low-income areas, these tend to be fast food restaurants. Add just one, you would predict -- predict them to go up 17 percent.

Now, here's one thing that I want to underline for you guys that interesting that you ought to think about in your plans is that increasing intersection density, which is the number of intersections in an area, was found to decrease crashes by 409 percent, all right?

And go to the next slide and I'll explain what I think's going on here.

All right. So places with high levels of intersection density -- and we see an example of that on the left. This is a hypothetical work to school trip, right? They allow direct routing there, right? So this is a relatively short trip, as indicated by the blue line.

These disconnected networks, which comprises a lot of South Florida, right, require far longer trips. And we see this modeled here through the little loop collector, up through the arterial, down to the arterial to the school.

What I suspect is going on in these low-income areas is twofold. When networks are better connected, there's reduced exposure overall, because these folks aren't going to have to cross or travel as far, right? Their distance is shorter, so their exposure is less.

The second, that we should really think about, is that connected networks allow people to avoid those routes they deem hazardous. You don't have to get on the arterial to get to your destination. You certainly don't have to cross the arterial to get there, which is where the problem occurs, right?

You can take local streets. And I suspect -- and we haven't researched this that routing but, that that's likely what's going on.

Next, please. And click this twice.

You've got a problem in that income is compounded by race. So it's -- it's not just that being poor makes you more at risk, but even if you're already poor, if you're from a minority population, if you're Black and Hispanic, you're at even greater risk than if you were White, right?

So a one percent increase in Black residents in a community equates to a 1.4 percent increase in your probability of getting injured or killed as a pedestrian.

If there's a one percent increase in the Hispanic population in the community, it's a 1.3 percent increase in risk.

And I'll tell you what I think is going on here.

Next slide.

And this is it. You're the first people to see this. We just finalized this.

So this is the distribution, in this case, of -- of people class categorizing themselves as Black in Broward County.

Click it once, please -- actually, click it twice.

All right. You guys, as you're well aware, have a band of Blacks that -- that reside along the Atlantic Coastal Ridge or the I-95 corridor, right? So we've got our affluent folks in the east along the coast, and we've got our wealthier subdivisions in the west, and then we have a corridor of Black folks in between, right?

So one of the things that we were speculating that might be a contributing factor

to the risk experienced by Blacks in particular is that you've got commute patterns from east and west. You live out in the western suburbs, you come east for employment, you come east for recreation, right? And when you do that, unless you're taking 595, the odds are pretty good you're going to go through an African-American community along the way, right?

So the question we had was, so these pedestrians in Black communities, how many of them are getting hit by people in their own community and how many of them are getting hit by people that are coming through it, right?

So we -- we looked at it. We can get residential address by Census tract. And 76 percent of the pedestrians that are hit are hit by somebody that doesn't live there. They're -- they're traveling through. They could care less about that community. It's not a destination. This is just something that they have to get through along the way, right? That's what's going on here, right?

I suspect -- and we're going to look at this -- I suspect a good share of that 24 percent, right, the ones that got hit in their own community, I'm going to guess those are very likely children, right? These are going to be people that are trying to get home, right, during that a.m. and p.m. peak, but we haven't looked at that yet. But I bet those are children, right? But 76 percent.

And this further corroborates what we're saying with the arterials, right, but this also highlights that our development patterns, our decisions to locate employment on one side and recreation on one side and the housing on the other has created all of the conditions that exacerbate the hazards that's already embedded into the design of

those streets.

All right. Next, please.

So what I want to conclude with, there's a few things we proposed to FDOT. I'm going to briefly summarize those, and then I'm going to go ahead and talk about what I think you guys need to consider, and then I'll -- I'll wrap this up, because I don't want to take any more time than I need to, right?

We proposed school-based safety education programs. We know child pedestrians are at risk. This population, from a safety perspective, pretty much, catchable perspective, is great, right, because they're all on location. You've got most of them in schools during the day, right? So once we've identified now what their risks are, we can start bringing in training on safe behaviors that'll mitigate those risks.

Location-based education and intervention programs. We know that there's concentrations of people in these lower income environments. We also know places where they congregate, like bus stops. And you can tailor, right, educational programs and messaging at these locations where they congregate.

Recommended traffic enforcement during the late afternoon and early evening. All right. We like to do -- our cops like to do these DUI enforcement things, but so few people are drunk in the first place that this is going to do very little about your overall pedestrian risk, right?

So the risk period is that late afternoon, early evening, right? Speed enforcement, crosswalk enforcement, right? And not -- and I would suggest, because we're dealing with disadvantaged populations, that this doesn't need to be punitive, the -

29

- the goal doesn't necessarily need to be ticketing, but rather, very similar like we do with crossing guard programs, right? Let's provide those protected crossings, right? Let's aid people in these behaviors.

Or if you are going to do something that provides safety, make it a warning, right? Let's not go in there and arrest people. That's going to -- that's not going to help.

But, rather, we know there's an issue here and we want to address the public safety associated with this. That doesn't require a ticket, and it doesn't require jail time, all right?

But, more importantly, any one of these things, these three, are only going to address a sliver of those. You could do a blanket-wide school safety program, and even if you eliminated all the crashes that involved child pedestrians, you're still only going to put a dent in the overall about 20 percent, right?

Where they're going to be more effective is if you combine these in a single community so that they're mutually reinforcing, right? So that you can have what we call diffusion of innovation, diffusion of culture, so that these ideas circulate from multiple points into that community, right, so the message is getting reinforced at school, it's getting reinforced in critical points in the community, it's reinforced by safety programs, and partnered with, you know, the local groups like the churches, various -- various local leaders, right?

It's mutually reinforced throughout this, right? And that allows it to diffuse, so even folks that may not be the direct target of a particular intervention are still going to receive the same message from multiple points which it hopefully addresses.

And for you guys, I know you guys have received the text, none of this is capital intensive, right? All of this -- all of this is really low-cost behavioral type stuff.

Next, please.

Crash mitigation and prevention real quick. So for crash mitigation we've got the issue of we've already got these high crash areas. We've had this stuff in place now for 30, 40 years, right? We need to tailor our investments to address those things, right? And not necessarily the preferred countermeasures, right? Cops like to do DUI enforcement programs, you know, or livability advocates want to turn everything into a Complete Street.

The real issue is not what is it that I like, but what's the problem and what's the type of intervention that belongs there. And that requires knowledge of what the issue is. Otherwise, you're going to spend, conceivably, a lot of investment for moderate, at best, yield.

And lastly, here's another cheap thing for you guys, right? Long-range planning and land development, right? Much of these problems that I've been highlighting to you, even though they may be exacerbated by street design, even though they are exacerbated by behavior, they're the outcome of planning decisions that were made, theoretically, in people's best interest, right?

So as we look forward -- you guys have a 30-year perspective. As you look forward, right, 30 years from now, how should this stuff look? If we care about safety, right, what should the configuration of these areas be like.

A lot of this stuff is prime for redevelopment already. What is that future

development going to look like?

And we have, that -- we've whittled it away over the last decade -- a legacy of growth management here in Florida that does this. Plan consistency. You've got to plan for safety, goals, objectives, performances measures. Let that drive the process, all right?

Concurrency, or, another term, traffic impacts. We have used them to address schools and parks, and, in the transportation domain, provide capacity that we created concurrency exception areas in urban areas.

I suggest that you don't want that there. That the traffic impact is safety related, and new development in there, if it's going to create a safety problem, should -- should help remedy that.

And then access control, how people pull into these driveways, right, where these things are configured. You can control all of that with your Land Use Plan.

FDOT's done a pretty decent -- in fact, they're a national leader in this, right -- of trying to address this through access management, medians, and the like.

But this is also a tool you can have in your toolbox, all right? And I've hopefully made it clear why all of these are important through the lecture.

And then, lastly, this is -- and I'm not going to go through this whole thing, I'm just going to hit a few points, right? And later, if you want, I'm happy to help you put this in place. What we argued for is what we call safety-conscious approach to planning and programming, right?

Right now, we say things are made safe because we've brought them up to



current design standards, right? We pay lip service to safety. That's why you hear things like, well, we've created a safe and efficient road, right?

But most of the standards that we use in the design of our -- I did my dissertation on this -- most of the standards we use in the design of streets were not based on any meaningful analysis of their safety impacts. They were based on conjecture. They were encoded into manuals, and those manuals have become a legacy that have perpetuated themselves over time.

The engineering that I was trained in, we're not a profession that pays much attention to the past. We're very interested in what we can do in the future. But in so doing that, we've forgotten how we got these standards in the first place, which has led us to ignore what their real impacts are, all right?

So what I would suggest as we go forward, we need to eliminate that idea. Just because you're doing something new, and just because you're doing something to standard doesn't mean you're doing something that isn't going to have a profoundly negative impact on people's health and safety, all right?

So, again, just real quick with the process. Click once, please.

Every one of these plans has a vision for the future, right? So there's got to be a goal in that, right? We pay lip service to it. We say safe and efficient transportation system. It needs to be meaningfully included.

Next, please.

These are our long-range plans. That's the MPO's job. What do we want the future to look like? How are we going to analyze that future? You can bring safety into

the metrics that are used for that. How will each of these particular outcomes that we're projecting affect safety? How will future allocations of growth -- are we going to put this growth in place as it can safely accommodate it or are we going to drop it, like Palm Beach County's doing, right, are we going to drop it, new green-field development, without regard for what that's going to be like in 20 years, right?

Next, please.

Evaluation and programming. This probably relates to you. How are we going to fund projects, right? We encourage the use of evaluation criteria to evaluate how different projects perform on criteria. And you'll have a ranking system. Safety ought to be weighted in that. Things that are directly intended to help safety or which may intend some other purpose but have the demonstrable safety impact ought to be elevated over things that don't.

Go forward, please, one more slide.

Our project development process, we're finally designing these things. Is safety included in the design? Right? Is it evaluated in that?

And then lastly, system monitoring, right? We have our performance measures in place, we're making these investments. How are these investments impacting safety over time?

So we need to redefine what we're doing. Have we been doing something wrong? Is there something we can change to get better improvement?

Or, in the best scenario, have we done a great job and should we be applauding ourselves for -- for really taking this seriously?

So this is the type of process that we encourage folks to put into place.

New York City's been pretty aggressive about it, Seattle's been pretty serious about it. And you're seeing -- you're seeing benefits overall in safety as a result of the -- this.

And it's really just making safety not just something we pay lip service to, but something that's embedded in our processes.

And you can get good safety outcomes without diminishing other transportation outcomes, right? You can get it without diminishing level of service if you're creative about it, all right? You can get it -- in fact, it often goes hand-in-hand with a lot of livability stuff people want, just by nature of the fact that a lot of the things that make more livable streets, right -- you know, so my work has shown this -- that makes for these more walkable pedestrian streets also make it safer for motorists, too. It's a win/win, all right?

But to get those sorts of win/wins, you've got to pay attention to what the safety impacts are.

So I'm going to leave you with that, and I'll just go to the next slide if you want my contact information, all right?

Okay. And that's -- that's all I have, and I want to thank you for your -- your time today.

MR. HOOPER: Thank you, doctor. That was incredibly informative and interesting, the way it gets your juices flowing.

Is there any of the board members that would like to make comments?

Yes, Dr. Kelly?

MR. ALLEN: Mr. Chairman?

DR. KELLEY: Oh, should I go?

MR. HOOPER: Dr. Kelley.

DR. KELLEY: Dr. Dumbaugh, that was incredible, very persuasive. As somebody who used to be in academia and is now trying to use the power of words to effect change, I thought you were incredibly persuasive about the safety -- the current impact of decisions made years earlier.

And in -- on this board, we oversee the expenditures of -- you know, generated by the penny surtax not only for prospective planning improvements on connectivity and various things in Broward County, but also expenditures made on existing roadways that have these huge, horrific, sometimes tragic, safety impacts.

And it was very interesting, that statistic about accidents caused by people traveling through an area outside the specific Census tract.

I'm asking you to consider, because you are really good at bridging academia into how we can make a difference in practice, in the real world, if you could make very specific recommendations to Chris Walton in the Department of Transportation and to the board about, you know, what is it that we could help make happen now to improve not only the -- obviously, the future prospective planning projects.

But it seems to me that you need monitoring and assessment of safety impact all the time, ongoing, as part of what the Department of Transportation looks at in terms of, you know, what is happening on our roads now that are the effect of previous decisions

that -- I mean, they're done. They -- they're -- they've already happened.

But what can we do now to maybe put somebody in place to go out there and assess -- essentially do what you're doing?

You want a job? Come work for the County, please.

That's it.

DR. DUMBAUGH: I -- I certainly would be happy to help with that. I mean, we -- we do research, we do consulting type work. That's part of what our Center does.

And I want to -- I just want to highlight that -- you know, and there's often a tendency to hit on DOT about this. And they sponsored me to do this work, so I in terms of that, they're -- I found, at least with the folks I've worked with at District 4, they've been very receptive to going forward with this, which -- you know, and I work -- I work around the country. I do some global work. And I've been very impressed with Florida DOT and their willingness to have these, particularly within their Operations Division.

Normally, I fly into another region, and my point is to, you know, stick it to the Operations people who they -- people believe don't care about safety, right?

This was all led by their Operations Division, so there's -- from -- for your perspective going forward, I think there's real opportunity here, and that you have -- if you guys are serious about it, DOT's serious about it, the County and the MPO are serious about it, you really have things lined up to make a profound difference.

So I -- I would agree that looking forward at what you can have the most meaningful impact is exactly the next step.

MR. HOOPER: Mr. Allen.

MR. ALLEN: Mr. Chairman.

Dr. Dumbaugh, the -- many of the projects that we have been involved with to date from this board's perspective have talked in terms of things like bike lanes, pedestrian lanes, the creation of greenways to encourage more bike and pedestrian access through those greenways.

Is there any -- and I was somewhat surprised --

(Music playing.)

MR. ALLEN: Are we back?

MS. CASSINI: You're back.

MR. ALLEN: The -- somewhat surprised that the data didn't talk or look at that kind of impact of the -- the cost benefit of what we have been already funding in bike and pedestrian access or safety versus the impact on crashes and the avoidance of crashes.

Is -- is that something that your data could be refined to reflect, whether that is a continuing positive cost impact to our efforts, or are they -- I mean, when you look at things -- you talk in terms of community education campaigns, spending a dollar for that versus a dollar for bikeways or greenways.

Is -- is -- is the data such that we could make those kind of decisions on a cost benefit basis?

DR. DUMBAUGH: I mean, it could -- it could certainly be done. That's a different type of analysis than the one I had done.

What -- what we did for -- for DOT was to do what we call an epidemiological

analysis to understand what the nature of the issues are.

What you're asking for -- and it's -- I think it's -- it's the right way to go -- is the refinement which is what is the things that's going to have the highest yield. So --

MR. ALLEN: Right.

DR. DUMBAUGH: -- yeah. And that's -- that can easily be done. It's a different sort of analysis than the one -- the one that we conducted.

I mean, that -- to do that, you would look at how things reduce crashes.

You also have to do something that people don't like but there are metrics for, which is monetize the cost of injuries and deaths and put that at a dollar value.

And there are some -- and I would agree with this, that, you know, the loss of a life is irreparable, right, but in order to do the types of cost benefit analysis you're doing, you have to put a cost on that. And I believe it is the Insurance Institute of Highway Safety has done some -- some estimates of what that cost, based on health, treatment, and all of that.

So the short answer is, yeah, it could be done. It could be done if that's something you'd be interested to look -- look at.

MR. ALLEN: Thank you.

MR. HOOPER: I -- I'd like to make a point. You know, I'm in the development business, and we look back at land use and planning and you -- you think, wow, we could have done that better. But you really -- it's impossible for, say, a government agency or a land -- land planning department to know what's going to be placed on a property that they prep for.

Now, they can say residential or it can say strip malls or whatever, but the configurations change over time, and what the public want and demand, and supply and demand issues and things like that.

Furthermore, you look at like Arvida, that built Weston out west, there's not a lot of those intersection type neighborhoods. They're more those cul-de-sac, non-connected neighborhoods, and they do put you out onto the main artery to get to the big boxes and the -- the strip malls.

So we're going to have to come up -- I -- I like to look at things in the here and now. And, you know, you see, like in Plantation along Broward Boulevard, there's large stretches that have those conditions that we watched the poor lady with her children, it was terrible, where you've got long stretches with bus stops, and there's no other choice but to cross the street in a dangerous situation.

And I really appreciate that, the -- the -- the analysis about the intersections, too, because it's a -- it's a huge problem. People come to an intersection and all they're looking at is how do I get to where I'm going in my car as fast as I can and -- and damn the pedestrian.

And that's -- that's an issue, too.

So I think we have a very unique situation here where we've got the department - our Transportation Department and we have our Planning Department working together hand-in-hand on the surtax, planning of the surtax expenditures, and here is a huge opportunity to start looking at these stretches of streets, these situations in different neighborhoods, and -- and improve them.



And I -- I really appreciate the fact that we brought the -- Dr. Dumbaugh here today to speak to us. It really makes you reallocate your priorities.

But to look at it in the here and now, because we're -- right now, what's happening is the County is almost fully built. We have the Everglades in -- to one side. We have the ocean on the other. And, realistically, everything's an infill project at this point, okay?

And -- and I think we have a pretty good thumb on what's coming. We look -- we -- the Broward County Planning Department is looking at 441 along with Transit as -- as these opportunities for smart development, and we're going to have to figure out, when you start putting dense development on 441, how are we going to protect the pedestrian. You know, how are we going to produce better transit so that the connection to the pedestrian from their front door to the -- to the bus or to the train or whatever is very safe.

But I really appreciate this, and I think this is a huge opportunity for us to kind of tie one more bit of detail to our planning process.

And, like we said, we've got 30 years, and -- and I think we can do this correctly.

Yes, Ms. Pennant.

MS. PENNANT: Thank you, Mr. Chair.

Mr. -- Dr. Dumbaugh, thank you for that very informative presentation.

I -- I -- my question is how do we measure the economic impact of safety? Because I think until we can put some kind of dollar value to that, I think developers may not necessarily like to pay attention to that.

And I also want to know how or what kind of standards or is there a template of some way that those who are making decisions about approving a development can follow to ensure that certain safety measures are in place.

And -- and the reason why I bring this up, because this topic hits home to me in a very fierce way. I live in a community that is not an impoverished community. I live in the Woodlands Golf and Country Club. And recently, there's been an approval for further development in that space. I bought the home because I thought I was going to live in a golf course community, and now they want to build more homes on the land.

As it is right now -- and I have reached out to different entities about this, including my City Commissioners, because at the entrance of Commercial and Woodlands Boulevard there are accidents there all the time. I've never lived anywhere where I've seen so many accidents at an intersection.

And with the onset of this new development, I know that the traffic situation is going to be crazy. And we've advocated and lobbied and asked our leaders to prevent this development from bringing in 400 more homes, and it's still moving forward.

And the people who live in that community, knowing full well what the safety risk will be, seem to be overlooked.

So how can we hold government officials accountable to a standard that will enforce the kind of safety that we're -- we're -- we're seeking, and, really, how do we put an economic value to that?

Because oftentimes, it's about the money and not necessarily about the well-being of the people, poor people in particular, but -- but certainly not the well-being of

people. The dollar really prevails.

DR. DUMBAUGH: Yeah, I mean, there's -- there's a -- several components to that.

The first, in terms of monetizing it, one way is what I suggested was what is the cost of loss of life. And the other thing is that a lot of these things don't necessarily require you to spend any more capital money so much as it requires you to rethink what it is you're doing.

So, again, it gets back to, you know, doing audits of these sorts of -- these sorts of projects. So doing a safety analysis, which we could do, to estimate what the likely impacts of that are.

That may require not necessarily the elimination of a new development, but rather a reconfiguration of it. And particularly in Broward County where everything going forward's going to be redevelopment, and a lot of this stuff is low value stuff that's going to be wiped out and replaced, that's a huge opportunity.

In your case, and not being specifically family with that intersection, but I guess there are two components to that. And, again, this could be like a safety impact kind of analysis, that this -- we don't necessarily have methods for yet but could be developed if that's something you're interested.

There are two components. The one is the -- the new homes themselves. And as I was showing earlier, it's not just the traffic that's the problem. That's neither here or there. Where your problem is going to be, and I bet if I look at this intersection I'll see it, it's going to be the creation of conflict points at that intersection. And that's how the

different various travel movements interact.

So my first thing would be an examination of the reconfiguration of what's going on at those locations. But I'm doing this based on not being familiar with it, so don't think this is -- this is what I would recommend, but rather this is probably how I would proceed to look at it.

But there are a couple ways to do that. One is to -- and if you guys, you know, put in a new development, you do a level of service analysis, right? You can do the exact same thing for a safety analysis, right? You establish criteria, right, to estimate what the likely impacts are based on the surrounding network, just as you do with traffic, except here there's a safety forecast which, honestly, means even the data -- some of the data I put together for FDOT can be adapted to that pretty easily, and you have a forecast of what you think the crashes would be.

And then, with standard like estimates like the Insurance Institute of Highway Safety provides, you could monetize that and figure out what the costs are.

Now, that may be a long answer to your question, but hopefully that sort of hits at what I think the -- the relevant -- it's not necessarily the solution -- at least the relevant way to get there might be.

MS. PENNANT: I guess I'm really just looking for some way for us to be better advocates for safety when we can articulate certain points to whoever it is that we need to speak to in ensuring that the right safety measures are in place.

DR. DUMBAUGH: Yeah, I mean, and -- and not even being cynical about it, right, you know, any intersection, it might kill one or two people a year, you know, and

one or two people doesn't sound like a lot, but that adds up, right? And it's how many people have to die for this project to go forward.

MR. HOOPER: Mr. -- are you done, Ms. Pennant?

MS. PENNANT: Yes, thank you.

MR. HOOPER: Mr. Coolman.

MR. COOLMAN: Yes. I have a question really for staff, kind of a -- thinking about how -- this is very exciting. How do we get it more implemented to the cities? Because if this becomes a new criteria for approval of projects and we can educate the cities and whoever is doing their traffic, et cetera, then it becomes a criteria for approval, a new way of thinking.

And I think we need to go back and how does this message -- or is it valuable to get this message out to the cities so when these new requests come in we're all on the same page.

MS. CASSINI: Well, I'm -- I'm going to speak to why I invited Dr. Dumbaugh to come before you all. And one of the reasons is because a Land Use Plan amendment just became effective, and it took over a year for it to go through all the various approval processes that are required.

But that Land Use Plan amendment, which was championed by the -- the Mayor, Mayor of the County, Mayor Geller, is to encourage density and redevelopment, residential mixed use, in commercially zoned areas on major arterials, which are primarily state and County-owned roads.

And the -- the -- the considerations and the conditions that that type of density on

transit-oriented development creates is exactly what Dr. Dumbaugh is -- is dealing with, which is the utilization of mid -- mid-block crossing, which we see constantly on our major arterials.

So that was really my focus, because I know that it's coming, and I knew that Chris was going to be here, and we've -- we've talked a lot about how do we create safer first mile and last mile connections for people and multimodal options that are safe.

But as I'm listening to all of your questions, I'm glad that the MPO is actually doing a presentation today about the new criteria, because the criteria that the MPO utilizes to evaluate and prioritize projects is articulated in a legal document. And that legal document doesn't specify that we need to provide weight to safety and safety considerations.

However, there are -- the MPO has a lot of flexibility in the way that they evaluated these processes and how they interpret connectivity.

So connectivity is a pretty vague term, but it has to be one of the most highly weighted things that -- considerations that the MPO gives to a municipal project.

So how are we going to evaluate and define connectivity and is connectivity the safe movement from one place to another? You know, I think arguably it -- it could be.

And certainly you all have the opportunity to weigh in, as you have many times. When you do your transmittal recommendations, frequently you ask the policy body, the County Commission, to change criteria or, you know, evaluate or consider different things when then are going through the final approval.

So hopefully that answers your question. I know that was a long answer.

But I think there are various ways that you can approach this.

MR. HOOPER: Yeah, so I -- you know, we can all drive down the -- the streets that we normally drive down and pick out areas of danger. I -- and -- and I could give an anecdote for five or six places that I think could be repaired through some sort of system like this.

But I think it's important that -- that we're doing what we're doing today and that -- that we do incorporate this approach into the surtax investments that are being made, because you could say, okay, let's make developers do all this stuff, but at the end of the day, it could be as simple as putting a crosswalk, a lit crosswalk, near a bus stop where there might be -- and then locating the bus stops across the street from each other, because there might be a connection, there might be -- or a neighborhood, or whatever it is. I don't even know. I'm not -- this isn't my wheelhouse.

But -- and then certainly there are things, when you do build the -- the developments, you install a -- an intersection or a crosswalk, that's an opportunity in which to include that in the development project.

But I think there's a lot of opportunities that are existing today where there won't be any redevelopment but that the danger is already there.

And so I really appreciate this. Thank you, Doctor.

Would you like to say something --

MS. CASSINI: Yeah.

MR. HOOPER: -- Gretchen?

MS. CASSINI: And I just wanted to let you all know that one of the things that we do for you is program evaluation and analytics. And so, you know, looking at safety and working with folks like Dr. Dumbaugh, and having someone on our team whose primary focus is bicycle and pedestrian safety improvements allows us to be able to evaluate the impacts of the improvements that we make with the surtax and bring that back to you.

MR. HOOPER: Thank you.

Are there any more -- Ms. -- Dr. Kelley.

DR. KELLEY: Well, I'd just like to have the board consider that -- I don't know what the procedure is exactly, but, you know, that we move that -- that you specifically consider in -- in terms of the paperwork we get on specific projects, connectivity in terms of safety impact as a specific criterion that we give some priority to.

MS. PENNANT: I agree. I -- I don't know, do we make a motion to have that done or how -- how do we move forward.

DR. KELLEY: I can **move** that we so do so -- that we ask that --

MR. ALLEN: Mr. Chairman?

DR. KELLEY: -- you give us the language to somehow make sure that is included and weight -- given weight in the prioritization.

MR. ALLEN: Is that --

MR. HOOPER: Hold on. Did you want to say something to that --

MR. ALLEN: Yes.

MR. HOOPER: -- Mr. Allen?



MR. ALLEN: It -- I guess is that an issue that we should really bring forth to the MPO when they make their presentation later today, since they are the body that we rely upon to give us those recommendations on funding priorities for our --

MS. CASSINI: Well, for -- for city capital projects only. So you can certainly give us direction with respect to County projects, but with respect to municipal capital projects, that's really controlled by a legal document. That's one of the reasons why I mentioned the second amendment.

So, Angela, it looks like she --

MS. WALLACE: And the second amendment -- thank you, Gretchen. Excuse me.

The evaluation criteria that the MPO will be using to evaluate new municipal capital projects is outlined in the second amendment, which has been approved by the municipalities, the MPO, and the County.

It does include the land use amendment as part of the evaluation criteria in looking at which municipalities adopt the land use amendment related to transit-oriented development as part of that criteria.

But in order to add any additional criteria to what the MPO is charged with evaluating, it would require an amendment to that document.

MR. ALLEN: But that -- but the document can be amended in the future. And if discussion goes on between the MPO and this body here --

MS. WALLACE: Uh-huh.

MR. ALLEN: -- that could become a recommendation down the road. Not

something that necessarily we say, well, the submittals that we are planning on getting this year all have to meet this new criteria. It's something towards the future.

And perhaps this kind of presentation might be appropriate also for the MPO itself.

MS. CASSINI: They're -- the MPO is very focused on Vision Zero. It's one of their major initiatives. And so I think the best course of action is -- is to ask the question when they're presenting the new process and the new evaluation process that they're going to be presenting to you in just a few minutes, and ask them what their approach to safety and how they're going to be evaluating projects with safety elements.

And then we can decide what our -- what our next step needs to be, if any.

They may very well voluntarily include this analysis when they send over their recommendations.

But certainly, for County projects, we can provide you with an analysis of safety improvements or what elements of the project are specifically seeking to address pedestrian and bicycle safety.

If that's something you would like, and you want to provide that direction, we can do that moving forward.

MS. PENNANT: Mr. Chair?

MS. WALLACE: And I would like to add that we can encourage, for projects that are -- are -- are seeking design funding, encourage safety measures as part of the design prospectively.

MS. PENNANT: I -- I really want the -- I would like for the Oversight Board to

really have some say on the safety issue. And so I think that when we're talking connectivity, I think it should be one of the criteria that we include. And especially when I think about some of the areas that we're seeking to do improvements where the data already states that the risk is significantly high.

And -- and -- and not to say that there won't be issues in other areas, but -- but safety should be a -- a component, I believe.

And so I'm not sure how we move forward with that. Maybe after we hear for sure from the MPO. But I don't think that we should also lose grip of having some -- some -- some say-so on the safety matter when it comes to connectivity.

MR. HOOPER: Mr. Coolman.

MR. COOLMAN: Yes. Gretchen, I would assume that we will have an influence on the city projects also, as how they submit, not just County projects? I would hope.

MS. CASSINI: I'm sorry for any confusion.

What I was -- what I was trying to say is that the way that city projects are evaluated and submitted to you is controlled by the MPO --

MR. COOLMAN: Okay.

MS. CASSINI: -- and a legal agreement.

MR. COOLMAN: Okay. Thank you.

MS. CASSINI: Whereas I have a lot -- I think we have a lot more flexibility in how we bring County projects to you.

MR. COOLMAN: Thank you.

MS. PENNANT: I mean, one of the -- sorry, Mr. Chair. One of the -- the positive

side of this presentation is that the cost implication is not that great.

And so the idea is not to be punitive to developers, but to at least bring to their attention, and -- and if we can be a little bit more intentional about that, then maybe people will start paying attention to it.

You know, it's not to, you know -- because we -- we certainly want development, right? It brings wealth to our communities. And maybe that's part of the economic piece that we need to consider, that it's okay for us to have development, but certainly this piece adds to the quality of life of the people in the areas where you're developing.

And if you have that component as part of your presentation, you get extra points for approval or something, you know?

MR. HOOPER: Well, I --

DR. KELLEY: And if I -- if I could just add to what she said. The -- the phrase that Dr. Dumbaugh used, forgivable urban geometric design, we could frame things in terms of development in a very positive way that, with just a little tweaking, the safety component is hugely restored to where we'd like it to be for the benefit of people in Broward County without great, if -- if any, cost.

You know, it's just reconfiguration. Again, forgivable geometric design that a developer -- you know, it's a -- it's a -- a sales tactic that they can then use to say, and we have really considered safety, it's a high priority in our development of this project.

MS. PENNANT: Mr. Chair, if you just would give me -- I suspect -- I suspect that we will find that our developers will probably be a lot more innovative in coming up with ideas about safety than we allow them to.

That's it. I'm done.

MR. HOOPER: I can tell you, developers are not interested in building something that's not safe, so I would agree with you there.

But I would also say that a lot of the issues are in the right of way and in existing right of ways that belong to either the County, the city, or FDOT. So those are things that can be repaired by those entities.

We have a surtax investment that we can put forth. and I think that there are a lot of fixes that can be done by the surtax effort now.

And the MPO, as far as I'm concerned, and the cities, only represents ten percent of the total investment that's being done in this surtax program. And a lot of the arteries are either the County or the state in which the danger mostly exists.

But -- but the cities also -- I mean, it's just good business to -- to take this into consideration.

The fact that we brought this here today, okay, puts the County in a position where it has now become highlighted and that it should be part of the program.

And when we set our criteria for approval of projects, County projects, and we set our performance standards and measures, we should probably include this.

So I think it's easier for us to move the ball forward by doing it ourselves now than to create a -- a regulation on developments that may come over time. We need to fix some of these things quickly.

So I appreciate everything.

Is there any other comments? We'll hear from the MPO, and then maybe we'll

come up with an idea of maybe a message we send to the County Commission from this board on criteria and performance measures as they relate to safety.

All right. Let me put my glasses on.

All right. So where are we? We've got -- ah, Mr. Walton is here today. Good to see you.

MR. WALTON: Good morning.

THE COURT REPORTER: I'm sorry, is somebody speaking?

MR. HOOPER: Good to see you -- yeah, I'm introducing Christopher Walton. He's going to give us an update.

MR. WALTON: Before I give you the update, though, I was listening to the presentation, the conversation. I could barely keep my seat. There are a lot of things I heard that struck a chord.

Certainly, I would encourage you, as much as you can or -- or desire, to incorporate safety measures in -- in any requirements.

But just know, on the County side, it's something that we would certainly welcome. And we -- as much as we are -- we already include from a -- if you look at -- at our transportation major project standpoint when you're talking about using federal funds or even state funds, there are very stringent safety requirements that are -- are built into the -- the acceptance of those funds.

And -- and even at the County level, I mean, we -- me, as Transportation Department Director, and I'm sure my counterparts in Planning, as well as Public Works, would -- you'd have absolutely no objection or -- or no issues with emphasizing safety to

be incorporated into all of our projects, because we -- we do it, but, you know, the more in- -- the more input we get, the better projects we'll build, so.

Also, mid-block crossings. What you see in Broward in terms of mid-block crossings, it's something that we avoid at all costs. Most of them are legacy crossing where, if you've got a really long stretch of road and it -- you just don't have -- what we like to do is build a bus stop on what we call far side, which means you -- on the far side of an intersection so that traffic has passed and the bus has gone through the light so that the passenger isn't waiting for right turn traffic. They're already on the other side of the intersection. And that's what we try to do.

And we also, in terms of if there are mid-block crossings, if we build any new ones, if we're forced to, then we build them where there are crosswalks.

So if you see some that don't have those conditions, they're probably legacy, and in -- in future where we -- we look at spacing, you know, we try to eliminate those where we -- where we can.

## **II UPDATE - CHRIS WALTON, DIRECTOR, BROWARD COUNTY**

### **TRANSPORTATION DEPARTMENT**

MR. WALTON: Okay. Good morning, Mr. Chair.

MR. HOOPER: Good morning.

MR. WALTON: I had to get -- had to get that out. I feel a lot better now.

(Laughter.)

MR. WALTON: Mr. Vice Chair and members of the board, Ms. Cassini, Ms. Wallace, Ms. Thompson -- I think I have everybody. Chris Walton, Director of

Transportation.

I just want to take a few minutes to walk you through a project that, for me, I think, is -- is one of the more exciting projects that we -- we have coming up from a transportation perspective.

And it's a direct result of the penny for transportation surtax.

We're in the process of acquiring -- we've made an offer and it's been accepted, and we're going through the due diligence process on a 10.7-acre site out in west Broward. We call it our west Broward Intermodal Center. And it is, again, 10.7 acres in the City of Sunrise. We spent 9.25 million dollars to purchase it.

And we envision this to be the western terminus of our -- kind of a western hub.

We have always talked about our ability to -- our inability to move people east and west. But as you -- you think back to the -- the surtax plan, we have 26 miles of rail built into that plan.

And we've always envisioned a western hub. This would be that hub.

And I have to tell you, it -- I don't think we could have found a better location. If you look at it, it is directly between the BB&T Center and Sawgrass Mills Mall, out near the Metropica development, where the -- the growth out there is only -- only expected to continue.

We are working now with the City of Sunrise going through the development or design review process to make sure that, you know, what -- that what we build is something that, you know, they'll be satisfied with.

And we're really looking forward to this project because it -- it really offers a lot in



terms of what we -- how we vision, see the future of transportation in this County.

One of the things that -- well, some of the things that -- that -- the features are outlined here, but if you look at the bottom center of the page here, you can just pick up a piece of the existing park and ride lot. We currently have a park and ride lot at Sawgrass Mills. It -- it's about 325 spaces. And pre-pandemic, we were using about 70 to 75 percent of those spaces on a daily basis.

So had we continued to grow our services to -- down to Miami, we would have eclipsed the capacity of that station.

What this new one will offer us will be an 800-space parking deck. And one of the interesting features about the parking deck is we're -- we're going to make sure that it accommodates electric vehicles -- as well as the entire facility. The entire facility will be laid out to accommodate electric buses and cars.

The 800-space parking garage will also be built to accommodate electric charging.

Initially, we're going to have the chargers in place at the first 100, and then, as the need grows, we'll -- we'll add additional chargers as necessary.

We're also planning for -- you know, one of our -- our bus routes, Route 22, which is on Broward Boulevard, actually terminates out in this location. And we are building a -- a charging network out there as well.

Not to get into a whole lot of details, but we are -- this summer, we'll -- we will be launching our -- our first electric bus route on Broward Boulevard. In fact, the buses go online for production April 6<sup>th</sup>, and we should start seeing them about mid -- the first one

about mid-June, and they should all be here by August.

So probably some time in the fall we'll -- we'll launch our Route 22 on Broward Boulevard out with all electric buses.

The issue with electric buses -- and the technology has improved substantially -- is that we can't take a diesel bus and replace it with an electric bus one for one, because the range just isn't there.

So one of the reasons for the charging network out at the West Broward Center will be when these buses layover, we can actually park them and -- and charge them so that they can continue on their routes.

We're building these charging locations at strategic places around the County. And as -- as we electrify the fleet, we'll -- we'll see those -- those grow.

Right now, we're -- we're probably sending about 80, 85 percent of the capacity being served by electric vehicles in terms of the -- the mileage comparison. So we're hopeful that in the near future, we can see that one-to-one -- that one-to-one match.

There is a difference in cost, so when we come back to you to talk about bus purchases, there will be a substantial increase in -- in price for buses, but we're covering a lot of that out of our own federal funds, so we won't be coming to you -- to you for -- for all of it.

But back to the project itself. We anticipate it's going to be about a \$45,000,000 project. Again, we've acquired -- we've spent the 9.25 for the land. We've been in contact with our contacts at the MPO, as well as the Florida Department of Transportation, and they've both indicated a willingness to participate financially in this

project.

So if you could go to the next slide.

So this gives you a -- a -- a better view. And what this is is a concept. We're still in the early concept stages. But it identifies for you what the -- the project will encompass.

We -- as I mentioned, we envision it to be a -- a bus/rail facility with the termination of the east/west rail line.

We don't know exactly how -- or the route that the rail line will get there, but we do anticipate that it -- it will terminate here.

In terms of developing that route, at the last County Commission meeting, the approved -- and you guys approved it a while ago -- a -- a -- what we call a system setting, which will identify the 26 miles of light rail, as well as about 150 miles of bus rapid transit. And it's also going to prioritize those -- those routes.

And it will take the first bus rapid transit corridor and the first light rail corridor to 30 percent design. So that process is also ongoing.

But this project, if you look at it at the -- a conception -- on the right side, the bottom, again it's a conceptual view, something we've shared with the City of Sunrise.

It will have all the amenities of the most modern transit facility of anyplace in the country.

And we're really, really looking forward to -- to building this and -- and others, but this will, I think, a really -- a real showcase project. And we are -- we're excited about getting this process started.

So, if anyone had any questions, I'll be happy to address them.

MR. HOOPER: Looking at that, is the garage below? Is like a subterranean or?

MR. WALTON: No. Again, we're just concept, but it's at grade --

MR. HOOPER: Okay.

MR. WALTON: -- and it -- I think it's four levels up.

MR. HOOPER: Got you.

Mr. Coolman?

MR. COOLMAN: Yeah.

MR. HOOPER: I mean, Mr. Allen.

MR. ALLEN: Mr. Chairman, Chris, what's the zoning issue -- are there zoning issues relative to this parcel?

MR. WALTON: No. Initially, it was zoned to be a 400-key hotel, but it is -- it is zoned industrial, so we're able to -- and -- and those are, again, some design issues that we're -- we're working through. But the zoning is fine. We're good.

MR. ALLEN: So we don't need -- we won't need to exercise that new Charter amendment that was approved last year relative to zoning disputes?

MR. WALTON: No, we're working very closely with the City of Sunrise. The City of Sunrise actually likes the project, and they -- they've actually given us a lot of -- lot of good input.

So it -- you know, there were some -- some -- some conversation early on before the -- as the issue was placed on the ballot, but -- but it does not appear to be an issue now.

MR. ALLEN: Does the -- does this consider the potential impact on the redevelopment of the BB&T Center site that the County is --

MR. WALTON: Yes --

MR. ALLEN: -- undergoing?

MR. WALTON: -- it does. It does. Whether -- whether the site is there or not, this will actually, we believe, spur development and growth. I mean, it's already growing out there, but in terms of having the ability to get on a rail system out far west and ultimately get all the way to downtown Fort Lauderdale and to the airport, the seaport with a one-seat ride is -- is what we envision.

MR. ALLEN: At one time, there was an issue relative to the mall and access across the street on 136 relative to potential people parking in the mall parking lot and walking across the street.

MR. WALTON: Uh-huh.

MR. ALLEN: Does the planning include potential pedestrian access across 136 or how would that that fit?

MR. WALTON: We've had those discussions with the mall, and we've had those discussions with our traffic people. There -- there are a couple options there.

One is to -- which, you know, is -- is under discussion, is to build a bridge over 136<sup>th</sup> Street. We're looking at that.

But there is also the possibility of a -- of crossing -- you know, there -- there is a - a crosswalk, but it -- it would interrupt the traffic flow.

So those are some of the details, but -- but there are options to take a look at --

at getting over the street.

MR. HOOPER: Mr. Coolman?

MR. COOLMAN: Yes, Mr. Walton, good morning again.

MR. WALTON: Good morning.

MR. COOLMAN: You shared with us the cost of this land, which is 9.25 million dollars. Can you share with us the cost of the facility construction and can you give us some idea how much of that's surtax dollars?

MR. WALTON: Well, we anticipate the project is about a \$45,000,000 project with design and construction.

As -- as I mentioned, you know, the state has indicated a willingness to participate, as well as the MPO.

So -- we at Transit also have federal formula dollars.

So at this point, I really don't know, but as soon as I have an answer for you, I'll -- I'll be happy to share it with you.

MR. COOLMAN: Thank you.

MR. HOOPER: Are there any other questions?

Okay. This is one of those major priorities that is moving forward. It's -- I'm glad we got the backup, too. I want to be able to tell people when they ask.

So thank you very much --

MR. WALTON: Sure.

MR. HOOPER: -- Mr. Walton.

MR. WALTON: Uh-huh.

MS. PENNANT: Awesome job.

MR. WALTON: Thank you.

**III NEW MUNICIPAL CAPITAL PROJECT PROCESS - BRYAN CALETKA,  
DIRECTOR, TRANSPORTATION POLICY, BROWARD METROPOLITAN  
PLANNING ORGANIZATION AND TODD BRAUER, PRESIDENT/COO  
WHITEHOUSE GROUP, INC.**

MR. HOOPER: Okay. The next item -- hold on -- we have Bryan Caletka, Department of Transportation Policy, MPO, and Mr. Todd Brauer with the Whitehouse Group, that are going to present.

MR. CALETKA: Good morning, Mr. Chair and board members. I'm just making sure you can hear me okay.

MR. HOOPER: Yes.

MS. CASSINI: We --

MR. CALETKA: Okay. Fantastic.

MS. CASSINI: Can I -- can I --

MR. CALETKA: As -- as -- yes, ma'am.

MS. CASSINI: I'm so sorry. Before you start, I don't -- your presentation does not appear to be queued up, so I want to make sure that the folks here can see your presentation.

MR. CALETKA: Sure. I'll just hold.

MS. CASSINI: You may feel free to introduce yourself, but I just wanted to make sure that you knew that your presentation is, at the moment, not visible to the Oversight

Board members.

MR. CALETKA: Yeah. I think on the agenda it was listed as timeline.

TECHNICIAN: I'm trying to bring it up.

MS. CASSINI: We have --

MS. THOMPSON: The title of it is timeline?

TECHNICIAN: I don't have -- I only have the two.

MS. CASSINI: Go ahead, Mr. Caletka, if you want to go ahead and explain the process, and we'll try to find the presentation.

MR. CALETKA: Sure thing. Thank you.

As the Chair mentioned, I am Bryan Caletka, the Director of Transportation Policy for the Broward MPO.

I want to first thank you for inviting me back to give a presentation.

To some points that were actually made earlier for the first presentation, I just want you to know that our methodology must actually be approved by the County Administrator, and, therefore, we can incorporate any criteria that you wish, whether it's the current criteria or -- or new ideas.

Anything that makes our process better, we're happy to accommodate.

TECHNICIAN: There you go.

MR. CALETKA: This morning, I am joined with Mr. Todd Brauer, the Chief Operations Officer for the Whitehouse Group.

The Whitehouse Group is our consultant providing surtax services, and were interviewed and approved by both the MPO and MAP Administration.



So today, we're going to take you through the process that was approved by the County Administrator, and we're actively in. Our portal opened up today for submission of new projects for the municipalities today.

We were tasked with four main tasks.

The first was to develop procedures and a process. It's a new process that is new and outlined in the second amendment that was recently put into force by the adoption of the municipalities, the County, and the MPO.

Task 2, which is to rank new municipal capital projects.

Task 3, to recommend the municipal capital projects within the MAG.

Cycle 1 projects are priority, and then we have new MCPs.

The funding allocations are within the annual minimal annual guarantee as provided by the County. However, in the five-year plan, you will notice that the County has been quite generous in actually going above that minimum annual guarantee by a significant amount.

And so our job is also to make sure they're -- that they are verified and ready to be implemented for any amount of funding that's above the minimum annual guarantee that the County has a history of providing for the municipalities.

And then, finally, with Task 4, which is to recommend the MCPs that do exceed that minimum annual guarantee.

If you can advance --

MR. HOOPER: Hold on.

MR. CALETKA: -- two slides.

MR. HOOPER: Hold on. Can you -- what'd you say? MPCs or NPCs, or, you know, we're -- we're really the public here, so, you know, acronyms are hard to follow.

MS. CASSINI: It's up now.

MR. CALETKA: Yes, sir. I apologize.

It's -- it's MCP, which is municipal capital projects.

MR. HOOPER: Thank you.

MR. CALETKA: These are basically the different projects that come before you for approval.

And next slide, please.

So in the second amendment, they identify basically the Cycle 1 municipal capital projects and new municipal capital projects.

So the top of the list, which are 1 through 110, they were the ones that were most shovel ready. They were ready to be implemented. They just needed the funding.

And so those are set in that order, and they maintain their ranking, so all the municipalities around Broward County know which projects are going to be funded next based on that sequential order.

For the projects that were not quite shovel ready, which were 111 through 510, plus anything that they submit this year or next year or the year after next, those are considered new MCPs and we rank them utilizing the criteria and the tool that we used last year and approved by the County Administrator this year to rank that new group of municipal capital projects.

MR. HOOPER: So are you saying that the projects from 111 to 510 fall under the

new MP -- MCPs, and if cities put in additional MCPs, that they'll be re-ranked and that there could potentially be a Number 600 that ends up being Number 112?

MR. CALETKA: That is correct, sir.

MR. HOOPER: Thank you.

MR. CALETKA: You're welcome.

Next slide, please.

So with Task 1, it was to develop procedures and process, so we put into the policy to -- that every February, we will submit the criteria to be used in that round to the County Administrator to review, as we did this year.

And then we update as needed by the County Administrator. She may say I -- I don't want this or I do want this, and -- and we make that update based on, more than anything, the lessons learned.

And then once we get that approval by the County Administrator, then the MPO ensures that the cities are represented and we move forward with that particular round for the ranking of the new MCPs or the municipal capital projects only.

And next slide, and I'll hand it over to my counterpart -- counterpart, Mr. Brauer.

MR. BRAUER: Thank you, Bryan.

And what you're shown here is the framework for that piece.

MR. HOOPER: Mr. Brauer --

MR. BRAUER: And I think --

MR. HOOPER: -- Mr. Brauer, hold on just a second.

MR. COOLMAN: I have a question. The criteria that we just represented by Dr.

Dumbaugh, is that going to be in this selection process that you just talked about you're doing, or not?

MR. CALETKA: So for this year, it has already been approved, and we're ranking it exactly as last year.

If you wanted any new criteria to be factored in, you could offer that to the MAP administration, who would let the County Administrator know. But that would be available next February --

MS. CASSINI: So --

MR. CALETKA: -- for the next round.

MS. CASSINI: -- I -- I need to clarify the record from a transparency perspective. I'm sorry. If you don't mind, Mr. Chair.

So the -- the criteria that's being used is not exactly the same as the criteria that was used last year.

The criteria that has to be used for all future cycles are -- is governed by the second amendment that just became effective.

And that second amendment very clearly enumerates what things have to be weighted and the considerations that have to be given with respect to primary criteria, of which there are four, and secondary criteria, which I believe -- Angela's shaking her head -- may be eight, eight or nine.

So there -- there is a -- a new evaluation process and criteria that has to be applied to these -- these projects.

Now, the process that's being used and the portal may be the same, but the

actual evaluation process and the requirements for submission are substantially different than they were last year.

MR. COOLMAN: But --

THE COURT REPORTER: Mr. Chair, could I get a confirmation on who asked the last question?

MR. HOOPER: Doug Coolman.

MR. COOLMAN: I --

THE COURT REPORTER: Thank you.

MR. COOLMAN: -- I asked the question. I still don't think I have an answer.

MS. CASSINI: So the question --

MR. BRAUER: Gretchen, do you mind if I add a little additional to that?

MS. CASSINI: Of course, Todd. Of course I don't mind.

MR. BRAUER: Okay.

MS. CASSINI: But I want to respond to my Vice Mayor [sic] directly, which is that safety -- the safety elements of a project that is a municipal capital project is not specifically one of those criteria that's in our legal agreement, which was what I was sharing with you before.

So the MPO is not required to weight or to provide additional points, or in any way, you know, raise a project up because of safety elements in that project under our legal agreement.

MS. WALLACE: Right. And it is probably the first time that representatives from the MPO saw Dr. Bauer's [sic] presentation, so this is probably as new to them from that

perspective as it is to you, so it's something that we need to address with -- with the MPO as part of the process.

MR. COOLMAN: So the follow up is how do we get that incorporated in the process so that we don't have to wait a year for it to happen.

DR. KELLEY: I have a suggestion. To avoid the -- you know, the -- the lengthy process of an amendment, there might be, in the list of existing priority -- you know, the list of criteria that we have, both primary and secondary, and we -- remember when we were first discussing this, we sort of slipped it in? We were talking about connectivity, which doesn't remotely immediately bring to mind safety.

But I'm suggesting that if we look specifically at the primary and second lists we have, we might be able to resolve, might we not, that safety be -- be part of that criterion assessment. Does that make sense?

MR. HOOPER: Yeah, that makes sense. And also, if you look at the slide that was just moved back to the prior slide, it says February of each year, the MPO submits to the County Administrator a process to rank and recommend MCPs.

This allows for continual updates between the MPO and the County, providing the ability to apply lessons learned.

We -- we just went through 110 or 113, I think we pushed back on a few of them - - we approved those first cycle projects, and I don't assume that we're going to be going back and re-approving them based on connectivity or safety, but going forward, I think that there could be the potential for that.

And I appreciate what Dr. Kelley is also saying in tying -- dovetailing it into

connectivity.

But I think there is an opportunity, and I'll -- I'll -- I'll ask counsel in February of next year to be able to reassess a little bit.

MS. WALLACE: Yes, we can evaluate it. We can take -- we can continue our communications with Dr. Dumbaugh and include the information we receive from Dr. Dumbaugh in our discussions with the MPO regarding process.

MR. HOOPER: Okay?

MR. CALETKA: Yes, we concur 100 percent, and thank you, Ms. Cassini, for that clarification point.

MR. HOOPER: Okay. Go forward.

MR. CALETKA: So -- okay. Thank you.

So, Mr. Brauer.

MR. BRAUER: Yeah. Wonderful.

So this is the framework of Task Number 2, ranking the new MCPs.

And so, as Bryan had mentioned to you earlier, the application period actually opened today, which is done through an online portal. We did training with them yesterday, introducing them to the new portal, getting them adapted to it, as well as also introducing them to the evaluation tool.

Now, what Bryan was -- was really referring to as to what had -- hadn't changed was the evaluation tool, the initial framework which we used for the evaluation and the ranking of the projects.

So right now, that is stationary with all of these other elements then being added

in that are outside of the automated tool that was developed initially.

So absolutely there are additional evaluations that we can look at.

And I will also mention that, as one who developed the MPO CSLIP process, which is the Complete Streets and other local initiatives evaluation tool, that did include safety. So just so Gretchen and the team are aware, we actually have an automated tool that's already been developed that is based off an ArcGIS framework that, should anyone be interested, we could rank the projects, even the ones this year, even though it may not be required. We could at least provide that information to say how those projects ranked as it relates to vehicular accidents as well as non-vehicular.

So all of that, I actually have the source code for that. That would be easy to implement and to be able to provide that as an add-on. That would be certainly something that we could do.

Again, we wouldn't necessarily include that in the evaluation, because it's gone through its process, but we could actually answer that -- that information, and we could do it as a pilot.

So that is available. It would be fairly easy to do.

And so any of these things can be done. The nice thing about this framework and what was developed is it provides a great deal of flexibility. So not only can we make sure that we're looking at what needs to be done relative to the second amendment, but when other issues comes up, this process allows for any evaluation to be integrated into the process itself.

And, as you can see, it's very interactive. We're looking to make sure that we're



working with all of our partners, make sure that we have the information to move it forward.

And, as I mentioned before, we went through the training in preparing the municipalities for this process yesterday. We spent about two hours with them going through how do you fill out an application, how do you update the information, how will we work with you to make sure that everything is available and that we can verify it, ultimately getting to the point where we can have an initial eligibility review that would be done by the MAP administration and having that determination and then, again, taking it through its initial evaluation, which is the evaluation tool that was developed for previous rounds. That will be our initial tool that we will use. It's automated, it used regional data, so it's an apples-to-apples comparison between projects. Giving them that list of ranked new MCPs that had gone through the initial evaluation process, and then ultimately on to you for the final review.

So that is the second task and, as Bryan had mentioned, that would include all new MCPs, which would be anything that was ranked 111 through 510, and anything new that the municipalities then put within the system.

Next slide, please.

So the key takeaways of this is that it is an iterative process. So although it's open for 28 days, what we're asking to get to the ranking process is pretty limited.

And we did provide some FAQs from the training. We sent it out earlier this morning, as well as we posted it on the website. There were a lot of questions about would they need to resubmit, what would be the minimum requirement, how would we

work together to get that.

So we gave some clarification on that to make sure that they understood that it's actually a fairly simple process to get to the point where we're ranking and then opening that up, because, obviously, you know, we're starting -- the second amendment was approved by the MPO at the end of January, we've got this process going, but I really have to say that the entire team, Gretchen, Angela, Bryan and his team were able to work together where we were able to get this going fairly quickly.

So the nice thing about it is it does allow some flexibility to allow resolutions of support, independent cost estimates, and other information that may take them a little longer to put together, some time to get that, and then we can review it as part of that process.

But in the first 28 days, we're really asking them to make sure is the description right, do we have the work mix correct, what kind of expected timeframe are you looking to do it.

So the wonderful thing about the new database is it's an entirely automated and - and interactive database management system, so each municipality has their own account, which brings up their -- their projects only. It shows there they're at in review, it allows them to update the data at any time. And they're actually going to have access to this 24/7/365.

And then during the open period, we have a submit button where then they submit, we get that information, and then start the process immediately after that.

But it allows the municipalities over time to also continue to update their

applications as they get more information. So it really allows for project development without then it getting muddled into the ranking process because they don't have to submit a project; they can keep it moving as they're gaining more information about it.

Next slide, please.

So as it relates to Task 3, that is the recommendation process. So the evaluation includes not just the ranking but also how would we recommend them.

And so we've developed an iterative process that is really a feedback loop that focuses first on the highest ranked MCP and then goes through a process to make sure that we're inflating the numbers, getting the MAG from the County -- or the minimum annual guarantee from the County, applying that then to it, and then going through a verification process to make sure that they still want the project.

And that interactive database management system allows them to remove it, to verify that the commitment is still there, as well as readiness checklists that we will work with them to make sure that the project is ready to go.

And if that project is ready to go, then we move on down to the next highest ranked.

So even if something is the highest ranked and it's not ready, we then move to the next project. So it allows for those projects that are, from a ranking perspective, from a prioritization perspective, to be high ranked, but if they're not ready to go, it allows other projects then, who have gotten permitting done or whatever the case is relative to their phase, whether it's planning, design, or construction, to be able to move forward.

So there's always a supplemental list of information and -- and projects for the County to look at, so that way, they can get these projects done quickly so some of those best projects that may be wonderful and we want to make sure that they're moving forward, giving them enough time to get their information together.

We're also looking at certain indicators, and this is also something that we could do with the safety, as it's something that you are interested in and approved by Bryan and Gretchen.

But right now, we are doing an indicator to tier them to basically identify which projects are also leveraging federal and state funds.

We could also do that relative to safety, which ones highest -- are highest ranked with safety.

So it doesn't necessarily have to be anything but informational, so it's not a determination, but we could tell you where you -- where they fit into -- what tier they fit into relative to safety.

And at this point, we're looking at funding sources, so you can see where you're getting the biggest bang for your buck.

And then that recommendation obviously goes to the MAP administration.

Next slide.

So the key takeaway for this is really that, yes, we're still looking at rank. We want to make sure that we're getting those projects that are going to have the biggest impact on our communities, but also that are ready to go.

And we've been working with the team to make sure that we have those

readiness checklists and we're ready to get started working with our partners to make sure that they have everything in place so that the County can feel comfortable as these move forward, as well as yourselves, that these projects are ready to go and that there won't be any delay.

Next slide, please.

And the fourth task that was mentioned is if there is an opportunity to look at municipal capital projects exceeding the minimum annual guarantee.

Now, this is an optional task that the MPO can be asked to do. And essentially what -- it's the recommendation process, so it's very much like the slide that I just showed you before.

But in this case, we wanted to give the County some options. So, again, there's always some latitude there in planning to allow you to look at different things, just like safety could be included in this as well.

So what we've done is we've looked at a geographic equity filter. So either if the County wants to look at municipal capital projects exceeding the MAG, we could use the same process that was used for Cycle 1 or we could apply additional equity filter that looks at those cities that may not have had a project yet simply because it either has ranked really low, but we want to make sure everybody's involved.

It allows for that opportunity to filter those projects up, but also to make sure that they're within a standard deviation. So they're still a well-ranked project, so they're not the lowest ranked project, but that would make sure that they're above the average, that we can actually look at those first before going through just the highest ranked priorities.

77

So we did do a filter there that would allow them the option.

Now, at this point, we haven't been authorized to do so, but that's how we've tackled the problem and developed policies and procedures. So that way, we're ready to roll should -- should the County Administrator ask for that.

Next slide, please.

So bringing it all together. We have gotten started. So we have done the training yesterday. We've got the portal open. We have municipalities already interacting with it. We're working with them to update their information.

So all the projects that were 111 through 510, they're starting to go in there already, update the information. Anything that they had developed over the last year, they're inputting, as well as starting to submit new municipal capital projects.

So the period opens now -- now, today. We're looking at closing the initial of it for the ranking on April 22<sup>nd</sup>, but we're going to give some opportunity, too, to allow them to provide resolutions of -- of support, as well as -- and a cost estimate, because it does take time to get these things together. 28 days isn't a lot.

But 28 days is certainly enough for us to get a feel for what's the description of the project, what's the work mix, how long do we think it will be.

And then basically working with them through July to make sure that we'd have everything to feel comfortable recommending it and it's ready to go.

And so that process is going to go in parallel. We're going to start with the Cycle 1 projects. We'll start that within probably the next week, which will be with the readiness checklist and start interacting with those projects that are the highest ranked

until we basically have identified enough projects that would fulfill the minimum annual guarantee.

So we'd have those Cycle 1 recommendations, we think by May, and then we would look at if there is a need for new MCPs to be recommended, that we could actually take out to July and give enough time for us to review the information.

So, Bryan, I'll turn it back over to you, and next slide, please.

MR. CALETKA: Thank you.

And I just want to take this opportunity to thank Ms. Wallace and Mrs. Cassini. You know, Broward County is our customer, and they could order what they want, and we could take care of it. But they have had a hands-on approach. They're highly intelligent. They have truly made this a -- a fantastic premium process to deliver surtax projects to our local municipalities.

And so we thank them for that. They have been a pleasant -- it has been a pleasant experience. And I -- I honestly feel that the MPO and Broward County have never had a better relationship. It just -- it seems to be working out synergistically for the better of our community.

Next slide.

So here is our contact information. If, you know, you wake up in the middle of the night and you say, hey, I wonder about this, you can feel free to send an email or give us a call.

We remain available for any of your questions.

MR. HOOPER: Does anybody have a question? Mr. Allen.

MS. PENNANT: Just a comment.

MR. HOOPER: You -- go ahead.

MR. ALLEN: Mr. Chairman, I think we had some issue last time relative to where in the process do the city elected officials approve the projects that are being submitted by their staff.

And I think there was some disconnect between what staff was perceiving to be priorities of the municipality versus their elected officials.

Where in the process is that accounted for here?

MS. WALLACE: That's early in the process. So I -- I -- this is Angela Wallace, for the purposes of the reporter.

The current criteria, and I think one -- I think Todd mentioned it when he was speaking, either he or Bryan indicated that they need a resolution of support from the governing body of the municipality.

And so that's part of the -- the application process when the -- when the project is being submitted to the MPO, and it's also required throughout the process.

So when the -- when the municipality submits the application, part of that application is a resolution of support, because --

MR. ALLEN: But it sounds like the way this is being designed is it's an interactive process --

MS. WALLACE: Uh-huh.

MR. ALLEN: -- between -- you know, they submit some information, we get back to them -- or the -- the consultant or MPO staff gets back to them on clarifications and



issues like that.

So, I mean, is it -- that elected official prioritization, is that done before the application -- like, for instance, is that done within the first 28 days of the application cycle, or have you gone through the whole process of evaluation between -- before the city comes back and says, oops, that was staff's idea, it wasn't our idea?

MS. CASSINI: That's a great question, Phil. It actually came up yesterday. And I was going back and forth with Mr. Caletka about this last night.

One of the issues that we have is many of our smaller municipalities don't meet on a regular basis, or they have a very long lead time in the development of their agenda.

There's 28 days to submit the projects, so in an attempt to be as flexible as possible, Angela and myself and Todd and Bryan discussed having a -- an opportunity to get that resolution of support before you all act on it, and certainly before the County Commission acts on it is absolutely critical, but the ability to get a resolution of support formally through some of these Commissioners, City Commissioners and Councils within the next 28 days seems rather unlikely.

MS. WALLACE: And I would like to add that it's a continuing part of the process. So the resolution of -- a resolution of support is also required for the funding agreement.

So we are preparing funding agreements now for municipal projects for which surtax funding has been approved and it requires when the board -- the -- the -- the municipality to take the funding agreement to its board for approval and provide a resolution of support, that becomes an exhibit to that agreement.

So throughout the process, we -- we -- we have built in steps that require municipal board approval because, you know, there are times when -- when membership on various boards change, and priorities change, and we want to ensure that the governing body actually supports the project throughout.

And so there are steps throughout the process that require such approval.

But I would like to address Mr. Coolman's question, while I have the floor, regarding the criteria, and, I guess, everyone's question regarding safety.

The current second amendment, the -- the primary criteria, which is alleviating traffic congestion and enhancing connectivity, there are four factors. And one of them is the project's ability to reduce incident delays such as vehicular, pedestrian, and bicycle accidents.

So I think that provides us sufficient room to implement the safety measures that were identified in Mr. -- in Dr. Dumbaugh's presentation through our -- our MPO process.

MS. PENNANT: Also --

MR. COOLMAN: That's great, but will -- will the safety criteria get weighted properly?

MS. WALLACE: Yes. The -- the -- this category has the highest weight.

MR. COOLMAN: Okay. Thank you.

MS. WALLACE: This is the primary category. There's a second -- secondary category that has other factors that -- that -- that bear less weight.

MR. HOOPER: Okay. Ms. Pennant.

MS. PENNANT: Thank you, Mr. Chair.

I -- I wanted to thank -- I don't remember the name of the gentleman who's presenting, but thank you for your willingness to be flexible on the safety issue with regard to the new projects that you're reviewing.

I realized, yes, it's not going to be part of the evaluation, but the fact that you would still look at it, because I really was planning on advocating for that we look at it. I mean, it doesn't hurt for us to look at it.

One of the key things, I thought, in Dr. --

MR. HOOPER: Dumbaugh.

MS. PENNANT: -- Lumbaugh's [sic] --

MR. HOOPER: Dumbaugh.

MS. PENNANT: -- I'm bad with names -- Lumbaugh's [sic] presentation was he talked about how we often just look to the future and not look at what happened in the past. And I think it's still early enough in the past for us to -- to look at it.

So I'm glad, at least with these upcoming projects, you're willing to look at it.

I'm also interested in finding out, once you've done it, what criteria you're using to identify potential safety hazards so we can use that as a future guide.

MR. HOOPER: Ms. Madden.

MS. MADDEN: Yes, thank you.

My question is on the flowcharts. I see references, cross references to different sections. Is that to the second amendment? Okay.

Also, in follow up, I was wanting to understand the Oversight Board's role -- role.

Do we have a role in the ranking itself? No. Okay.

And then -- sorry -- Gretchen was nodding no to me. Thank you.

And then the -- I see that our role under Task 2 is final review of eligibility. And that -- is that the eligibility under the statute?

MS. CASSINI: Yes.

MS. MADDEN: Okay. Thank you. Forgive my -- and then when is that eligibility review expected to occur in relation to the ranking and readiness part?

MS. CASSINI: Of course, this all depends on whether or not our -- our timing for this particular process works out as we are hoping.

MS. MADDEN: Uh-huh.

MS. CASSINI: But you have a June 11<sup>th</sup> Oversight Board meeting scheduled, and we've been discussing with the MPO and the Whitehouse Group that the -- the evaluation of the eligibility of the projects that are brought forth from this process that will end in May could come to you in June.

You don't have a July meeting, so then the next opportunity, if we miss that, would be your big two-day August budget workshop.

MS. MADDEN: Okay. Thank you.

And, Mr. Chair, one more question --

MR. HOOPER: Sure.

MS. MADDEN: Okay. As to the readiness that's determined each year for the ranked projects, if they're not ready in a given year, do they -- if they're still desirable projects, do they just end up in the next February cycle to be re-ranked and determined

ready?

MS. WALLACE: Yes. So the municipality -- if the municipality decides that it wants to continue with a project or wants to continue to seek funding the project, it will go back through the MPO's evaluation process at the next annual point that the municipality thinks that it's prepared with all the required documentation.

So the MPO process is annual, but there are projects that were in the FY '20 group of projects that the municipalities decided to defer.

So the municipalities determine whether they wish the project to be evaluated by the MPO, and that can be done on an annual basis.

MS. MADDEN: Okay. Thank you.

Thank you, Mr. Chair.

MR. HOOPER: You're welcome.

Are there any other questions as they relate to the MPO's presentation?

Okay. We'll move on to the next item.

So we're going into the Regular Agenda --

MR. ALLEN: Can we take a break? Take a five-minute --

MR. HOOPER: Yeah, sure. Why don't we -- why don't we take a ten-minute break and then we'll reconvene. Okay?

Thank you.

THE COURT REPORTER: Okay, we are pausing the record at 11:42 a.m.

**(THE MEETING RECESSED AS 11:42 A.M. AND RECONVENED AT 11:55 A.M.)**

MR. HOOPER: Is the tape on? Are we going?

THE COURT REPORTER: Okay. The time is now 11:55 a.m. and we are back on the record.

You may proceed.

MR. HOOPER: Okay. Thank you.

## **REGULAR AGENDA**

### **ACTION ITEMS**

#### **1 - APPROVAL OF MINUTES, MEETING OF JANUARY 29, 2021**

MR. HOOPER: Okay. On the first item of the Regular Agenda is a motion to approve the minutes.

I need a motion.

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

MR. HOOPER: Thank you.

Is there a second?

MR. ALLEN: I'd second. Phil Allen.

MR. HOOPER: Okay. Is there any discussion on the minutes?

Hearing none, all those in favor?

Those opposed?

The minutes are approved.

### **VOTE PASSES UNANIMOUSLY.**

#### **2 - SELECTION OF CHAIR AND VICE CHAIR**

MR. HOOPER: The next one is the selection of the Chair and the Vice Chair.

A little bit of background. When the Oversight Board established its own

governance documents, the bylaws, early on, we decided that even though the terms of our appointments were four years, that we would select a Chair and a Vice Chair every two years.

So I understand from Ms. Wallace that we can serve consecutive terms, but since the terms expired in February, it's time for this group to speak out about what's -- who the next -- wait -- what's next for Mr. Coolman and myself? Oh, what's next for myself and Mr. Coolman. So --

MR. ALLEN: Lunch.

MR. HOOPER: Is there any --

(Laughter.)

MR. HOOPER: -- is there any discussion? Because at this point, we can entertain motions.

MR. COOLMAN: Mr. Chairman?

DR. KELLEY: Yes, I would like to make a **motion**. Well, I should explain. I thought about this when I heard that that was coming up, and I wanted to -- I don't know how he feels about it, but I wanted to suggest that Chairman Hooper continue.

I know it's a lot of work, but I have three reasons I'd like to suggest that as --

MR. COOLMAN: Turn your mic.

MS. CASSINI: Your mic's not --

MR. COOLMAN: I can't hear.

DR. KELLEY: Oh, it's not --

MS. CASSINI: Turn it all the way.

DR. KELLEY: I forgot to take the mask off. Living in a muffled world.

I have three reasons I would like Chairman Hooper to consider serving again for two more years.

My experience has been in these board meetings that he moves things along at just the right clip. I mean, gets the -- gathers the information and fields questions, you know, on the board and also from the public, always respectfully, but moves us along at a good clip, and we -- and we get to action, which is where we need to get.

So I -- I appreciate that, and I -- I hope he will consider that.

The other thing is that he -- he does this with a great sense of humor, and, in these days, we need a sense of humor, I believe.

And, I mean, for instance, today asking the speaker to explain acronyms. I mean, there wasn't any joke there, but it's true that we need to be remind- -- or the public needs to know what is an MCP. And it's done in a -- in a very nice way, and I appreciate that.

And I also think that just by doing that you reminded us that we -- we're here to serve the citizens of -- the residents of Broward.

And I often find in the elections office where I recently began working full time that it -- sometimes when there's a -- a jam-up, it helps to be reminded that we serve the Broward voter and -- and not a political candidate or a party or anybody other than the voter.

So I -- I -- I think that's been really helpful here.

And that's it.



MS. PENNANT: Mr. Chair?

MR. ALLEN: Mr. Chairman?

MR. HOOPER: Mr. Allen. Sorry. Mr. Allen.

MR. ALLEN: Yes.

MR. HOOPER: And then Mr. Frazier and then Ms. Pennant.

MR. ALLEN: The -- first off, Mr. Chairman, your -- your performance over the first two years of this body has been outstanding. We appreciate what you have brought to this organizing committee.

You know, certainly taking on the challenge of a newly created board and leading us over the last two years has been nothing but outstanding.

And let me just congratulate you and thank you for that service.

But I am of the opinion that a circulation of the Chair is in fact something that we should strive to do, just so that this body, as a body politic, if you will -- I mean not politics per se, but body politic -- needs to have the growth that can possibly come by change in leadership, et cetera, going forward.

So I would suggest that we do have -- open the floor for nominations for the position of Chair, and I would like to hear if anybody else agrees with that position.

MR. HOOPER: Mr. Frazier, you wanted to speak?

MR. FRAZIER: No, I was just going to second her nomination, Dr. Kelley's nomination, of you as Chair.

I understood her to be making a motion. I'm not sure.

Were you making a motion?

DR. KELLEY: I was. I'm moving that he continue for two more years.

I under- -- I would like to say I've thought about this a great deal, and I feel that the first two years of this body have been -- has -- there's been a lot of adjustment, necessary and very understandable adjustment, to, you know, what exactly does the law say we can and we can't do, and there's been a -- a growth period for all of us in that.

I don't know. As I said, I haven't spoken with him. I don't know that he's interested in another two years.

But it seems to me that like presidential politics, a four-year term is a -- is a, in some ways, better than two-year congressional term, is -- is my opinion.

The other thing is that we do have two members of this board, I believe it's Allyson and Shea, who are not present, and they may have something they want to -- they may be interested in either serving as Chair or having an opinion on this.

MR. HOOPER: Ms. Pennant.

MS. PENNANT: Thank you, Mr. Chair.

I just kind of want to underscore what Dr. Kelley and -- and Mr. Frazier said.

I -- I, too, feel very strongly about Alan remaining Chair. I really admire his strength when it was needed, and his sensitivity when needed, and his intellect.

I think that because this is still a fairly new board and we have had to go through this growing period for two years, I -- I can hardly wait to see what he'll do in the next two years being more versed at this -- this job.

And so I -- I really want to second whatever that nomination is.

And even though I can appreciate the idea that, you know, new thinking and leadership sometimes is -- is necessary, I think we're all leaders at the table. We don't necessarily have to wear the -- the hat of Chair to lead.

And so our voices can still be heard. By virtue of being on this Oversight Board, we're -- we're community leaders.

And so I just think that if it's not broken, we don't need to fix it. That's not one of the things we need to fix.

And you've done an extraordinary job, Alan, and there's a lot of respect on this end of the table.

MR. COOLMAN: If I could make a comment. I -- I hear you, Phil, but because it is a new board and Alan has done such an outstanding job, it's a whole learning process for all of us, I think he should continue in that -- in that role.

MR. HOOPER: Oh, my gosh.

So I -- I want to -- first of all, Phil, thank you, and Anthea, and all of you, Consuelo and -- and Ron and -- you know, even if I wasn't the Chair, I -- I would say the things I say and I would try to act on the best interest of the -- of the public.

So if someone else were the Chair, I would still try to participate in as meaningful a way as I -- as I would if I were the Chair.

The Chair basically just runs the meeting, follows the agenda that our great staff has set for us.

And the only thing I try to do is kind of listen and -- and let everybody speak first. I've learned that from other boards.

But I'm very touched by the things you guys have said to me, and I find that you guys are very committed and -- and -- and leaders in our community.

And so I would say that any of the folks that are sitting at this table could be the Chair just as easily as myself, and you would learn how to be the Chair just as easily as -- as myself.

So I appreciate everything you said, and I -- I -- like, I defer to this board. I'm happy to serve, continue to serve as the Chair, but I think anybody at this table, including Shea and Ms. Love, would do a phenomenal job as Chair.

So thank you very much. I appreciate that.

MR. COOLMAN: Do we call the vote?

MR. HOOPER: I -- I think, but I've got to kind of defer, but I guess let's call for a vote and I'll abstain.

DR. KELLEY: I'd like to **move** --

MR. HOOPER: Huh?

MS. CASSINI: Well, actually --

DR. KELLEY: Oh.

MS. CASSINI: -- what you can do is you can turn over the chairmanship to the Vice Chair --

MR. HOOPER: Okay.

MS. CASSINI: -- if you'd like, or we can do a roll call. What's your preference?

MR. HOOPER: Okay. I'll -- I'll lay it over to the Vice Chair.

MR. COOLMAN: I think we should go ahead and have a roll call on the motion

and second.

MS. CASSINI: So we heard a motion from Dr. Kelley, a second from Mr. Frazier; is that correct?

MR. FRAZIER: Correct.

MS. CASSINI: Okay. So, Ms. Thompson, we -- we will just call the roll without Mr. Smith and Ms. Love.

MS. THOMPSON: Thank you, Gretchen.

Alan Hooper.

MR. HOOPER: I abstain.

MS. THOMPSON: Oh. Sorry.

Doug Coolman.

MR. COOLMAN: Yes.

MS. THOMPSON: Phil Allen.

MR. ALLEN: Yes.

MS. THOMPSON: Ron Frazier.

MR. FRAZIER: Yes.

MS. THOMPSON: Consuelo Kelley.

DR. KELLEY: Yes.

MS. THOMPSON: Deborah Madden.

MS. MADDEN: Yes.

MS. THOMPSON: And Anthea Pennant.

MS. PENNANT: Yes.

MR. HOOPER: Okay. Thank you very much, everybody. I really appreciate it.

**VOTE PASSES UNANIMOUSLY WITH CHAIR HOOPER ABSTAINING FROM VOTING.**

MR. HOOPER: And on -- the next item of business is to elect a -- to make a motion and to elect a Vice Chair.

So would someone like to make a motion?

MR. FRAZIER: Mr. Chairman, I'd like to nominate Doug Coolman as Vice Chair.

MR. HOOPER: Do we have a second?

MS. PENNANT: I'll second.

MR. HOOPER: Okay. Do we have any discussion?

Okay. So can we do another roll --

MR. FRAIZER: I guess --

MR. HOOPER: Go ahead.

MR. FRAIZER: -- the **motion** would be to close the nominations.

MR. HOOPER: Oh, okay. Great.

So can we have a roll call on Mr. Coolman --

MS. THOMPSON: Sure.

MR. HOOPER: -- as Vice Chair?

MS. THOMPSON: Alan Hooper.

MR. HOOPER: Yes.

MS. THOMPSON: Okay. Phil Allen.

MR. ALLEN: Yes.

MS. THOMPSON: Ron Frazier.

MR. FRAZIER: Yes.

MS. THOMPSON: Consuelo Kelley.

DR. KELLEY: Absolutely yes.

MS. THOMPSON: Deborah Madden.

MS. MADDEN: Yes.

MS. THOMPSON: And Anthea Pennant.

MS. PENNANT: Yes.

MS. THOMPSON: Thank you.

MR. HOOPER: Okay. Thank you, everybody.

**VOTE PASSES UNANIMOUSLY WITH DOUG COOLMAN**

**ABSTAINING FROM VOTING.**

**3 - MOTION TO CONSIDER AND APPROVE THE FOLLOWING CHANGES TO  
THE MUNICIPAL CAPITAL PROJECT (MCP) CYCLE 1 (FY2020)  
RECOMMENDATIONS AND AWARDS AS REQUESTED BY SPONSORING  
MUNICIPALITIES**

MR. HOOPER: And we'll move on to the next item.

So there were -- how do I want to do -- oh, okay. You've given me a little script here.

Before we get into Action Item 3, I would like to make sure that all of the municipal representatives that need to be available to speak on these items are on the line or are physically present.

95

Are the representatives from Lauderdale by the Sea on the line? Parkland and Pompano Beach?

THE OPERATOR: Yes, they are on the line.

MR. HOOPER: Great.

Okay. So we're going to start on Item Number 3. We're going to take these one at a time, and we'll ask for a motion on each of them, okay?

Ms. Cassini, I believe you have a few slides to introduce Item 3 and provide some context for how we got here.

And, for full transparency to the public, who may not have been involved in the first cycle of municipal surtax projects that were reviewed by this body in 2020, all throughout the COVID-19 pandemic, the surtax program just kept going.

So, Gretchen, why don't you take us through the slides, and, Ms. Wallace, I'm going to ask that before we take action on any of these requests that you advise us on the record that these conversations are legally permissible.

Okay. Your turn.

MS. CASSINI: So thank you very much, Mr. Chair and Oversight Board members. Just a bit of background on how we got here, as Mr. Hooper indicated.

The municipal projects that were contained in the 2018 surtax plan that was approved by the voters constituted a little over 3,000,000,000.

They came in three major categories.

That was the community shuttle program. That was for both existing capital and operations, and well as proposed new capital and operations for shuttles.



Capital projects are -- which are considered new construction projects.

And then those that were rehabilitation and maintenance of existing facilities in the various municipalities.

The County was -- did not impose a cap or maximum amount for any one project, nor did it create a limit on the number of projects that could be submitted by a municipality.

And it was always intended that this body, the Oversight Board, would determine the eligibility of all projects and proposed expenditures after the surtax passed.

So there was never a year, a specific year of delivery for municipal projects, as they were always intended to be prioritized by the MPO based on, again, their ability to alleviate congestion and improve connectivity.

And the prioritization process and the process that is used to bring proposed projects and proposed expenditures to you is controlled both by our ordinance and our global interlocal agreement.

The global interlocal agreement became effective initially in September of 2018, prior to the vote. At that time, there were 28 participating municipalities, Broward County, and the MPO that were parties to that agreement.

Since then, Parkland has become a party, and we now have 29 of our 31 municipalities participating.

For about the last eight months, since the County Commission acted on the -- the projects, the municipal projects, both rehabilitation and capital, in June, Angela has been working, along with her whole legal team and the legal representatives from the

municipalities, on a second amendment, which you've heard us talk about several times.

And that second amendment, again, controls the process that is going to be used moving forward.

The Cycle 1 process was -- again, as you know, had to be projects that were in the original 2018 plan. No new projects could be considered. That's why we need this new process in order for us to consider any new municipal projects.

And the interlocal agreement requires that the County provide a minimum annual guarantee, called a MAG, of ten percent of the annual revenues that we receive from the surtax -- the sales surtax.

So that's our minimum, but, as you heard earlier, we have been funding municipal projects above that.

So what happened in 2020? It was actually -- started in September of 2019, and the MPO opened an application portal, very similar to the one that was described to you today, where municipalities would have to provide information about projects that were in that original 2018 plan that they still wanted.

So these were capital projects that the MPO was looking at.

And after we separated the capital from the rehabilitation and maintenance projects, there were a little over 500 projects that the MPO was working with.

And over the course of about five months of evaluating those process -- projects and working one-on-one with the municipalities, it was determined that the -- the projects were going to be recommended in three phases.

And I think it's important, especially because we're looking at conversion requests, that you understand that the projects themselves were not submitted into the 2018 plan in three phases. They were all construction projects, with the exception of one, which was for a master plan.

So these municipal capital projects came with construction cost estimates for the full project. And we advised municipalities that if the project needed planning or it needed design, or they wanted CEI, whatever that was, it needed to be built into that total project budget for construction cost estimate.

When the MPO determined that they wanted to utilize this process for bring forward capital projects in phases, they met with members of Broward County staff and it was determined that three percent of the construction cost estimate was reasonable for planning projects, while 12 percent of the construction cost estimate would be appropriate for design.

Today, you're working with exclusively design phase projects that constituted 12 percent of the original construction cost estimate.

When the MPO presented the list to the public on February 28<sup>th</sup>, there were 110 projects on the list.

Projects that were construction ready were ranked highest. So 1 through 33 on that list were construction projects.

The rest of the projects, the other 67, were in either planning or design phases.

You all received detailed overview sheets of each of those projects. You received backup information. And you were able to ask questions which were then compiled into

a detailed report that's publicly available.

You all looked at -- gosh, it was almost 170 projects between May 22<sup>nd</sup> and June 4<sup>th</sup> for both capital and rehabilitation and maintenance projects.

And then, based on your determinations and recommendations, it came to the County Commission on June 16<sup>th</sup>.

So at -- with that, I will turn it back over to you and Angela and to the municipalities to make their presentations for their conversion requests.

MR. FRAZIER: Mr. Chairman.

MR. HOOPER: Yes, sir.

MR. FRAZIER: I'd like to ask a clarification question.

MR. HOOPER: Sure.

MR. FRAZIER: Based on the briefing that I had, it's my understanding that the board had previously approved all of these recommendations based on how they were submitted.

MR. HOOPER: Uh-huh.

MR. FRAZIER: So I guess my question -- because all three of these projects seem to have the same issue. And the question is can the design funds be rolled back into the construction cost and, if it can -- well, not if it can -- I'm assuming that the surtax guidelines and the legal things determine whether it can or not. I'm not sure.

And I just need to know are there any exceptions to the guidelines.

MR. HOOPER: So that -- that was going to be my next thing, is to let you take over a little bit and just give us your legal opinion on the conversions and the

requirements.

MS. WALLACE: Thank you, Chair.

Yes. So the original interlocal agreement among the County, the MPO, and the municipalities required the County to fund municipal projects as ranked and recommended by the MPO.

And it was after the initial year, which was Cycle 1, recommendations were received and approved the Oversight Board and the County Commission allocated funding for those projects that we received a request from municipalities, the three municipalities on the agenda, to convert the design funds to the construction phase of the project because design had been funded with other resources.

We were not able to bring these projects before the Oversight Board for consideration previously because the agreement did not allow us to do that.

But the second amendment has been approved by all of the -- the -- the parties, and there's a provision within the second amendment that allows municipalities in Cycle 1 whose projects were recommended for one phase to request that the -- the funds be converted to a different phase.

So we are -- it is permissible under the interlocal agreement, and it is properly before the Oversight Board today.

MR. HOOPER: Great. Are there any other questions for Ms. Wallace? Okay.

## **A LAUDERDALE BY THE SEA**

MR. HOOPER: So it's my understanding that Lauderdale by the Sea is requesting a deferral on this conversion request until our April 29<sup>th</sup> meeting.

101

Can the representative from Lauderdale by the Sea please un-mute your line, identify yourself and your position with the -- with the town, and state your request to the Oversight Board at this time, please.

MS. CONNORS: I'm sorry, can you repeat that? I was --

MR. HOOPER: I just need you to -- I need the person, whoever the representative from Lauderdale by the Sea, if they could please identify themselves and what their position is with the town, and then --

MS. CONNORS: Yes.

MR. HOOPER: -- and then the request.

MS. CONNORS: My name is Linda Connors. I'm the Interim Town Manager. And our request is to defer this until the next meeting.

We're in the middle of public participation. We've gotten extensive public participation on this project, and we just would like to finish the public participation before we ask for any request.

MR. HOOPER: Okay. Thank you.

Is -- would anybody like to entertain a motion to accept the request by Lauderdale by the Sea to defer the conversion until our next meeting, which would be April 29<sup>th</sup>?

MR. COOLMAN: I so **move**. Doug Coolman.

DR. KELLEY: I'll second.

MR. HOOPER: Is there any discussion on -- on Lauderdale by the Sea's request and the motion?

Okay. Hearing none, I think we can just do a yea or nay.

All those in favor of Mr. Coolman's motion, say aye.

Those opposed?

Okay. The motion is accepted in the request to defer by Lauderdale by the Sea.

MS. CONNORS: Thank you.

MR. HOOPER: Thank you.

**VOTE PASSES UNANIMOUSLY.**

**B CITY OF PARKLAND**

MR. HOOPER: Okay. Now, is there a representative from Parkland? Could you state your name for the record, your position, and walk us through your city's request?

Is there somebody from Parkland?

MS. CASSINI: Mr. Chair, let me reach out, because they --

MR. HOOPER: Okay.

MS. CASSINI: -- did register and they were on the line earlier.

MR. HOOPER: Can I jump to Pompano?

MS. CASSINI: You can -- you can jump to Pompano.

MR. HOOPER: Okay. If someone wants to try to text them or call them.

**C CITY OF POMPANO BEACH**

MR. HOOPER: Okay. Is there a representative from Pompano? If so, could you un-mute yourself, please?

Okay. All right. I guess we'll reach out to both of them.

In the meantime, we're going to have pizza. No, I'm kidding.

(Laughter.)

Okay. We'll wait a few -- we can wait a few minutes.

MR. COOLMAN: Mr. Chair, I have a question.

MR. HOOPER: Yes, sir. Go ahead.

MR. COOLMAN: Although there aren't representatives here, can we act on these requests or not? Technical question.

MR. HOOPER: Ms. Wallace?

MS. WALLACE: Yes, there's documentation that has been submitted, and the motions or the -- the agenda report reflects the request. So we -- staff, County staff, did not want to be in a position to present the request on behalf of the municipality, but it's sufficiently addressed on the agenda.

#### **B CITY OF PARKLAND**

MR. HOOPER: All right. So if they're on -- if the representative from Parkland is on, could you please un-mute? Do me a favor, and state your name for the record, your position with the city, and then walk us through your request.

Okay. Is the representative from Parkland on the line and could you un-mute?

#### **C CITY OF POMPANO BEACH**

MR. HOOPER: Okay. Is the representative from Pompano on the line?

There must be some kind of technical difficulty.

MS. CASSINI: Could the AT&T operator confirm whether or not there's a technical issue?

OPERATOR: There is a technical issue going on just now, so if you give us just



one second, please.

MS. CASSINI: Thank you.

MR. HOOPER: Okay.

MS. CASSINI: Thank you.

MR. COOLMAN: While we're waiting, can I ask a question to counsel?

MR. HOOPER: Go ahead.

MR. COOLMAN: Earlier, you described that the amendment to the interlocal agreement was just recently approved by Parkland.

MS. WALLACE: So the original interlocal agreement in 2018 had a requirement that municipalities approve the original agreement by a certain date in 2018 prior to the measure being on the ballot, and Parkland had not approved it at that time.

And so part of the reasoning was it was the municipalities lending their support to the ballot measure and the County committing the ten percent.

After the ballot measure passed in November, I think it was a subsequent meeting, January of 2019, the City of Parkland approved the document.

And the -- the first amendment to the overall agreement allowed for Parkland to participate, because it prohibited -- it had restrictions related to funding and -- and so forth, or eligibility for funding, and the first amendment allowed the city that adopted the -- the interlocal agreement later to participate in the first cycle.

So they approved it in January of 2019, and they were eligible to participate in the first funding cycle.

MR. COOLMAN: But it was the second amendment, then, that they were just

105

approved, or is that just the first?

MS. WALLACE: So the -- the first amendment was approved in 2019. The second amendment was approved this spring.

MR. COOLMAN: Was when --

MS. WALLACE: This -- the -- in 2021. The second amendment, which outlines this new MPO evaluation process and allows the County to entertain these requests to convert projects at the request of the municipalities, it's a second amendment --

MR. COOLMAN: So there were -- there were jurisdictions in effect that -- that had approved projects that hadn't approved the amendments to the -- to the agreement, the interlocal agreement.

MS. WALLACE: Well, they had submitted projects as part of the -- the --

MR. COOLMAN: And we subsequently approved those projects at our meeting back in whenever it was.

MS. WALLACE: In 2020, yes.

MR. COOLMAN: Right.

MS. WALLACE: So the City of Parkland had submitted projects as part of the overall plan. They were included in the plan, but they had not adopted the --

MR. COOLMAN: Okay.

MS. WALLACE: -- the original umbrella interlocal agreement prior to the ballot measure passing.

They did subsequently, and they were allowed to participate in the first funding cycle via the first amendment to that umbrella interlocal agreement.

MR. HOOPER: Okay. So I think we're having a technical difficulty with the two representatives, so if we can get Devon -- I think it's Devon West on the line -- is that right? Hold on.

MS. CASSINI: So what --

MR. HOOPER: What are we going to do about the --

MS. CASSINI: -- I think what you're suggesting is that we move into Non-Agenda?

MR. HOOPER: Yes.

MS. CASSINI: We move out of the Action Items portion of the agenda; is that legally okay?

MR. HOOPER: Yes, that's what I'd like to do.

MS. CASSINI: Okay. And then -- and we would have a representative from our Intergovernmental Affairs team --

MR. HOOPER: Yes.

MS. CASSINI: -- speak about the local preference legislation.

MR. HOOPER: That's where I was going, but you did it better.

### **NON-AGENDA**

MS. CASSINI: Devon --

MR. CASSINI: Hi, this is Marty Cassini with Intergovernmental Affairs.

MR. HOOPER: Great. Okay. So, yeah, we wanted to walk through the -- the legislation that -- that affects the program. Could you walk us through that?

MR. CASSINI: Sure. So this session, we've had bills filed, House Bill 53 and

Senate bill -- excuse me -- 1076, that we when -- upon review, felt that this would affect our ability to get to the 30 percent CBE goal for projects related to the surtax.

We have been in discussions with both sponsors in the House, DeCeglie, and sponsors in the Senate, Broder, relating to how this would affect our goal relating to projects moving forward.

The bill basically says that any money that is state appropriate or locally appropriated would not be subject to a preference and would also not impose a penalty during the bidding process based upon geographic locations of companies or headquarters.

When speaking with the proponents of the bill, we have learned -- and I can tell you that I've actually been on the phone with Sandy Michael McDonald from Small business and also with proponents of the bill who are trying to work out different language as I've been listening to this meeting -- the intent of the sponsor is not necessarily to prohibit preference, but to -- to really avoid penalty for people that aren't within the geographic area.

We are continuing these conversations with them.

We are still opposed to the bill in its current form.

There will be an amendment filed next week, based upon my conversations today.

And we are continuing to monitor this to ensure that this won't affect the CBE goals moving forward on the surtax.

MR. DONAVICH: Can anyone hear me?

MR. HOOPER: Yes. Is that Mr. McDonald?

MR. DONAVICH: I'm the representative from the City of Pompano Beach.

MR. HOOPER: Oh, oh.

MS. CASSINI: Oh, fabulous. So do we -- so right now, if we could just ask that you remain on the line. We moved to a different item while we were trying to resolve the technical issues, so just please remain on the line.

MR. DONAVICH: I shall. Thank you.

MR. HOOPER: Ms. Pennant, you wanted to make a comment on --

MS. PENNANT: Sure. I -- I just wanted him to explain that piece again where you're saying they -- the issue's not that they're trying to prevent the 30 percent participation, it's about local -- you mentioned something about local -- could you -- could you restate that, please?

MR. CASSINI: So, again, when -- when we talk about preference for our CBEs, we are talking about some nuanced language in terms of what is it that the County will allow, what will the Board of County Commissioners allow for local businesses to have a potentially higher bid than someone not from the area, or someone who is not a CBE.

MS. PENNANT: Right.

MR. CASSINI: And there are certain percentages that we have in place that allow us to say if there's -- I believe it's five percent over \$3,000,000, ten percent under \$3,000,000, that we are willing to award the contract to a CBE, even though it might be a little bit higher than someone who's not.

And, as a result, we have been swept up into this legislation where we cannot

approve or we cannot grant that preference if the language that's in the bill, in one of these bills, were to pass.

MS. CASSINI: So, Mr. Chair, the -- the legislation that I sent through to all of you yesterday highlighted that is specifically problematic for our program is that we -- during the solicitation process, during a competitive solicitation process, we could not provide additional points -- so the idea here is that you cannot benefit anyone based on local geographic preference.

So the way that I'm reading especially the House legislation, and Mr. Cassini can let me know if I've got this wrong, is that if a prime came in and said I'm willing to commit 50 percent to CBEs and another prime came in and said I'm only willing to commit 25 percent, and we know that our goal is 30, and you get additional points for the higher your CBE commitment is, and you were to win the award based on having 50 percent versus 25 percent, that would be prohibited.

We can't provide additional points for CBE participation or for the location of a particular business.

And I know, Sandy, you're on the line, and I wanted to give you an opportunity to weigh in on the impact that this would have on all of your programs.

MS. PENNANT: Yeah.

MR. MCDONALD: Thanks, Gretchen. Hopefully, everyone can hear me?

MR. HOOPER: Yes.

MS. CASSINI: Yes.

MR. MCDONALD: So to go over a little bit of what Marty and Gretchen just

indicated before I get to the impact or the negative harm, from our perspective, the House bill and the Senate bill, in short, is simply saying you can't have a geographical preference as a program.

They have particular -- or they have particular indicators of how they describe preference, all of which currently go against the purpose or the spirit and the intent of our program.

So the idea that, though Broward County's program is race and gender neutral -- we all had that fight back in 2004, 5, and 6; the County suspended that program -- the County currently says if the business is in Broward at least one year, if the personal net worth meets that of the federal government program, a million three or two, not counting the primary residence, and then we have revenue levels.

We're simply saying if you're in Broward, no matter what your race, no matter what your gender, no matter what your industry, if the County procures, if we buy your good, material, or service, come get certified.

The advantage of being certified is that in different levels of our program -- and I'll just focus on surtax -- we want to make a commitment for eligible projects, 30 percent of what the County will spend from surtax funds will go to small businesses.

This House bill and Senate bill is saying you can't have that type of program if you're demonstrating any form -- not just specific location, but any form of preference.

Well, we are. We're simply saying businesses who are certified with us, we want some prime contractor from here, or anywhere, to use them for 30 percent.

This bill is simply saying don't do that.

We're also simply saying for my County program, hey, Sandy, my user agency has a project for \$7,000,000, you got ten firms who can perform that work. My local program says instead of me giving the \$7,000,000 project to a big, \$100,000,000 firm, I can reserve it only for Broward small businesses, and make sure 100 percent of that work is done by that business or other businesses like them who are certified.

This House bill and Senate bill says you can't do that.

So even though, when you look at it and you -- and Mr. Cassini and I have been in conversations this morning and yesterday and in other days -- even if folks start soft shoeing on the idea of not giving preference points but not penalizing at the same time, no matter what the soft language the bills as written go against any local preference, however you define it, or geographic program, and the negative impact for Broward, if it's true that 89 percent of the businesses in Broward are small by 20 employees or less, and if we're truly coming out of COVID and the surtax, the expansion of the Convention Center, the activity at the port, Mark Gale's upcoming project at the airport, if my traditional County janitorial contracts, security contracts are the way to get the small businesses back to work in Broward, even when prime contractors in the County, in the state, or outside the state win, if there's a requirement to have some local use, my economic impact not only stabilizes, but it begins to grown and regrow, or put our County back where it was pre-COVID.

So, again, we believe any legislation or any bill that speaks against being able to carve out opportunities for local participation -- and the biggest ink for this is they're no longer talking about when you just spend state money. They're saying when you spend

112



your own money, have no local preference.

And, yes, have no local preference and you can't penalize.

So that's why we have an issue with both of these, House bill and the Senate bill.

MR. HOOPER: Can I ask --

MR. ALLEN: Mr. Chairman?

MR. HOOPER: -- where did this legislation come from? I mean, what -- it seems kind of strange.

MS. CASSINI: The Associated Builders and Contractors have been going after this for years.

In 2017, they imposed the prohibition on local preference programs anytime the State of Florida brought 50 percent of a project.

And that, you know, created issues for us as we were developing our plan, and that's why so many of you may notice that when we talk about the 30 for 30, we say on eligible projects, because you already have local preference prohibitions if there are federal and state funds intermingled with a surtax project.

But we thought, well, for sure if we pass our own sales surtax, we can impose that 30 percent on our own local dedicated source of revenue. But they don't like that, either.

MR. ALLEN: Mr. -- can I just clarify, though, the -- are we mixing preference with local procurement in that the way I read the -- the language, proposed language, it says shall not have a preference that is based on a geographical determination such as, i.e. you have to be in Broward County to qualify as a preference. Is that correct?

MS. WALLACE: No. So, if I may, the -- the language is modeled similar to language and guidance that's issued by the federal government. And when they call -- what they call a local preference means any locally created criteria.

So we cannot --

MR. ALLEN: But --

MS. WALLACE: -- go ahead.

MR. ALLEN: -- but -- but you could -- you could, in fact, have a preference, though, that was based on size of the firm --

MS. PENNANT: Well, we do.

MR. ALLEN: -- the -- i.e., you know, certain threshold that says we want to get preference to small business, we just can't limit that to Broward County.

MS. WALLACE: No. So I -- the -- the -- I know that the way this is used for purposes of the federal government, and state, we cannot -- any locally created criteria. We cannot apply our domestic partnership program to a -- a -- a project that has state or federal funding.

And so that has nothing to do with where somebody is located. It's -- you know, we --

MS. PENNANT: Preference.

MS. WALLACE: -- it's preference. So we have --

MR. ALLEN: But -- but when you say local preference, you are self-defining that as being --

MS. WALLACE: It's --

MR. ALLEN: -- geographically based in Broward County.

MS. WALLACE: -- it's --

MS. PENNANT: No.

MS. WALLACE: -- created by Broward County. It's a requirement that is created by Broward County ordinance that is -- that is imposed upon our procurement process.

MR. ALLEN: Well, I would just share with you, back in the 1990s, we had ongoing issues relative to procurement, and that was mostly based on race and -- and -- and sex issues.

MS. WALLACE: Right.

MR. ALLEN: I mean, not sex. Excuse me.

MS. WALLACE: Gender. Uh-huh.

MR. ALLEN: You know what I mean.

MS. WALLACE: And that required a disparity --

MR. ALLEN: Right.

MS. WALLACE: -- study.

MR. ALLEN: And --

MS. WALLACE: Right.

MR. ALLEN: -- that one of the issues that came up was continuing issues between the County to the south of us --

MS. WALLACE: Uh-huh.

MR. ALLEN: -- and ourselves. And we then determined there would be reciprocity for those firms in -- in Broward or in -- in Dade that could qualify under

Broward's ordinance.

And I will tell you that the lack of reporting on that was significant and -- and that program never, you know, really was effective relative to --

MS. PENNANT: I actually argued before the Commission on that issue, because there was no reciprocity.

MR. ALLEN: Correct. There was none.

MS. PENNANT: Dade was always allowing their small businesses to do business with their county and we were about to open up -- that's when we were talking about the sheltered market program -- we were about to open it up to the other counties. And I argued against us doing that. And we -- we stuck with keeping it local to Broward County.

This whole thing is just very disturbing.

MR. FRAZIER: I have --

MS. PENNANT: Very disturbing.

MR. FRAZIER: -- just one question.

MS. PENNANT: And I -- I -- the point I was asking of -- of that whole thing, you know, they're just mincing words, talking about no penalties. You know, it's just crazy stuff.

MR. FRAZIER: I just had --

MS. PENNANT: Yeah.

MR. FRAZIER: -- one question, one comment. What I'm hearing is that you can no longer have any preference. Has nothing to do with local. They're eliminating

preference, period.

And there are a lot of ways that you provide preference other than points.

Did the ABC or the ABC builders offer any alternative language in terms of the selection process when they recommended these policies to the state legislature to implement?

MS. CASSINI: So, yes, they always do. That is part of the process that you go through in the development and -- of legislation as it moves through committees.

So there's always -- when there is opposition to a piece of legislation, there's always an effort to negotiate. And, you know, in this particular instance, what I sent you, that -- that amendment that's being proposed, the language that I believe Ms. Pennant was just referring to, and so was the Chair, the ABC will -- will propose what they think might appease those that are opposing the legislation, but in this particular instance, nothing that we've seen that's been proposed is acceptable, and we continue to oppose the bill outright.

I will just tell you from our perspective that the negotiation of this particular legislation is troubling in that we negotiated in 2017, and we were promised that that was as far as it would ever go.

And so, you know, it -- it feels as if nego- -- we will only be negotiating against ourselves, regardless of what is proposed.

But I will ask Mr. Cassini or Sandy if you wanted to speak to anything that's come up lately that we might be able to live with.

MR. CASSINI: So this Marty Cassini.

We are literally talking with ABC -- like I said, I've been on the phone with them this morning. Sandy and I have been going back and forth on certain definitions relating to preference and/or penalties.

The bills are up next week in both the second committee of reference for each in the House and the Senate.

I can tell you that other counties are involved in this, as they have their own -- their own local projects and -- and programs that -- that deal with this issue.

And we are trying to gather as much information as possible to see what is happening in terms of what the language will look like next week.

But I have been told that there will be an amendment going onto the bill.

And the Florida Association of Counties is involved, as well as, as I said, other counties, too.

We will be happy to keep Ms. Cassini updated in terms of those negotiations, but, as she stated, the fact that they are now applying this prohibition to locally appropriated funds is unacceptable.

And they have been told in no uncertain circumstances that that is our position.

MS. PENNANT: What can we do? Sorry. I'm sorry.

MS. CASSINI: So one of -- one of the things I wanted to ask Sandy about, if it's okay, there -- are there anybody -- is there anyone other than the counties that is opposing this? I mean, do we have business leadership, do we have business associations? Are there primes or are there any construction groups that aren't ABC that would come forward and -- and assist us?

Sandy, I don't know if -- if some of the groups that you work with might be able to assist us.

MR. MCDONALD: The -- the answer is yes. I've been a part of an email all morning -- actually, all week; it started last week. And it's from Palm Beach groups as well as our groups, and Miami-Dade as well as some as far as Orlando.

These are business organizations, these are the Black Chambers, these are some prime contractors, there are other certified businesses, and these are even those who have their diversity studies who are MBE and MWBE organizations.

So, again, they, too, no different than this conversation we're having with our Oversight Board, they're meeting with their lobbyists, their legislative groups, and their teams, all of their political folks, to make sure, from Palm Beach to Miami-Dade that everyone who represents small business programs and/or minority- and women-owned business programs and/or locally preferenced programs all are aware that this, by the spirit and intent, does not speak well for those things that we do. No matter what our diversity studied, no matter what our -- our -- our documents or our ordinance is, it doesn't speak well.

So, again, I'm agreeing and tagging with each of those individuals that I'm on this email with, and it's just good to hear that those communities and those counties are also having this conversation and asking their elected officials and others to also make sure that they're making the necessary comments, they're putting the necessary documents in writing and sending it to their elected officials.

MR. HOOPER: I --

MR. CASSINI: And I would also add that there are some organized unions that are also very interested in ensuring that this does not pass into law.

MR. HOOPER: -- so I would recommend that maybe you get in touch with Kareen in the Broward Workshop, because I think that they would want to keep that within the County as well. It's a County-based business group, very powerful. And -- and they can also contact the delegation that -- I think it'll help.

And then when -- when is the -- when is this vote going to happen? How -- how much time do we have?

MR. CASSINI: So the House bill is up on the 29<sup>th</sup> and the Senate bill is up on the 30<sup>th</sup>.

MR. HOOPER: Holy cow.

MR. CASSINI: And it does have one more stop in each chamber --

MS. PENNANT: Chair?

MR. CASSINI: -- so it still has to go to the main committee in the House and then -- which is State Affairs, and then it has to go to Rules in the Senate.

MR. HOOPER: Ms. Pennant.

MS. PENNANT: Mr. Chair, is there -- is there anything -- and I don't know who can answer this question -- that we as a board can do? I mean, do we need to physically go and -- to Tallahassee and present? I don't know. We -- just we can't lie still for this. What can we do? Any suggestions?

MR. HOOPER: I think you need to contact as many state legislators as you know and let them know which way to vote and how important it is.



And I think that's the only way it's going to happen.

And if there's other business groups in Orlando and Miami and -- I mean, things have been turned around before. There's been referendums that have been proposed where the business community, the locals and everybody got in place and pushed back, and it didn't happen.

And the only way to do it is to participate. So if anybody on this board wants to make some phone calls. I -- I know -- I -- I know some folks on the delegation that I can call and -- and -- and ask to support our -- our side of the -- of the -- of the bill.

So -- and I -- and I -- and just from a commentary standpoint, I find it incredibly backwards, okay, when our federal government can say that we don't want to use Chinese equipment or other -- other stuff from outside of the United States that's not made in the U.S. and -- and draw that demographic -- geographic line and then, you know, our County can't draw a geographic line to maintain investment within its own county.

It just seems like it -- it goes against the -- the -- the whole idea.

So, anyway, it's too bad.

DR. KELLEY: If I might.

MR. HOOPER: Yes, go ahead.

DR. KELLEY: Well, I actually agree with that analogy, federal and the -- it's ridiculous that we can't use our boundaries or our borders that way.

But I am tracking -- to speak to what Anthea said, I -- I'm tracking two voting bills in the Senate and the -- in the Florida Senate and the Florida House.

And my point is that it's very easy to track the current status of a bill on their -- their two websites. One in particular in can provide you right away that'll help you track. You just need the bill number, and then it'll tell you.

What -- what I'm noticing with the voting bills, without saying anything -- remaining nonpartisan -- is that they are moving very quickly out of committee. And when they move out of committee, they can basically be voted on on the floor.

And they're given, just to confuse things, when -- they have -- they have one number when they're in committee and they are assigned a new number when they go to the floor.

So that is one way that, procedurally, it -- it may be difficult to stay on top of what's happening.

MS. CASSINI: Mr. Chair and members --

MR. HOOPER: Yes.

MS. CASSINI: -- that's what we're here for, though. And so I don't want you to feel that you're going to have to independently track this.

MR. HOOPER: Right.

MS. CASSINI: We'll keep you up to date, we'll keep you informed of what's happening with this legislation and any other legislation that impacts -- specifically impacts the primary goal of this program.

So this is -- one of our foundational five main goals was to ensure that the people who are paying these taxes benefit from these taxes.

MR. HOOPER: It is.

MS. CASSINI: So we'll keep you up to date.

DR. KELLEY: So, Gretchen, could you give us on the board the names of the legislators for Broward County on those committees? Because if it's in more than one committee, you know, it's different people.

MS. CASSINI: Absolutely. We'll get you names and contact information.

I know in the email that I sent you, we let you know which committees of reference the bills were moving through.

If they are successful and they make it through and it goes to the full floor, we'll be able to provide you with that information as well.

MR. HOOPER: Doug --

MR. COOLMAN: Question, Gretchen.

MR. HOOPER: -- quickly.

MR. COOLMAN: Is it too simple to simply add to this bill exceptions for surtax in a county by a county? They can write all the want, but as long as we except ourselves out, who cares?

MS. CASSINI: We try that all the time. We draft amendments and place amendments on legislation that say, you know, a Charter county with over 1.9 million people. That's one of the -- one of the things that we're known for.

I'm sure that our lobbyists are trying to get that done. But if -- if --

MR. CASSINI: We've had that conversation, yeah.

MS. CASSINI: -- if the focus of this legislation is us, we won't be successful in doing that.

And I do believe that it may have to do with our surtax.

MR. HOOPER: Okay. I -- we -- you know, keep our fingers crossed. Do whatever you can individually, and then we'll also -- if we can reach out to some of our business groups, that would be a great idea, and try to get the word out.

### **ACTION ITEMS**

#### **3 - MOTION TO CONSIDER AND APPROVE THE FOLLOWING CHANGES TO THE MUNICIPAL CAPITAL PROJECT (MCP) CYCLE 1 (FY2020) RECOMMENDATIONS AND AWARDS AS REQUESTED BY SPONSORING MUNICIPALITIES**

MR. HOOPER: Let's go back to the two items. I know that the representatives from Parkland and Pompano have been waiting.

#### **B CITY OF PARKLAND**

MR. HOOPER: So I'm going to start with Parkland. If the rep can un-mute and if you could state your name for the record, your position with the city, and then walk us through your request for conversion.

MR. JOHNSON: Good afternoon. Can you hear me?

MR. HOOPER: Yes.

MR. JOHNSON: Thank you. Thank you. My name is Sowande Johnson. I'm the Assistant City Manager for the City of Parkland.

I'm also here with the City Engineer. His name is Christopher Moran.

So we have two items we're bringing before you today.

The first item or the first request is for the Loxahatchee Road improvement

project. Now, this project is a reconstruction project from State Road 7 to the Everglades here on the west side of our city.

There is a dividing line which is about a mile of the roadway from 441 just west of Parkside Drive here in the City of Parkland that's owned by the City of Parkland.

The project itself is a combination between the City, the County, the DOT, and the MPO.

It's being funded through the MPO and Design and Construction Administration Services through the Department of Transportation.

That -- that design is currently at the 90 percent stage. The DOT is expected to wrap up the design sometime next year and then leading to construction late 2022, early 2023.

As far as the design process is already underway.

The city's request is to go ahead and defer that design dollar back into construction. So that is the request of the city because the design is already being done by the Department, it's paid for by the MPO to the Department.

Our request is to have that -- that money go back to the construction portion of the project.

MR. HOOPER: Okay.

MR. JOHNSON: So that's the first -- the first item. I don't know whether you want me to pause on this item and explain the second, or do you want to -- want me to go through both items?

MR. HOOPER: Go ahead and go through both items, if you could, please.

MR. JOHNSON: Okay, thank you. Thank you.

The second item is a traffic signal request that we had here in the City of Parkland.

It is University Drive and Hillsboro Boulevard.

University Drive is owned by the City of Parkland; Hillsboro Boulevard is owned by the County.

Our request is for a traffic signal location.

Recently, a charter school was built on the northwest segment of the intersection. The -- the hope was the operation of the charter school would -- would help, you know, gain us the warrants that would be necessary for that traffic signal.

Unfortunately, as a result of the pandemic and the modified, you know, practice for school right now, the warrants are not being met, so the design itself is not feasible at this time.

So we're also requesting to defer that dollars to construction as well.

So that's the information on both our projects.

Thank you.

MR. HOOPER: Okay. Do we have any questions from our board members? Mr. Allen, do you have a question?

MR. ALLEN: On the --

MR. HOOPER: Ms. Kelley?

MR. ALLEN: -- traffic light, you're asking to put that into construction for the same traffic light? In other words, are you still buying -- paying for the traffic light to be

126

located at the school?

MR. JOHNSON: Yes, we are.

MR. ALLEN: So I guess what difference does it make if -- okay. You're -- you're saying that the state funding can't be used for the traffic light but the local funding could be used for the traffic light. Is that what you're saying?

MR. JOHNSON: I'm sorry. So that's two separate projects. The -- the Loxahatchee project is funded through the state, and I should have elaborated that earlier. I'm sorry.

The Loxahatchee project is being funded through the state.

The traffic signal does not have any funding at this moment, so we -- we actually put it through the surtax process for funding, is what we did.

MR. ALLEN: But you said that it didn't meet the warrants necessary to install the traffic light?

MR. JOHNSON: Correct. So what happens is typically for the design process, you go through the -- the County's Traffic Engineering Division. They're actually responsible for all these intersections and traffic lights. And the process begins through the County.

The fact that you're not even meeting the warrant at this time, it's basically a non-starter. We're not even able to get that design off the ground at all because we -- we don't meet the warrants at the location.

MR. ALLEN: So if I understand, then, right, since the traffic didn't meet the state warrants, you're -- the County -- it is acceptable to the County.

MR. JOHNSON: No, the -- the location doesn't meet the warrants per the requirements of the County, so we -- it's a non-starter at this time.

MS. CASSINI: So, Phil, if I could, the issue is that it was -- it's in front of a charter school, but because they're not in person and because of the pandemic, they weren't able to meet the warrant, but they think they will --

MR. ALLEN: Oh.

MS. CASSINI: -- once schools are back in.

So they're -- in other words, they're just not ready to --

MR. ALLEN: They're just moving it --

MS. CASSINI: -- do the design.

MR. ALLEN: -- forward.

MS. CASSINI: They're just moving it out.

MR. ALLEN: Okay.

MS. CASSINI: Yeah.

MR. ALLEN: Okay. I was going to say, because this goes back to the presentation we had earlier relative to safety, and certainly --

MR. HOOPER: It does.

THE REPORTER: I'm sorry, Mr. Allen, your microphone cut off.

MR. ALLEN: I'm sorry. There. This goes back to our discussion earlier in the day relative to safety for a school, pedestrians, et cetera, that it just seemed to be, you know, you can't meet the state warrant, therefore, you know, you -- regardless of whether it's a -- a charter school or a -- a County school, you've still got kids --



MR. HOOPER: That's right.

MR. ALLEN: -- being exposed to a traffic situation because of the state warrant issue.

So, I mean, I have no problem with moving it.

MR. HOOPER: Okay. Ms. Kelley, did you have a question?

DR. KELLEY: No.

MR. HOOPER: Mr. Coolman.

MR. COOLMAN: Yes. Gretchen, this last sentence, funding for the construction phase of these projects is not included in the current five-year plan.

So they're asking to move design dollars to construction, but when is -- when are they going to build it?

MS. WALLACE: So, you know, the current five-year plan, which is 2021 through 2025, these projects are not included in them.

So the -- the -- this year, coming in the next budget cycle, the County -- the -- the five-year plan will roll and the projects will be evaluated, and we will see whether they will -- the projects will end up in the rolling five-year plan which will include 2022 to 2026.

But the funding will not be available -- the construction funds will not be available until it's actually budgeted -- budgeted and allocated by the County Commission.

So, you know, we can evaluate the -- the progress of design. I heard the statement that the FDOT project, Loxahatchee Road, is at 90 percent design. And I know that FDOT will need a local funding agreement to include the -- the local, both

129

County and municipal, aspects of the project, because it includes three, state, municipal, and County, aspects of that project.

The -- we would be willing -- we would be able to look at the availability of funds, but we are -- the County is still bound, even with the second amendment, by the rank of the projects from Cycle 1 in the second amendment.

So the -- the -- unless the County is able to fund above the MAG and include the projects above the minimum annual guarantee for surtax funding, funding will not be available for these projects for some time.

MR. ALLEN: So they're just asking us in theory to move some funds from A to B, for lack of a better term, and then they may or may not get the construction --

MS. WALLACE: There's no guarantee of when the construction -- the -- the -- the -- all of the funds that are requested for construction for this project, we don't know when those -- there's no determination yet as to when those funds will be available.

MR. ALLEN: So we're not authorizing that. We're just moving--

MS. WALLACE: Correct.

MR. ALLEN: -- some funds. Okay.

MS. WALLACE: Correct.

MR. HOOPER: And I think they're moving it from design phase to construction phase. That's the conversion.

And then, if they want to spend the money and build something, they could -- they could apply and get reimbursed later, correct?

MS. CASSINI: So the way that it works, and why Angela was focused on the

five-year plan and that -- you know, that rolling fifth year, that out year, is the way the language in our interlocal agreement is structured is that once a city sees the money for that project, even if it's in 2026, and should they have the resources internally to build it, they can, as long as they let us know they're doing that, they act as if they were under agreement with us, and then they become eligible to seek reimbursement.

But they have to see that project in that plan in order to --

MR. HOOPER: Yeah.

MS. CASSINI: -- be eligible for --

MR. HOOPER: Yeah.

MS. CASSINI: -- reimbursement.

MS. WALLACE: Right. Correct.

MR. ALLEN: I would **move** approval.

MR. HOOPER: Are you moving for approval? Okay. Do we have a second?

MR. FRAZIER: Second.

MR. HOOPER: Is there any discussion?

MS. PENNANT: I just have a quick question. Are --

THE REPORTER: Can I get the names on the motion and the second, please?

MR. COOLMAN: Coolman and Ron Frazier.

MR. HOOPER: Ron --

MR. COOLMAN: Coolman moved -- made the motion. Ron Frazier seconded.

MS. PENNANT: A quick question. I -- I'm --

MR. HOOPER: Go ahead.

MS. PENNANT: -- a little concerned about design dollars. Are we using monies from the -- the penny tax to fund the design --

MS. WALLACE: So --

MS. PENNANT: -- section of this project?

MS. WALLACE: -- design funds were recommended and allocated last year for these projects, but the design was funded by other resources.

MS. PENNANT: Okay.

MS. WALLACE: The Florida Department of Transportation paid -- paid for the design for these projects because they're rolled -- they're rolled into a -- a state Florida Department of Transportation project, and so, because the elements are part of this corridor that -- that involves a Florida Department of Transportation project, the Florida Department of Transportation will design and construct the -- the state, County, and municipal elements of the project.

So the -- the municipality did not need the design funds to pay for design.

MS. PENNANT: Okay. Just wanted to clarify.

MR. HOOPER: Okay. So we have a -- a motion and a second.

Are there any other comments or questions?

Okay. All those in favor, say aye.

Those opposed?

Hearing no nays, the motion passes.

Let's move on to the next item.

Thank you, Parkland.

Let's move on to the --

MR. JOHNSON: Thank you.

**VOTE PASSES UNANIMOUSLY.**

**C CITY OF POMPANO BEACH**

MR. HOOPER: -- next item. Is the representative from Pompano on line?

MR. DANOVIK: I -- I am, if you can hear me.

MR. HOOPER: Okay. Could you please state your name and your position with the city, and then could you please walk us through your request?

MR. DANOVIK: Yes, sir. I'm Horacio Danovich. I'm the General Obligation Bond and Innovation District Director with the City of Pompano Beach.

And with your permission, I'm just going to give you a little bit of background of why we're here and what our request entails.

Part of it is on your screen, which is -- I appreciate that it's being shown.

We have design funds that have been secured through a GO Bond, and, as a result of that, those -- we are requesting that those funds are transferred to construction.

I'd like to give you a little bit of background of why this is happening.

First off, when we applied for surtax funds, we requested 24.86 million dollars, including \$2,983,200 for design services.

Subsequently, we started working on our design process, and we have -- in March of 2018, we published our General Obligation Bond, which was approved by a voter referendum, and gave us another 24.86 million.

Currently, that -- the project has a price tag a total approaching \$55,000,000, a

133

lot more than the surtax would be able to fund, a lot more than the city contribution through the GO Bond will fund.

However, we have additional funds through a Florida Department -- Department of Transportation transfer totaling four and a half million dollars, and our Community Redevelopment Agency has pledged to help us with the difference.

This project, the city took ownership of this -- of Dixie Highway total five miles of roadway back in May 2016.

Previously, Dixie Highway from McNab Road all the way to Sample Road was a state roadway. But the city was looking to make some important improvements to that corridor for a number of reasons, particularly because the road is our major connector throughout the City of Pompano Beach, but also the nexus to our neighbors to the -- to the north in Deerfield and to the south to downtown Fort Lauderdale, making Dixie a very important roadway for us.

We made provisions to fund the design in that GO Bond, and determined -- we have determined the best use of the current funds in that design in the surtax would now be better for construction.

As we move the project along, the city published an RFQ in August of 2018 which preceded our -- a meeting that we had with the MPO in September of 2019 with staff to start talking about this project.

That's when the cities were invited to attend one-on-one meetings and -- to discuss an overview of the municipal surtax process, including projects that had the ability to promote connectivity, alleviate traffic congestion and so forth, which is

specifically what Dixit Highway, our Dixie Highway project is supposed to do.

So we completed that review process with MPO staff and -- and -- and representatives from Broward County, and -- and it happened to be almost coincidentally right after we had already initiated a design process. And since we had GO Bond funds to pay for design, we just kept moving forward. Our GO Bond needed to keep moving forward.

As of today, the design of a portion of that Dixie Highway area from McNab Road to just south of Atlantic Boulevard is 100 percent complete.

We had inherited a road design plan from the city -- from the state of -- from -- from the Florida Department of Transportation, and we applied parts of that into our vision.

And now we're 70 percent nearly complete in the design of the downtown plans, which encompass Dixie from just south of Atlantic Boulevard to Northeast 10 Street and along Atlantic Boulevard from Northwest 6<sup>th</sup> Avenue to Cypress Road.

And we're 60 percent complete on the north Dixie plans which encompass Dixie Highway from Northeast 10<sup>th</sup> to Sample.

We already have the -- the design firm under contract. They already have a purchase order. We already have the monies encumbered.

But the construction work is going to be a lot more than 24.86 million dollars. Therefore, we believe that on our current interlocal agreement that we're working with the County it would be better if the Oversight Board and the County allow us to transfer those funds to a better use, which we will need to supplement construction work.

With that, I'll entertain any questions. And if I -- I hope that I didn't make you dizzy with a lot of details and stuff that happened over the last three-plus years.

So I will be happy to help you and answer anything you -- you may have.

MR. HOOPER: Thank you for the thorough description of the scope.

Does anybody have a question?

MR. COOLMAN: I have a question for legal counsel. Is this -- I assume this had to do with timing and different things like that? So this is -- this is proper request that they're making to --

MS. WALLACE: Yes.

MR. COOLMAN: -- move -- so we're not --

MS. WALLACE: Under the current --

MR. COOLMAN: -- doing anything improper?

MS. WALLACE: -- under the current interlocal agreement -- version of the interlocal agreement, yes, this is a proper --

MR. COOLMAN: Okay.

MS. WALLACE: -- request.

MR. COOLMAN: Okay.

MS. WALLACE: And the -- the Oversight Board can properly entertain the request to convert the funds that were recommended by the MPO for design and then approved by this body, by this -- for -- for design.

The second amendment allows us to -- the Oversight Board to entertain a request from the municipality to change --



MR. COOLMAN: So this is a bookkeeping, for lack of a simple word.

MS. WALLACE: Well, it is procedural and it's required under our agreement because of the way the agreement -- the parameters that are outlined in the agreement.

So we are bound by what the MPO recommends, and that's what we approved last year in our approval process.

Now, the second amendment, which is now in effect, allows the municipalities to request a change to what the MPO recommended and what you approved, and that's what we're doing.

MR. COOLMAN: I would so **move** approval of this request.

MR. FRAZIER: I have one question.

MR. HOOPER: Let's see if we can get a second, and then we can --

MR. FRAZIER: Okay.

MR. HOOPER: -- discuss.

Do we have a second?

DR. KELLEY: I'll second.

MR. HOOPER: Ms. Kelley, you second? Thank you.

Okay, Mr. Frazier.

MR. FRAZIER: My question was during the -- the briefing, one of these projects' method of delivery was design-build. Is -- is this the one? Or one of the others?

MS. WALLACE: It's Pompano.

MR. FRAZIER: It's this one?

MS. WALLACE: Uh-huh.

MR. FRAZIER: My understanding, there's an issue when you do the design-build that the County -- I'm going to use the word County because I don't know who's doing the review -- there are certain items that are eligible and not eligible under surtax, and you're not able to see that in a design-build because everything is up front.

So how do we clarify those pieces?

MS. WALLACE: Okay. So we --

MR. DONAVICH: Well --

MS. WALLACE: -- devised a checklist, and the cities -- the municipalities that elect to utilize a design-build process still -- are still required to provide the documentation that the County requires.

And so for purposes of a construction project, the checklist requires signed, sealed construction documents, and a construction cost estimate -- construction cost estimates for the project.

The City of Pompano Beach has -- I don't know if you could tell from -- from the explanation, but they've divided this project into three different phases.

And the design for the first phase is complete, and they are able to provide a hundred percent signed, sealed construction documents and a cost estimate for Phase 1.

And so for that phase, as long as the documentation that the County requires is provided, then the municipality can deliver the project the way it needs to.

But I know that design-build eliminates the -- the level of documentation that's generally required when you -- when you separate out the process.

You -- generally, there's -- there's design and you get the construction documents and then you do a construction bid.

And that's not what happens in a design-build, but as long as the municipality can provide the documentation that we require, we can proceed.

Mr. Danovich, did you want to add anything to that? I know you were trying to speak.

MR. DANOVIK: Thank you, Ms. Wallace. I appreciate that.

I just wanted to make a clarification.

Design-build would have meant that we would have hired the designer and the construction firm under one umbrella.

MS. WALLACE: Uh-huh.

MR. DANOVIK: What we are actually doing is design-construction management at risk.

MS. WALLACE: Uh-huh.

MR. DANOVIK: They're separate umbrellas.

So the designer, which is Kimley-Horn and Associates and their own team were hired first, and months later we advertised the construction management at risk.

And the reason why we -- we proceeded to go that route because -- is because projects of this magnitude require someone like a construction manager to help the design team drive the project in such a way that we can value engineer it and make it work forward without breaking banks or also to make sure that craftsmanship is -- is assured, that all the regulatory issues are addressed, and that we have both of them on

our side of the ledger instead of the opposite side of the table.

So I just wanted to make sure that I made that distinction, because we are using design-build for other initiatives not in the surtax process, but the design-construction management at risk is a very effective way of -- of producing great results and assuring our taxpayers that the product at the end of the day will be exactly what we pay for.

MR. HOOPER: Thank you.

MR. FRAZIER: Okay. Yeah.

MR. HOOPER: Okay. So we have a motion and a second.

Do we have anymore comments?

Okay. All those in favor, say aye.

Those opposed?

Okay. The motion passes and the conversion is approved.

MR. DANOVIK: Thank -- thank you so much. I appreciate everybody. This is -  
- this is great for the City of Pompano Beach, but it's also great for our County.

MR. HOOPER: Thank you, and we appreciate all the information that you provided.

Have a good day.

MR. DANOVIK: You, too. Bye-bye.

**VOTE PASSES UNANIMOUSLY.**

### **NON-AGENDA**

MR. HOOPER: Okay. So we've done everything, and now it's time for pizza --

(Laughter.)

MR. HOOPER: -- right? Lunch break?

MS. CASSINI: Sure.

MR. HOOPER: How long do we want to break for lunch?

MS. CASSINI: No, we're -- you can adjourn.

MR. HOOPER: Oh, but then we're going to do the ethics training.

MS. CASSINI: That's training.

MR. HOOPER: So that's going to happen over there?

MR. FRAIZER: I have a question. Under Member Reports --

DR. KELLEY: I have a question.

MR. FRAZIER: -- I'm just curious. We now have 29 out of 31 cities. Who are the two that didn't and why didn't they join?

MS. CASSINI: Oh, no problem. That's Sea Ranch Lakes. And primarily, Sea Ranch Lakes, I -- I believe when I spoke with them years ago, they just didn't have enough non-state property that they would be able to do improvements on --

MR. HOOPER: Right.

MS. CASSINI: -- to really make it worth their while.

And then Lazy Lake is the other.

MR. HOOPER: It's that little --

MS. CASSINI: It's that little tiny island in the middle of --

MR. HOOPER: -- near Wilton Manors.

MS. CASSINI: -- Wilton Manors, yes.

MR. HOOPER: Yeah, yeah.

DR. KELLY: Lazy Lake.

MR. COOLMAN: Thank you.

MR. HOOPER: Okay. Do we have any other questions on like new items or anything?

DR. KELLEY: I -- no. But I have a logistics question.

MR. HOOPER: Sure.

DR. KELLEY: As I understand it, we -- we're breaking for much needed lunch, but we're also doing ethics training and photographs? Something about the -- the badge?

MR. HOOPER: Yes.

MS. CASSINI: So not photographs. You're going to go get your --

DR. KELLY: Oh.

MS. CASSINI: -- ID badge. You have to turn in your old ID badge.

So --

DR. KELLEY: Where do --

MS. CASSINI: -- you're going to adjourn this meeting. You're going to move to our workshop room that is right down the hall --

DR. KELLEY: -- in 430?

MS. CASSINI: -- where lunch is served. 430, right.

And Angela is going to give you your ethics training, and as soon as that's over, you're going to go downstairs and you're going to get your new ID badges --

MR. HOOPER: Great.

MS. CASSINI: -- from security.

DR. KELLEY: So could I -- so -- so the first -- first item is eating, right? So I can be five minutes late to that?

MR. HOOPER: Yes, sure.

MS. CASSINI: Yes.

DR. KELLEY: Thank you.

### **ADJOURN**

MR. HOOPER: Okay. Thank you, everybody.

MS. PENNANT: Thank you.

MR. HOOPER: Thank you. And have a great weekend.

Meeting is adjourned.

(The meeting concluded at 1:18 p.m.)