

**MINUTES
JOINT CONFLICT RESOLUTION MEETING
CITY OF FORT LAUDERDALE CITY COMMISSION
AND
BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS
October 2, 2012
11:00 a.m.**

**COUNTY
COMMISSION
MEMBERS
PRESENT:** Mayor John E. Rodstrom, Jr.
Vice Mayor Kristin Jacobs
Commissioner Sue Gunzburger
Commissioner Lois Wexler
Commissioner Ilene Lieberman
Commissioner Chip LaMarca
Commissioner Stacy Ritter
Commissioner Barbara Sharief
Commissioner Dale V.C. Holness

**CITY
COMMISSION
MEMBERS
PRESENT:** Mayor John P. "Jack" Seiler
Vice Mayor Charlotte E. Rodstrom
Commissioner Bruce G. Roberts
Commissioner Bobby B. DuBose
Commissioner Romney Rogers

**ALSO
PRESENT:** Lee R. Feldman, City Manager
John Herbst, City Auditor
Jeff Modarelli, Senior Assistant City Clerk, Fort Lauderdale
Harry A. Stewart, City Attorney
Ginger Wald, Assistant City Attorney
Bertha Henry, Broward County Administrator
Joni Armstrong-Coffey, Broward County Attorney
Noel Pfeffer, Deputy County Attorney
Alphonso Jefferson, Assistant to the County Administrator

Broward Sheriff's Office
Kim Rubio, Regional Communications Manager
Mr. Edward Pozzuoli, Esq., Tripp Scott,

A Joint Conflict Resolution Meeting of the Board of Broward County Commissioners and the City of Fort Lauderdale was held on Tuesday, October 2, 2012, at 11:00 a.m. in Room 430 of the Broward County Governmental Center, Fort Lauderdale, Florida.

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

MAYOR RODSTROM: Let's call the meeting to order. Turn on the microphones. And we have a minutes secretary. We don't have name tags, so are you comfortable with who everyone is in the room?

THE REPORTER: Except for the gentleman who is just now sitting down.

MAYOR RODSTROM: So maybe -- maybe -- maybe we should go around the room, just for the record, put everybody's name on the record. Ms. Henry, do you want to start? And we'll go around clockwise.

MS. HENRY: Okay. Bertha Henry, County Administrator.

VICE MAYOR JACOBS: I think you should say that louder.

MR. JEFFERSON: Alphonso Jefferson, Assistant to the County Administrator.

MR. FELDMAN: Lee Feldman, City Manager, City of Fort Lauderdale.

MR. ROGERS: Romney Rogers, City Commissioner.

MR. HERBST: John Herbst, City Auditor, City of Fort Lauderdale.

MR. STEWART: Harry Stewart, City Attorney.

VICE MAYOR C. RODSTROM: Charlotte Rodstrom, Vice Mayor of the City of Fort Lauderdale.

COMMISSIONER WEXLER: Lois Wexler, County Commissioner.

COMMISSIONER LIEBERMAN: Ilene Lieberman, County Commissioner.

COMMISSIONER DUBOSE: Bobby DuBose, City Commissioner.

COMMISSIONER SHARIEF: Barbara Sharief, Broward County Commissioner.

COMMISSIONER RITTER: Stacy Ritter, Broward County Commissioner.

MAYOR RODSTROM: John Rodstrom, Broward County Mayor.

MAYOR SEILER: Jack Seiler, Fort Lauderdale Mayor.

COMMISSIONER GUNZBURGER: Sue Gunzburger, Broward County Commissioner.

COMMISSIONER JACOBS: Kristin Jacobs, Vice Mayor of Broward County.

COMMISSIONER HOLNESS: Dale Holness, Broward County Commissioner

MR. ROBERTS: Bruce Roberts, Fort Lauderdale City Commissioner.

COMMISSIONER LAMARCA: Chip LaMarca, County Commissioner that includes Fort Lauderdale.

MR. PFEFFER: Noel Pfeffer, Deputy County Attorney.

MS. ARMSTRONG COFFEY: Joni Armstrong Coffey, Broward County Attorney.

MAYOR RODSTROM: Okay. Ms. Coffey, would you please kick things off and tell us why we're here this morning?

MS. ARMSTRONG COFFEY: Mayor, we are here pursuant to a request of the City under Chapter 164 of the Florida Statutes. That Statute provides that before local government, or any governmental entities, can litigate with one another, that they engage in an attempt to resolve their dispute.

This dispute is regarding the funding of dispatch services for the City of Fort Lauderdale. We have completed the Phase 1 required by Statute without success through representatives of the City.

We were unable to come to a resolution of the dispute, and the Statute requires that at this point there be a joint public meeting of the two elected bodies in an attempt to resolve the dispute.

MAYOR RODSTROM: Mayor, would you -- who from your City would you like to make the presentation?

MAYOR SEILER: I'll ask Lee Feldman to make the presentation.

MR. FELDMAN: Thank you. Mr. Mayors, members of the Commissions, there are really two issues before the -- the governing bodies today. As the County Attorney pointed out, one of those issues is what we call E911 call taking and police dispatch.

The second issue deals with the 800 megahertz radio system. It's the -- first, with regard to the 800 megahertz radio system, the -- the County has a Charter provision, Section 5.03(A), which basically says that you will maintain and fund a Countywide -- the infrastructure Countywide for a 800 megahertz radio system for public safety.

Currently, there are five cities, Fort Lauderdale among them, that provide their own 800 megahertz radio system with no funding support from the County. Part of our dispute is that the City would like to join the County's 800 megahertz radio system, but there's a capacity issue which still needs to be resolved.

During our Phase 1 sessions, it was brought to our attention that that capacity issue can be solved by the creation of a local government communications network at a cost of roughly \$400,000. The -- that would then allow the City to participate in the system, but probably no earlier than August of 2013.

But the City would be required to sign the standard interlocal agreement, which also would require the City to use the County's CAD system, or Computer Aided Dispatch system, which the City has an issue with. Additionally, the offer to join the 800 megahertz radio system was contingent upon the City also accepting the County's offer on the 911 dispatch issue.

The issue with the 911 dispatch is the City believes under State law, the Florida Administrative Code, and the State's E911 plan, it is a County responsibility to provide for E911 services. I won't go into specific details on that.

The City did proffer an offer at Phase 1 that the City would contribute \$1,720,000 towards E911 for the purpose of moving forward in fiscal year '13. The -- that would mean that the County would have the responsibility, under the current configuration, of paying the Sheriff approximately 3.6 million dollars after the credit for the 911 distribution.

The County's last offer to the City was that it would provide the city 2.3 million dollars for E911, but that would be contingent upon -- that would be a reimbursement that would be contingent upon, one, the creation of a Countywide consolidated communication system, and, two, that the City join the Countywide consolidated system.

Clearly, while the second is a function that would be within the City's hands, the actual creation of a Countywide system is something that would have to be done by the County Commission in cooperation with the other municipalities.

We did not feel that it was right to make our offer contingent upon factors that we can't control. So we are here today to further the discussion for both the 800 megahertz radio system and the 911 call taking and police dispatch.

MAYOR RODSTROM: Ms. Henry, you've been in negotiations with the City for some time now. Would you care to weigh in on where you -- where you see these negotiations and what you would like to see accomplished today?

MS. HENRY: What is being circulated to you and hopefully each of you have a copy now, is the last proposal that your team, which consisted of Commissioner Wexler, myself, and our County Attorney, the item that was placed before the City.

So the first issue is the -- the 800 megahertz system. While I understand that this was not specifically a part of the 164 proceeding, it was raised at the table as part of the dialogue, so we addressed it.

When we were designing the system for the 800 megahertz system, we talked to all of the municipalities. This was an issue with the Public Safety Council and -- and a number of others, because they -- the biggest issue, the issue that got this item to the -- to the -- to the electorate was the issue of closest unit response.

So in order to have an effective closest unit response, you have to have a common computer aided dispatch, because that's the only way you're going to know where the vehicles are so the closest vehicle can respond to an issue.

That said, the City, for quite some time, did not agree to participate. At some point during these negotiations, the City discussed the -- their desire to come onto the system. Well, the system, as it was configured at the day they -- they raised this issue, could not accommodate. So we worked with our staff to come up with a way that we could bring the City, and possibly a few others that would choose in the future to come onto the system.

And in order to do that, it would require that all of your operations, Transit, Public Works, et cetera, that currently resides on this public safety communication system that we -- that we've paid for, would have to come off and be on a -- a separate system, which we deemed the local government system, which we were willing to do to make room, capacity, for the City. And that issue, to my knowledge, I -- and -- and other members can chime in -- that was rejected by the City.

With respect to E911 dispatch services, I guess you have to start at the basic -- we have a dispute over the basic premise as to whether or not the County is responsible. We have a disagreement with the City that we are responsible.

That said, we have worked very diligently through a number of committees, the first committee being a committee that was chaired by both Commissioner Wexler and –

COMMISSIONER WEXLER: Mayor Ryan.

MS. HENRY: -- Mayor Ryan from the City of Sunrise, but also had representation from -- from our Board, with two -- and the City representative. They made a series of recommendations and asked that the City Managers for all of Broward County take those recommendations and put together an implementation strategy.

And we have been working towards that objective up to this day. So what we placed in -- and you have in front of you -- what we placed in front of the City, recognizing that while this is a 164 dispute with the City of Fort Lauderdale, there are similarly situated municipalities as Fort Lauderdale, so we could not place an item in front of the City that we, from -- from our standpoint, that we would not be able to treat the other municipalities the same.

So we recognize that we're trying to move in a direction of having a regional communications system. So what you have in front of you, we were -- we determined that there is about \$9,000,000 that we could provide as bridge funding.

I believe that the original committee, in earnest, wanted to move this as quickly as possible, but they recognized, given some of the funding sources that were discussed, that it just could not happen in '13.

So we came up with some money that we would consider bridge funding to the tune of about \$9,000,000 for everybody in that amount, based on some work that was done by the Implementation Board, including all the managers, what would an efficiently run system cost, and allocated based for those public safety answering points or municipalities in that situation that currently does not receive any services from Broward County at all what would be some pro rata allocation of that.

And we did that to the tune of 2.3 million. So where we are today, and, again, as we left the dispute, we have -- we've indicated to the City that we would be willing to take our people off of the public safety radio system. We would create this local government channel. We would work with the City to be able to bring them on.

But, again, that -- all of the other municipalities that are working to utilize this system recognize that, in order to have a closest unit response, which was the precipitous event that -- that created that Charter amendment, you have

to have some -- some common computer aided dispatch system.

And so that's where we are on that item. And, again, with dispatch, we have a dispute as to whether it's not -- it's -- it's our responsibility, but we're willing to provide some funding for bridge to get us to 2014, where the goal was to have a regional dispatch system.

MAYOR RODSTROM: Mayor, what would you --

MAYOR SEILER: I -- I'd like to get some questions answered, if I can, just since we have everyone here on the record. Can I get some questions answered?

MAYOR RODSTROM: Yeah, please. Go ahead.

MAYOR SEILER: First one is the issue of the cost of providing this service by BSO for fiscal year '11. We've had our Auditor and our finance staff go through it. At the Public Safety Building, it's \$20.84 a call. Pompano PSAP (Public Safety Answering Point) it's \$29.21 a call. But for Fort Lauderdale, we're at \$37.79 a call. Could someone explain why we're being charged so much more per call based on these numbers?

MS. HENRY: I cannot, because that really is the relationship between the Sheriff's Office and the City. I -- it's my understanding that those are the very questions that your City Manager has asked of the Sheriff. So, again, that's not a question that I --

MAYOR RODSTROM: And let --

MS. HENRY: -- can answer.

MAYOR RODSTROM: -- and let me say, I've been advised that the Sheriff is at a funeral this morning, that Mr. Pozzuoli is here on behalf of the Sheriff.

Mr. Pozzuoli, are you in a position to answer that -- address that question? I didn't believe so. Okay. But --

MR. POZZUOLI: No, sir.

MAYOR RODSTROM: Okay. Thank you.

MAYOR SEILER: Okay. Well, that's one of the issues on the cost that we just -- it doesn't make any sense to us. We're paying substantially more per call, which, I mean, we're talking about trying to resolve this thing, and I know everybody's here in good faith. We ought to figure out, even if we had it at the same per call cost, we'd be much closer. So --The second issue is this

Wilton Manors issue. Our PSAP provides service to Wilton Manors. Every proposal presented by the County provides no resolution or accommodation to this Wilton Manors issue. I don't think you're expecting Fort Lauderdale to pay for Wilton Manors' costs, but not one proposal set forth to date tells us what you all plan to do with Wilton Manors. I mean, there's obviously no obligation for Fort Lauderdale residents, taxpayers, to pay for Wilton Manors.

MS. HENRY: Again, we don't disagree with that, and we didn't -- we don't see a reason that the Sheriff couldn't have the conversation with Wilton Manors, because as -- as I recall, they -- their call volume is so small that they could come up with whatever that cost per call is, and charge Wilton Manors their appropriate share. I've had no indication from the Sheriff that they wouldn't be willing to do that.

MAYOR SEILER: But during all your budget discussions with the Sheriff over the last three, four months, has anything been proposed as it relates to Wilton Manors?

MS. HENRY: During the conversations that took place at the table with -- during this 164 discussion, the Sheriff had -- representatives at that time said that they would be willing to have that conversation. So, again, we don't -- on our side, we really don't get into the actual dispatching piece of it, because I don't --

MAYOR SEILER: Well, don't --

MS. HENRY: -- we're not in the -- we're not in that loop.

MAYOR SEILER: -- but don't you get into the dollar piece of it? So I'm just trying to figure out -- I mean, I know we've said we'll have the conversation, but we've now been doing this since June, and nobody has said anything. I mean, we're being told as a city we're supposed to cover the cost for a neighboring city, and it's been at the County and -- between the Sheriff or the County Commission for four months to come up with some suggestion as to what you all expect --

MS. HENRY: If -- if I --

MAYOR SEILER: -- Wilton Manors --

MAYOR RODSTROM: Let me just stop this.

MS. HENRY: -- if I might -- if I may --

MAYOR RODSTROM: I don't want to -- I don't want -- let's try to keep this conversation --

MS. HENRY: Sure.

MAYOR RODSTROM: -- in a narrow scope and see if we can accomplish something. Is there anybody on the Board of County Commissioners that feels that we should make the City of Fort Lauderdale responsible for Wilton Manors?

COMMISSIONER GUNZBURGER: No.

MAYOR RODSTROM: Okay. So --

MS. HENRY: That's what I was about to say.

MAYOR RODSTROM: -- so, that, I think, is a non-issue. And so we'll work through that issue. So if we can just -- all right. Let's see if we can get back --

MAYOR SEILER: And then let me just get to the third one. And I'm just trying to understand this. We've been going through, we've got Davie, Hallandale Beach, Lauderhill, Lighthouse Point, Miramar, Sea Ranch Lakes don't pay anything for the E911 call taking or police dispatch services, either by -- billed by the County or by BSO. They just get it completely free.

I guess I'm trying to figure out, not to pick on those cities, because, as we've said at the very start of this thing four months ago, if all the cities pay, we'll pay.

MAYOR RODSTROM: Okay. And then --

MAYOR SEILER: If none of the cities pay, then we shouldn't pay. How do you --

MAYOR RODSTROM: -- and to answer that question, the Board of County Commissioners was asked at a previous meeting, or two, three meetings ago if they were on board with requiring every city to pay. And the answer was unanimously --

COMMISSIONER GUNZBURGER: Yes.

MAYOR RODSTROM: -- decided that we believe every city should pay their fair share.

MR. FELDMAN: Well, the -- Mr. Mayor, in that regard, though, there's been no accommodation for fiscal year '13 to make that happen. No --

MAYOR RODSTROM: Right. Well, I -- we'll get -- we'll get to this, but I just want to frame the issue so we know what -- where we're going here. Do you have any more, Mayor?

MAYOR SEILER: Those are the three that I just think are kind of glaring. At the time we went to the prior meeting, no one had a real explanation.

MAYOR RODSTROM: And -- and I please would ask people go through -- go through me to speak. Commissioner Wexler.

COMMISSIONER WEXLER: Thank you, Mayor. On September 11th, 2012, the Board of County Commissioners passed an agenda item that actually had four different questions that Ms. Henry had submitted for our approval. One of them absolutely was the request for clarification regarding who should pay and who shouldn't pay.

I want to share something with you all, though, as a member of the negotiating team for the 164. And -- and Mayor Seiler attended one meeting, and Commissioner Roberts attended three meetings, so we had a total of four meetings before getting to this point today, the last one being August 31st, where the very generous proposal was made to the City of Fort Lauderdale for 2.3 million dollars, transition dollars, based on an efficient system for the year, fiscal year 2013, as well as the County had already authorized \$400,000 to develop a non-emergency communications system, which would allow for room in the 800 megahertz system to allow Fort Lauderdale to come onto the system, transition onto the system.

So that was the essence which Ms. Henry summarized of -- of the offer. The sticking point is -- and I appreciate Mayor bringing up about Wilton Manors. It was brought up to us with BSO at the table almost at every meeting that we had.

They were told directly by both myself and the County Administrator, the City of Fort Lauderdale, send them a bill. Send them a bill. Why should you be paying for Wilton Manors?

That was clear. That -- the issue -- the issue of Wilton Manors, and -- and -- and let's share, for full disclosure, the Wilton Manors agreement was negotiated by Mayor Seiler when he was a commissioner in Wilton Manors.

MAYOR SEILER: Mayor.

COMMISSIONER WEXLER: Mayor. A hell of a deal.

MAYOR SEILER: It's a good deal.

MR. FELDMAN: I -- I guess --

MAYOR SEILER: But there's been ten years to fix the deal.

MR. FELDMAN: Well, but -- but --

MAYOR RODSTROM: All right.

COMMISSIONER WEXLER: But we need to fix it. It's broken. It's broken. But, Lee -- Mr. Feldman, the bottom line is we've acknowledged, meeting after meeting, it is out of our hands. It is BSO or Fort Lauderdale that should be billing Wilton Manors for whatever service is being rendered.

The disparity of the per call dispatch, I can give you a raft of other cities that do their own PSAPs where the costs are even less than that. So the bottom line is that the whole reason for initiating this, the whole reason for having this conversation 18 months ago was recognizing that the system is broken, that the system needs to be regional, that the system needs to be consolidated.

And we knew that this was going to be a challenging work task for all of us. And we also recognized that 2013 was a transition year. Thus the \$9,000,000 that was authorized for -- by the Board of County Commissioners to move forward.

The 2.3 million that was offered to the City of Fort Lauderdale was not enough for the City Manager. It -- you want 3.6 million, which you said in your opening statement. That seemed to be the breakdown and the impasse, to sum it up.

MAYOR RODSTROM: Mr. Feldman.

MR. FELDMAN: Just a couple of points. One with regard to Wilton Manors. And I appreciate the Commission expressing their intent that Wilton Manors should have to pay for themselves. There is no agreement between the City of Fort Lauderdale and Wilton Manors for police dispatch and 911 call taking. The only agreement we have is to provide fire service.

The fact that the County in the past has paid the Sheriff to provide that service doesn't in any way provide the City of Fort Lauderdale the ability to tell Wilton Manors it is now your obligation to pay us. So I -- I just wanted to

clarify what the agreement was. The -- but the --

MAYOR SEILER: Funding the fire fee.

MR. FELDMAN: -- but the -- the issue with regard to 2.3 versus the 3.6, the dollar issue is one factor, but the second, and more critical factor on that is the contingency that it would be reimbursed to the City of Fort Lauderdale only when there is a consolidated Countywide system that is created.

The I-Board, which I chaired for a period of time, could present a report to this Commission on -- in February, that's when the final report is due, and you could reject it, and there could not be a consolidated system at the end of the day because of an action that the County Commission takes.

But yet the City's reimbursement would be contingent upon that occurring. Now, I know that we're all working towards a consolidated system. We all hope that it works out.

But at the end of the day, if a certain number of cities don't jump on, or if the County Commission doesn't approve it, then our 2.3 million dollars goes away. And that, to me, was an unacceptable position for the --

MAYOR RODSTROM: I want to --

MR. FELDMAN: -- City to be in.

MAYOR RODSTROM: -- I want to -- but I think -- I -- I want to try to keep these negotiations in a positive vein so we can make some progress here. And -- and as it relates to Wilton Manors, the -- the thought is that the City of Fort Lauderdale, if you're charged, so will they. And who sends the bill? The County will send the bill through the Sheriff's Office.

I don't think that's an issue here. As far as what you just said now, you know, I'm sort of taken aback by it a little bit. You know, we will have a consolidated system. It's a fact. And if you don't join, well, then, you'll have to do it yourself. I mean, that's what's going to result here. And you have a choice. You can do it yourself, or you can be part of the bigger system.

We know, to be a part of the bigger system, it'll be less expensive because we have -- we have seen that from all our consultant studies. So it behooves you to join us. But -- but you're welcome to do what you want to do. If you want to go out and develop --

COMMISSIONER WEXLER: Mayor, we -- he brought this up in our negotiations, and I don't know, Bertha, if you want to answer it or I want to

answer it –

MS. HENRY: Go ahead.

COMMISSIONER WEXLER: -- but I have to tell you, Mr. Feldman brought this up the last day. But what if you -- what if you decide that you don't want to do it, and the Board of County Commissioners could vote that you don't want to do it.

So we went -- we went, we did our little conferring in a room, and we agreed that as long as they signed, the City signed an ILA or an MOU, that they would get the 2.3 million dollars. It was not contingent on anyone else joining. And that was put to rest.

UNIDENTIFIED SPEAKER: Well –

MAYOR RODSTROM: Well, I'm just -- I'm -- I'm thinking that that's, again, a red herring here in the discussions.

COMMISSIONER WEXLER: It is.

MAYOR RODSTROM: It's really not -- it's really not at issue, because the Board is -- has taken a vote to have a consolidated system, regardless of who joins or not. I think that's what this Board -- and it's unanimous. It's not like it's a 5-4. It is a unanimous decision of this Board.

So they also have taken a vote that everyone must pay, because that's the only way you can have a consolidated system. Everybody has to pay into it. Otherwise, it's not going to work. So it's a pretty simple decision, really, when you think about where we sit -- find ourselves today. So if it's about money -- is -- is it? And I guess that's the question for the City. Is this about the money, the -- the difference between the two dollars? Is that what this is all about? And if that's the case, then we should be honing in on that amount.

MAYOR SEILER: Well, I think the 1.3 million is significant. I think the other thing is I -- I keep hearing the County blaming BSO. And we talked to BSO, and they blame the County. And -- well, I understand, but here's where we sit.

As I understand it, effective October 1, yesterday, I thought you all took over operational responsibility for the communication system. Right? So that took place yesterday. So there shouldn't be anymore "it's someone else's issue." I mean, this whole thing with Fort Lauderdale/Wilton Manors is a red herring. We had a -- I negotiated a contract, yes, as the Mayor of Wilton Manors for fire with the City of Fort Lauderdale. That included some of these issues. But

this whole thing, saying that we're supposed to bill Wilton Manors and it's not our issue –

MAYOR RODSTROM: We'll bill them. We'll bill them. Ms. Henry?

MS. HENRY: I just -- I just want to clarify, they were –

MAYOR SEILER: This is the first we've heard that.

MAYOR RODSTROM: That's why we're here, to resolve these issues.

MS. HENRY: -- the -- the action that took place on -- on Thursday that's effective October 1 was the infrastructure technology aspect of it. It did not include dispatching. So what it –

MAYOR SEILER: No operational?

MS. HENRY: No, it -- it -- it -- no, it includes the -- the operations and maintenance of the people who will maintain the system, not the dispatchers and not dispatching. It's -- it is simply the -- the radio towers, the CAD, the RMS, and there's a series of technological events and activities that will require this 800 megahertz radio system to work in order to facilitate closest unit response.

And that's what was approved last Thursday. That is what has come back to the Board. The issue of dispatch is still unresolved.

MAYOR SEILER: So the issue of who operates dispatch has not been resolved?

MS. HENRY: No.

MAYOR SEILER: And will that be resolved any time soon? I mean, we're sitting here --

MS. HENRY: There is an -- there is an Implementation Board that is working as we speak. They have made a recommendation that the County be the entity that manages the program, but that has -- that was -- that has not made its way.

A preliminary report is due in November, a final report in February. So the final report, once it's passed by that group, will then come back to the Board for it's -- for consideration. So that answer has not been finalized, and it won't be until the February report.

COMMISSIONER JACOBS: But, Mayor, can we clarify –

MAYOR RODSTROM: Hold on. I have –

COMMISSIONER JACOBS: -- the cities –

MAYOR RODSTROM: -- two speakers that are -- that are ahead.

VICE MAYOR JACOBS: Okay. But just for clarification, Mayor, that group is comprised of?

MS. HENRY: The City Managers for each city, and -- in Broward County, and a representative from the Police and Fire Chief Association.

MAYOR RODSTROM: Commissioner Holness followed by Commissioner Lieberman.

COMMISSIONER HOLNESS: Mayor, I think we can spend the rest of the day talking. What -- what I'd like to hear from the City is exactly what they want. What -- what is the resolution? What is their proposed resolution? How do we resolve it?

MAYOR RODSTROM: And -- and that's what I'm trying to get -- to here, to find out –

COMMISSIONER GUNZBURGER: Your mic isn't on.

MAYOR RODSTROM: -- what -- that's what I'm trying to get to this morning, what really is the sticking point. Because I think -- I think it's safe to say this Board is committed to a Countywide system, this Board is committed to seeing that everybody pays, you know, their fair share. And I think there's a formula that's been developed that would, you know, dictate what their fair share is. So I -- those are not at issue. To me, and –

COMMISSIONER HOLNESS: What is it they want?

MAYOR RODSTROM: -- and I think the issue is it's about the money. And –

COMMISSIONER HOLNESS: Is that what it is?

MAYOR RODSTROM: -- that -- I mean, it's always about the money, but that, to me, is the issue. If this County says this is what we're going to do, Fort Lauderdale, and it's contingent on us doing those things, and you've got to agree to pay us the money, then I think we might be able to leave here with an agreement. But -- but maybe I'm wrong. So –

COMMISSIONER HOLNESS: So what –

MAYOR RODSTROM: -- that's what I'd like to see.

COMMISSIONER HOLNESS: -- but if I can hear from them, Mayor, what is it that -- that -- that it's going to take to resolve.

MAYOR RODSTROM: Let me see if I can get Commissioner Lieberman and then –

COMMISSIONER HOLNESS: Okay.

MAYOR RODSTROM: -- we'll hear from the City. Commissioner Lieberman.

COMMISSIONER LIEBERMAN: Yeah. Okay. Two things just really very quickly. And I want to thank the Mayor and the City Commission and your staff for coming here today, to our -- to our meeting.

Here is the problem. I understand, Mayor, your frustration that we say it's a BSO problem and BSO says it's a County problem. This didn't start with this Sheriff, though it has continued. It started with Sheriff's going and giving contracts and not making them revenue and expense neutral.

They did like what Wal-Mart does. Come in and buy this hundred dollar 52 inch TV, but you get there and there aren't any. But they got you in the store. And so it's going to take a while to be able to fix something that took decades to create.

The problem with where I see the discussion going is we had an exhibit, Exhibit Number 2 to Agenda Item 54 that was on our September 11th agenda. And basically what Ms. Henry –

MAYOR RODSTROM: The Mayor doesn't have a copy of that agenda item.

COMMISSIONER LIEBERMAN: Ah. That's probably –

MAYOR SEILER: Was that passed out? Because we didn't –

VICE MAYOR C. RODSTROM: No.

MAYOR SEILER: -- get it.

COMMISSIONER LIEBERMAN: You don't have the spreadsheet that says Scenario Number 3, MSTU, CFS –

MAYOR SEILER: No.

COMMISSIONER LIEBERMAN: No. Okey-dokey. Well, you probably want to look at that, because I think the issue for me –

MAYOR RODSTROM: All right. How can we -- how we get –

COMMISSIONER LIEBERMAN: -- and it may be one of –

MAYOR RODSTROM: -- the City a copy –

COMMISSIONER LIEBERMAN: -- my colleagues' –

MAYOR RODSTROM: -- of this?

MAYOR SEILER: Was that given out?

COMMISSIONER LIEBERMAN: -- is that –

UNIDENTIFIED SPEAKER: No.

MAYOR RODSTROM: This was from –

COMMISSIONER LIEBERMAN: -- Ms. Henry –

MAYOR RODSTROM: -- our agenda.

COMMISSIONER LIEBERMAN: -- made recommendations to us about bridge funding and -- and things of that nature, and it's based on some assumptions which are reflected in Exhibit 2.

COMMISSIONER WEXLER: If you'd like to take my packet and make copies of that –

COMMISSIONER LIEBERMAN: And the problem is –

COMMISSIONER WEXLER: -- you're welcome to.

COMMISSIONER LIEBERMAN: -- that you're asking for 1.3 million above what she –

UNIDENTIFIED SPEAKER: I have it.

COMMISSIONER LIEBERMAN: -- suggested was the appropriate amount, which is –

MAYOR RODSTROM: All right. Here, we have some copies.

COMMISSIONER LIEBERMAN: -- roughly a third higher. And so, for my colleagues, it's not just to -- at least for me; I don't know about my colleagues --

MAYOR RODSTROM: But if we do it for Fort Lauderdale, we do it for everybody.

COMMISSIONER LIEBERMAN: -- it's not just a Fort Lauderdale issue. You've got to boost your budget by a third. If you're going to do it for Fort Lauderdale, I mean, I'm going to tell you, my cities will be in. Lauderhill will be here, Plantation, Weston. They'll all be here.

So the issue is not about 1.3 million. It's about increasing the dollars that Ms. Henry and we approved by a third. And if you do that, you can fund Fort Lauderdale at its 3.6. But if you don't do that, you can't. Because --

MAYOR SEILER: That's a different chart. That's --

COMMISSIONER LIEBERMAN: -- you're going to have 30 other cities here saying do it for us, too.

COMMISSIONER WEXLER: The offer was only made to the cities that run their own dispatch --

COMMISSIONER LIEBERMAN: I understand, but --

MAYOR RODSTROM: It's -- it's --

COMMISSIONER LIEBERMAN: -- we're looking to have -- we're looking to have them come in --

MAYOR RODSTROM: Yes.

COMMISSIONER LIEBERMAN: -- we're looking to pick up costs for them.

COMMISSIONER WEXLER: You have it in there.

COMMISSIONER LIEBERMAN: And the problem is going to be, Commissioner, with all due respect, is the cities will see it differently than you do. It's about money. And everybody's budget is short. And if you do for one, you've got to do for everybody else.

MS. HENRY: If I might --

COMMISSIONER LIEBERMAN: And so –

MS. HENRY: -- explain what you –

COMMISSIONER LIEBERMAN: -- it'll increase the costs.

MS. HENRY: -- what you have –

COMMISSIONER LIEBERMAN: That's the issue.

MS. HENRY: -- what you have in front of you. This is a chart that -- that was prepared for the Implementation Board. Your City Manager has a copy of that -- those charts. What we did -- what I just circulated to you was we recognize that there are -- there are municipalities that are getting some support from BSO. We extracted those cities.

We looked at what they would have gotten under the -- the chart that was prepared for the I-Board, as we affectionately call it, and we pulled out those municipalities that are already getting at least that amount of support from BSO and extracted those. And what you end up with is another chart that shows the municipalities that we would consider as similarly situated to Fort Lauderdale. And that's the list that you have in front of you.

MAYOR SEILER: So this is the scenario -- if I may?

MAYOR RODSTROM: Uh-huh. Please.

MAYOR SEILER: This is the scenario that you all propose. But on here, some of these cities are already getting it for free; right?

MS. HENRY: No.

MAYOR SEILER: Will continue –

MS. HENRY: Not on the –

COMMISSIONER JACOBS: Not on the short list.

MS. HENRY: -- on the short list –

MAYOR SEILER: No, I'm talking on this list.

COMMISSIONER LIEBERMAN: Yes, some on the chart –

MS. HENRY: Yes.

MAYOR SEILER: If I'm looking at this, like Miramar's cost on this sheet's a million -- 1.018 million.

MS. HENRY: That's why Miramar is not on the short list.

MAYOR SEILER: And I understand.

MS. HENRY: Okay.

MAYOR SEILER: But in the interim -- well, you're calling it a transition, but we started this discussion back earlier this spring -- in the interim, they'll continue to receive the full funding, and we'll be hit with another year of a bill. Is that right?

MS. HENRY: You would be -- you would -- you would get 2.3 million dollars, based on our proposal, to help with your transition.

COMMISSIONER LIEBERMAN: Just as a point of --

MAYOR SEILER: For '13.

COMMISSIONER LIEBERMAN: -- information --

MAYOR SEILER: So for '12 -- but for all these years --

MS. HENRY: For '13.

MAYOR SEILER: -- I mean, when this started in '12, am I correct that they'll continue to get it for free?

COMMISSIONER LIEBERMAN: No. As a point of information, on our last meeting we approved an agreement where the -- some portion is being reimbursed.

MS. HENRY: Everybody --

MAYOR RODSTROM: Everybody's going to be charged.

MS. HENRY: -- fiscal year --

COMMISSIONER LIEBERMAN: Miramar is being charged --

COMMISSIONER WEXLER: Everybody is being --

MS. HENRY: -- 2014 --

COMMISSIONER LIEBERMAN: No, his question is about Miramar and –

MAYOR SEILER: No. I'm using all these cities.

COMMISSIONER LIEBERMAN: -- a percentage of Miramar –

MAYOR SEILER: Davie –

COMMISSIONER LIEBERMAN: -- is being –

MAYOR SEILER: -- Hallandale Beach, Lauderhill, Lighthouse Point –

COMMISSIONER LIEBERMAN: -- reimbursed by Miramar.

MAYOR SEILER: -- Miramar, Sea Ranch Lakes. All six are being billed?

MS. HENRY: So fiscal year '14 –

COMMISSIONER HOLNESS: Mayor?

COMMISSIONER GUNZBURGER: No. They're asking on '13.

COMMISSIONER HOLNESS: She's answering.

MAYOR RODSTROM: Go ahead, Ms. Henry.

MS. HENRY: -- for fiscal year '14, every municipality would be banking a contribution. So what we would do is the -- the cost of the program, whatever that ultimately is, the County has -- assuming that we have the majority or the -- a -- a -- the vast majority of the municipalities participating in the regional system, the -- today the County has \$19,000,000, including monies from the airport and seaport, that we contribute to dispatch in the Sheriff's budget.

We would leave that in there to offset the total cost of the system. So the balance of what is needed would be allocated to all of the participants in the regional system.

MAYOR RODSTROM: Mr. Feldman.

MS. HENRY: So everybody would pay.

MR. FELDMAN: I -- I think Ms. Henry just reiterated a large concern going back to what exactly will be the County's involvement fiscal year '14 forward. She uses the term, and she used it at the I-Board, and that is "a vast majority" of the cities have to participate.

We don't know what a vast majority means. It's not defined. Does it mean that a majority of the cities regardless of size? Does it -- is it based upon number of calls of service that have to go through a consolidated system? What -- what does it actually mean in order for the consolidated system to come to fruition?

Because the -- the consolidated system won't come to fruition if the County pulls back the \$19,000,000 in funding because a vast majority of the cities do not. So if the City of Fort Lauderdale, Coral Springs, I think it's Lauderhill, Plantation, if they don't participate, do you have enough that makes this work? If Pembroke Pines doesn't participate, is that the tipping point?

MAYOR RODSTROM: Yes, we will do it with -- notwithstanding. If you join us, we will do it, or we'll do it alone.

MS. HENRY: Yes, the issue of the -- the issue -- what he's -- we have -- you know, our position is we're going to create a regional system. And at that point, come one, come all, or come no one. But we will create a regional dispatch system.

The issue of whether the -- all of the 19.7 million dollars that we currently contribute today, is that 19.7 million available if there's only one city, or is it available -- so we have not made -- we have not made a recommendation to our Board yet on that.

But the issue is not whether there -- we would create a regional system. The issue is going to be how much money would we put in to support it. If we have -- if we have the lion's share, and we -- and this is -- I mean, the full -- the -- the original Board struggled with that. So we really -- we didn't want to say we'd put \$20,000,000 in a program that has one entity in it. We just need to get to a point where it's very clear what -- who -- wants to participate in a regional system.

MAYOR RODSTROM: The point is, we'll put in whatever we need to put in to support it. That's the point.

MAYOR SEILER: But here's the issue. If you guys -- if you commit to putting in a dollar amount, which you're saying 19.7, and you're in no matter what, it's an easy -- much easier decision for us to say we're in in other cities. But if you all leave it that it's subject to some future reduction, and you're asking us to commit, this -- I mean, this has been our issue -- jump, and you can look later. That's what you're asking us to do.

And, by the way, after you jump, we may change the landscape down below. And all I'm saying -- and I think Lois understands this, and I think most of you -- if you all commit, you're putting the 19.7 million in and you're not pulling

that out, it's a much easier decision for us to say, hey, we'd love to join you.

This is not -- we're not a -- you know, we have a great working relationship with the County on so many issues, and you all do so many things well. But on this issue, you all haven't moved since '02, and you all kind of just tried to ignore the requirement that was put in the Charter back in '02, and it's finally come to a head.

And now you're saying, well, hey, come join us, but we're just putting our toe in the water and not sure we're really going to put our dollars in. So if you all said to us, hey, we're in. We're in for a dime. We're in for a dollar. Come join us. It's a much easier decision for us to go back to our Commission and say, look, the solution is going with the County and getting this done. But even in these discussions, we've had no commitment that you're going to fund it. So now you're asking us jump and -- and look.

MS. HENRY: So I -- if -- if I might, Mayor, I really do take issue with you saying we have made no movement since 2002. We've spent a lot of money to bring about -- yes, we have.

MAYOR SEILER: To bring about what?

MS. HENRY: To bring about regional communications. That's what the Charter asked us to do, and that's what we have done. So we have spent in excess of \$40,000,000 to do that. And I can show you maps that show what it looked like before, and I can show maps that can show you what it looks like today.

So it's -- I don't believe that it's a fair statement to say that we've made no movement. This issue now is about dispatch, and dispatch is a different issue than communications. If this Board wants to commit that it -- that it would put 19 -- the -- the money that it currently has in the Sheriff's budget for a regional system, irrespective of how many people participate, you know, that's -- this Board can do that.

MAYOR SEILER: Well, is it your goal, with all due respect, to get people to participate?

MS. HENRY: That's correct.

MAYOR SEILER: Well, why don't you show that you would incentivize everybody and motivate everybody by saying, here's the dollars. It's all in. Cities, come join us.

MS. HENRY: We -- we said --

MAYOR SEILER: But with this wait and see, it's the opposite, because every city's in the same boat as us, saying how committed are they?

MS. HENRY: -- we said that we would put -- we would put this 19.7 million dollars in the regional system. Every analysis that we have done with the -- with the I-Board made the assumption that every city was going to participate, and we said, you create it. Our 19.7 million is in.

MAYOR SEILER: But -- but --

MS. HENRY: Every analysis --

MAYOR SEILER: -- Ms. Henry --

MS. HENRY: -- that we've done --

MAYOR SEILER: -- isn't it --

MS. HENRY: -- has shown that.

MAYOR SEILER: -- isn't it true that if you were to say the 19.7's in, no matter what, that now the cities would have to get in, and there wouldn't be this option?

MS. HENRY: I --

MAYOR SEILER: But you're leaving such a gray area for cities to decide whether to get in or out. If you're truly committed, say, hey, the 19.7's here. Bruce has been working on this thing. This is a former Chief of Police. He's going to come back to our City Commission and say, look, we want the County's money. We want the County's system, and guess what, if you don't go that way, there's no funding from the County, and the County's all in.

MS. HENRY: I don't -- I --

MAYOR SEILER: So the message to send to the cities --

COMMISSIONER WEXLER: That's exactly the message.

MAYOR SEILER: -- is -- send to the cities is we're all in. And guess what? We're probably going to come back to you and say we're all in, too.

MS. HENRY: And I don't have a problem with that. I could recommend that to the Board, because our goal has always been to create the system.

MAYOR SEILER: But how has that not been recommended to date? I mean, we've been talking about this for months.

COMMISSIONER WEXLER: The conversation today is about the transition year.

COMMISSIONER LIEBERMAN: Right.

COMMISSIONER WEXLER: That's the conversation today.

MAYOR SEILER: But the transition's much easier, Commissioner Wexler, if we know there's going to be an end game.

COMMISSIONER WEXLER: There is an end game.

MAYOR SEILER: And for us to -- and for us to transition to maybe the County's in, maybe they're not in, maybe --

COMMISSIONER WEXLER: The County --

MAYOR RODSTROM: The County's in. I think --

MAYOR SEILER: Lois, I believe you're in. I've talked to you. I believe you're in 19.7 million dollars. I have not individually spoken to all nine Commissioners saying, we're in no matter what.

MAYOR RODSTROM: I think the Commissioners told you this morning --

COMMISSIONER WEXLER: But we voted on that.

MAYOR RODSTROM: -- I think the Commissioners have --

MAYOR SEILER: You haven't voted the money.

MAYOR RODSTROM: -- the -- the Commissioners have --

COMMISSIONER WEXLER: We voted to fund it.

MAYOR RODSTROM: -- we have the funding. We --

MAYOR SEILER: You haven't voted the funding.

MAYOR RODSTROM: -- have the funding.

COMMISSIONER WEXLER: Yes, we did, last Thursday night.

MAYOR SEILER: So 19.7 million has been allocated?

COMMISSIONER WEXLER: Yes.

COMMISSIONER GUNZBURGER: Yes.

UNIDENTIFIED SPEAKER: Yes.

MAYOR SEILER: We're good.

COMMISSIONER WEXLER: Yes.

COMMISSIONER GUNZBURGER: Yes.

MAYOR RODSTROM: That's for one year at a time.

MR. FELDMAN: And perhaps a clarification moving forward is we can get rid of the terminology about it's in if there's a vast majority.

MAYOR SEILER: Could you remove that language?

MAYOR RODSTROM: Does anybody object to that?

COMMISSIONER WEXLER: Well, wait a minute.

MAYOR RODSTROM: If you don't, we –

COMMISSIONER WEXLER: Where is that language? It's your language?

MR. FELDMAN: No. It just came from Bertha a few minutes ago. And it's the same language -- it's the same language that we hear at every I-Board meeting –

UNIDENTIFIED SPEAKER: Well –

MR. FELDMAN: -- is that –

MAYOR SEILER: It's the same language we got at the table. The vast majority.

MAYOR RODSTROM: Ms. Henry, would you care to –

MS. HENRY: Yes. Every analysis that we've shown, every analysis that -- ever presented to all of the -- of the I-Board meetings have shown the full 19.7 million. The –

MAYOR SEILER: So it's not contingent –

COMMISSIONER JACOBS: No.

MS. HENRY: -- in those meetings -- in those meetings, there have always been at least one municipality at the table who has indicated -- in fact, there were two that -- that indicated at the time the full board met, that -- that said that they would not participate. So those were two municipalities, and we were still good with the 19.7 million.

If what you need today, and this Board is comfortable with saying irrespective of who joins there's 19.7 million, I'm fine with that, because I believe that we were going to lose the 19.7 million anyway, because municipalities that currently don't, as you've indicated, don't pay today, when – then you'd have a hundred percent of the cost versus nothing. So I'm comfortable with that.

MAYOR RODSTROM: You would make that recommendation to the Board?

MS. HENRY: Of course.

MAYOR RODSTROM: And -- and does anybody on the Board object?

COMMISSIONER GUNZBURGER: No.

COMMISSIONER JACOBS: No.

COMMISSIONER WEXLER: And we voted for it for this next fiscal –

MAYOR RODSTROM: Right.

COMMISSIONER WEXLER: -- year already.

MAYOR RODSTROM: Right. So it's in the budget.

MAYOR SEILER: It's a contingency. If you remove the contingency, it changes our analysis.

MAYOR RODSTROM: All right. Okay. Commissioner LaMarca, then Commissioner Roberts.

COMMISSIONER LAMARCA: Real -- real quick, because I know when one - - when one of the comments that was made, I saw some heads behind you questioning.

And I want to make a statement, and then I want you to describe the

difference between dispatch and communication. And the bottom line with all this, and having had the pleasure to serve with Commissioner Wexler on the -- the consolidated committee, was this has always been about life safety, and I think everybody here is all in, just to clarify. But what's the --

UNIDENTIFIED SPEAKER: Yeah.

COMMISSIONER LAMARCA: -- difference in dispatch and communication, I think is a -- is a question.

MS. HENRY: Well, there were -- there were -- the Mayor -- Mayor Seiler indicated that we have not made any movement since 2002. The Charter asked -- the -- the Charter required the Board to participate in the communications infrastructure.

And that infrastructure has CAD. It has 800 megahertz radio, it has towers. It has microwaves. It -- it's the hardware that makes the system run. And we have spent in excess of \$40,000,000 since 2002 to make that happen.

The issue -- issue of dispatch is irrespective of you've got this communication system, which we have been supporting; long before the Charter, we had some elements that we were supporting.

We provided a basis for municipalities to be able to have those radios bounce off of microwaves. So the hardware that makes the communication system work is one issue. The people that -- that answers the calls and send the police and fire vehicles to an incident is dispatching.

MAYOR SEILER: Can I ask a question --

MAYOR RODSTROM: Commissioner Roberts was next.

COMMISSIONER ROBERTS: Thank you. Lee, just to confirm what we're speaking about now, so the firm -- the commitment for the 19,000,000 is there without any issues --

MS. HENRY: For dispatch.

COMMISSIONER ROBERTS: -- associated with it. For dispatching. Okay. So how does that impact the calculation on this bridging loan that the County Commission had proposed to us versus what we currently have? It sounds like the calculations of the analysis may not be quite the same now, based on the current conversation. Or it may be. And that's what I'm asking you.

MR. FELDMAN: Well, I -- I think the issue of the 19.7 million clarifies whether

-- what commitment level the County will have for fiscal year '14 --

COMMISSIONER ROBERTS: Right.

MR. FELDMAN: -- moving forward under a consolidated system, that it's not going to be -- it's not going to be contingent upon X number of cities joining on there. And I think that's a -- that's a good clarification for moving forward. The issue with fiscal year '13 still deals with the monetary number of 2.3 versus 3.6. And, to some degree, that's just an issue for -- to -- to be resolved through negotiations. The --

MAYOR SEILER: Plus we paid '12.

MR. FELDMAN: Correct.

MAYOR SEILER: Plus we paid '12 without --

MR. FELDMAN: And we've paid -- and we paid for Wilton Manors in '12.

MAYOR SEILER: We paid for Wilton Manners in '12, too.

MR. FELDMAN: On there. But the -- the issue, and this goes back to the equity issue during the bridge year, and that is that there are still several cities that are fully funded, either through BSO or the County's contribution to BSO, for service.

And the City of Fort Lauderdale feels that it has been singled out in fiscal year '12 and fiscal year '13 to have to pay that cost. So we threw a number out that was based upon also the consolidated plan and what the County's share would be under the consolidated plan in a -- in a post-consolidated world, and that's where we got the 3.6 million dollar number.

The 2.3 million dollar number comes from a -- a -- another series of numbers which I believe represents what the City's contribution will be in the future, but doesn't reflect what the County's contribution -- in essence, what Fort Lauderdale's share of that 19.7 million would be.

And I think that is the real question, is if you're putting 19.7 million forward and a share of that will be for -- to offset Fort Lauderdale's costs, because that's what it's there for, then maybe it's the 19.7 that we ought to look at for fiscal year '13 as being the basis of determining what portion of that should come to Fort Lauderdale.

MS. HENRY: Mayor, if I may.

MR. FELDMAN: On -- on some formula.

MAYOR RODSTROM: Ms. Henry.

MS. HENRY: If I might respond, we have endeavored to treat Fort Lauderdale the same as we have -- as -- as we are treating those municipalities that run their own PSAP.

I mean, each time we have this conversation, there's a different line drawn as to what constitutes equity. And I said at the beginning of this discussion that we just disagree. The money that's -- the 19.7 that's in the budget for BSO, a portion of that is for our services for unincorporated area, for our airport and seaport, for which they pay.

The -- but those entities don't run their own PSAP. So there was some point in time when there was an opportunity to become part of a regional system that did not -- for whatever reason, it didn't happen. A -- a number of the municipalities decided that they wanted to run their own system.

So the cities that we are -- when we -- when I -- when Mr. Feldman says that Fort Lauderdale is being singled out, I would argue that is not the case. We're treating Fort Lauderdale the same as we're treating the other similarly situated municipalities.

MAYOR SEILER: Well, there's seven cities being singled out with us. Is that right?

MS. HENRY: There are cities that chose to run their own PSAPs, and they're being treated the same.

MAYOR SEILER: So there's a total of eight cities being treated that way. There's seven others being treated the same as us.

MR. FELDMAN: But -- but the difference, Mr. Mayor, is that we didn't choose to --

MAYOR SEILER: We didn't make (inaudible).

MR. FELDMAN: -- run our own PSAP. The -- there were a series of contracts that existed that said that a PSAP would exist and it would be paid under -- by the County and then by the Sheriff, because of certain other factors that were out there.

Now, some of those are still in place today, and some aren't, and we can quibble as to whether the -- the contracts still have meaning or not. We're trying to get past that.

MAYOR SEILER: But let me --

MR. FELDMAN: We are not a similarly situated city --

MAYOR SEILER: -- but let me cut to the chase. So what -- what we're asking to do is treat us like all other similar -- similarly situated cities that didn't make that choice, because that's how we ought to be treated, not by a choice to go to our own PSAP.

But treat us like all other similarly situated cities that did not make a choice to do this but, because of what has happened over time, it ended up this way. So we're being treated like we made some choice. We never did.

That's where I have a problem with this so-called equity on that, because you're lumping us in with cities that did make a choice. We did not.

MS. HENRY: Again, I don't agree with that. I believe that the City did make a choice several years ago. So I -- I just argue that we just have a disagreement. We are trying to move it forward, and I'm prepared to work with -- with the City to try and move this forward.

Again, I think that we can do -- we can -- we can move forward with getting the City to a position where it can be on the radio system, at some expense to us, at some recurring expense to us. We are prepared to provide some bridge funding, and we -- we placed on the agenda the 8 point or the \$9,000,000 because we know that that money exists and we could pay it for any similarly situated municipality.

MAYOR RODSTROM: Could we --

MS. HENRY: So I don't know what else to add to this conversation.

MAYOR RODSTROM: -- I have been asked for a five minute recess for a little consultation, and so we'll -- we'll be back in five minutes. Okay?

(THE MEETING RECESSED AT 12:09 P.M. AND RECONVENED AT 12:14 P.M.)

MAYOR RODSTROM: Can we continue? Hello? Can we -- can we continue the meeting? Where's our -- do we have a -- where's our Board? We -- Commissioner Wexler, we've got -- we're missing Commissioner Lieberman. One, two, three, four --

MAYOR SEILER: We have Commissioner Gunzburger, Vice Mayor Jacobs --

MAYOR RODSTROM: -- five, six. One, two, three, four, five, six, seven. Okay. We're ready -- ready to reconvene. All right. Mr. Mayor, go ahead.

MAYOR SEILER: All right. Let me --

MAYOR RODSTROM: Where's Ms. Henry? We --

MAYOR SEILER: She's right here.

MAYOR RODSTROM: -- need to have her back. Okay. Ms. Henry. Thank you.

MAYOR SEILER: In a good faith effort to try to get this resolved --

MAYOR RODSTROM: Your microphone is on? Okay.

MAYOR SEILER: I think it is. In a good faith effort, so we don't go -- and I have not, obviously, run this by our Commission, so they're going to hear it for the first time, but I think this may be the way to resolve this.

Assuming it's based on number of calls, and you take the 19.7 million dollars from this past year, which we've had to pay our bill, in this coming year our share would be about 2.75 million, is our calculation, based on calls.

If you were to allocate the 2.75 million from this past calendar year to us, the 2.75 million for next year, so it would go from 2.3 to 2.75, we've come down from our 3.6, and then we transition into the joint system in 2014. So, in essence, we're about \$450,000 apart this year, in the 2013 budget, and I think some adjustment has to be made for this past year, which we footed the bill.

But assuming the 19.7 is the overall number, I think we can resolve all this. And I have not -- now, my Commission's hearing that for the first time, so I would ask, before we formally make that our offer, if there's any objection to that proposal as our next offer. And I guess if I may just ask Vice Mayor --

COMMISSIONER JACOBS: Mayor, may I ask a question?

MAYOR SEILER: No. I'm just going to ask my Commission –

MAYOR RODSTROM: Wait, wait.

MAYOR SEILER: -- if I have the authority to –

MAYOR RODSTROM: Let -- I think the Mayor wants to get a nod – or sort of an agreement from his Board –

MAYOR SEILER: Yes.

MAYOR RODSTROM: -- to make sure that he is not outside his boundaries.

MAYOR SEILER: And here's the problem. Because of the Sunshine law -- I wouldn't have been able to sit down with anyone of the five of them and talk to them about this, but I have run the numbers with Lee and our Auditor and our City Attorney.

So, because of the calculation, assuming our share, based on per call, out of the 19.7 million, about 2.75 million of that is allocated towards Fort Lauderdale. If that 2.75's allocated for '12 and for '13, I think the other issues can resolve themselves. We get into the system. I think that would obviously -- with the understanding the 19.7 is then in for good in '14 moving forward, we've got a system that's in place. I think all the other cities will –

MAYOR RODSTROM: Follow you.

MAYOR SEILER: Well –

MAYOR RODSTROM: And us. Right.

MAYOR SEILER: -- I think they'll follow --

MAYOR RODSTROM: Right.

MAYOR SEILER: -- all of us. I don't think it's the City of Fort Lauderdale. I think it's a mindset that you're going to create a system that the –

MAYOR RODSTROM: Is that okay?

MAYOR SEILER: -- the people of Broward County have been asking for years. And so that -- so if that can be done, that would be my proposal. And I guess, Vice Mayor, do you have any questions on that before we make that a formal offer?

VICE MAYOR C. RODSTROM: Yeah. I appreciate the fact that (inaudible) work with our staff –

MAYOR RODSTROM: Your microphone I don't think is on.

UNIDENTIFIED SPEAKER: The little face.

VICE MAYOR C. RODSTROM: Now. Oh –

MAYOR RODSTROM: Yeah, you're on now.

VICE MAYOR C. RODSTROM: -- next to the dot? I appreciate the fact that you were able to work with our staff and come up with a number. What I also appreciate is the fact that this is -- a partnership for a regional system is the - - is the top thing that's going on here.

And so my -- whether I endorse or don't endorse what the idea is for my Commission or your -- our Commission is contingent upon how the County feels about it, and I would like to hear their side of the story before I give any opinion or vote towards what I would want to do. Because we're –

MAYOR SEILER: We're just asking you for your -- if you support the City of Fort Lauderdale's next position in the negotiations –

VICE MAYOR C. RODSTROM: But it has –

MAYOR SEILER: -- which is a compromise.

VICE MAYOR C. RODSTROM: -- a dollar amount to it, and I want to -- a dollar amount to it, and I want to -- I want to work with the -- my -- my partners in the deal, which is the regional system group, and find out if that number is okay with them. We're negotiating here.

MAYOR SEILER: This would -- this would put us in the regional system, so this is a proposed –

VICE MAYOR C. RODSTROM: Not if they don't agree to it.

MAYOR SEILER: -- I think she has the numbers there in front of you.

VICE MAYOR C. RODSTROM: Right. That's what I realize.

MAYOR SEILER: Correct. 2.75.

VICE MAYOR C. RODSTROM: I realize there's an increase in here in the math that you did.

MAYOR SEILER: And it would also –

VICE MAYOR C. RODSTROM: And that's what I'm concerned about with the County level as our partner. How do they accept that increase and where -- where do they see it going?

After all, we're all looking for the regional approach here, so if that's something that they're happy with, then I would endorse that idea. If they're not happy with it, then I think we need to keep discussing. So I'm not going to give you my opinion right now of how that –

MAYOR SEILER: Okay. Well, this is only going to require Fort Lauderdale taxpayers to pay less in -- in terms of our offer.

VICE MAYOR C. RODSTROM: Fort Lauderdale taxpayers are also County taxpayers.

MAYOR SEILER: Right.

VICE MAYOR C. RODSTROM: I look at it as a regional system. (Inaudible.)

MAYOR SEILER: So you have no position on the offer?

VICE MAYOR C. RODSTROM: I'm not disagreeing. I want to hear all sides of the story before I vote on the -- or give an opinion.

MAYOR SEILER: Well, we have to have three votes to make the offer, so –

COMMISSIONER DUBOSE: Well, listen –

MAYOR SEILER: -- you're not -- you're going to abstain.

COMMISSIONER DUBOSE: -- Jack, I mean, just to help with consensus to move this in that direction and get to that discussion, I'll offer consensus on what's been presented thus far.

MAYOR SEILER: Thank you, Commissioner. Romney?

COMMISSIONER ROGERS: The only other thing -- and I don't disagree with you taking that approach. The only other thing that I was trying to grasp, understand here, is whether or not there's a way to bridge the gap with the reserves.

Now, our -- our attorney said that the capital reserves could be used for operational purposes. Their -- their attorney says they can't. And I don't know if they've talked, but that would certainly -- there's 13.8 million dollars sitting there that would certainly be available. So that -- that's a --

MAYOR SEILER: I hear you, but let me suggest this. One, and I'll say this publicly, I think both the County and City have outstanding attorneys.

UNIDENTIFIED SPEAKER: So it is 13 million.

UNIDENTIFIED SPEAKER: More.

MAYOR SEILER: In fact, Harry used to be the County Attorney. I know Joni's got tremendous experience and a reputation in this area, too. They both are good attorneys.

I think if we agree on a dollar amount, they'll find a way to either fund it or not fund it. My thing is just the 12 -- technically, we feel we should have been owed 2.75 million based on per call. For '13, we feel we're owed 2.75 million per call. We -- we concede these other -- 3.6 was our number that we can also get to, but I'm trying to, in good faith, compromise. You want me to go back to 3.6, we can.

UNIDENTIFIED SPEAKER: No, you said that --

COMMISSIONER WEXLER: May I?

MAYOR SEILER: I only brought it up because Stacy --

COMMISSIONER WEXLER: I appreciate --

MAYOR SEILER: -- asked me about 3.6.

COMMISSIONER WEXLER: No. I appreciate your effort and your attempt to meet closer to the middle. Closer to the middle.

MAYOR SEILER: All right. So 2.75, 2.75 for the two years, and then we all go in in '14.

COMMISSIONER WEXLER: But she's got to run those numbers.

MAYOR SEILER: I --

MAYOR RODSTROM: All right. I was going to get a reaction from Ms. Henry.

MAYOR SEILER: -- I just need to get my last two consensus. So are you okay with that offer?

COMMISSIONER ROGERS: Yeah, I'll -- I'll trust your math.

MAYOR SEILER: Well, that's --

COMMISSIONER ROBERTS: Yes.

MAYOR SEILER: Chief?

COMMISSIONER ROBERTS: Yes, realizing it's contingent on what the County is going to do.

MAYOR RODSTROM: And, Ms. Henry, what would your recommendation be?

MAYOR SEILER: So we have four votes to move that on.

MAYOR RODSTROM: What would your recommendation be to the Board?

MS. HENRY: Again, because we take the position that we would treat each municipality the same --

UNIDENTIFIED SPEAKER: Right.

MS. HENRY: -- the 9,000,000 that we've set aside would have to be, at that point, 10.7, 10,750,000, so it's about a million seven more if everybody joined. Obviously, if there are some that don't join, we might be -- we could free up some dollars to help make those numbers work for the others that -- that do agree to participate. Otherwise, it's just a million seven more.

MAYOR RODSTROM: And -- and what I would say, Mayor, and maybe I -- you know, I think that, at some point in time, we've got to show some unanimity, we've got to show some leadership. We've got -- we've got to show that we are serious about this Countywide system. And if it means we don't get all the way the first year, maybe we don't get all the way the first year. I think that your -- your offer is made in good faith, and -- and -- and I --

COMMISSIONER WEXLER: I would propose that we accept it.

MAYOR RODSTROM: -- and I would propose we accept -- that -- you -- I could have finished my sentence.

VICE MAYOR C. RODSTROM: Then I'll agree with -- agree with it.

MAYOR RODSTROM: But I was laying the predicate, but –

VICE MAYOR C. RODSTROM: If everybody's happy about it.

MAYOR RODSTROM: -- but I know we all want to get out of here. But you know what, Mayor? Doggone it, good work. I mean, if that's -- if we can walk out of here -- I mean, because that's really going to be something very, very beneficial to this County, and it's going to set the stage for the template as we go forward to bring other cities on board.

COMMISSIONER WEXLER: And you've made Charlie Dodge even happier.

MAYOR RODSTROM: And so -- well -- because -- right, it's going to -- we'll have to kick in a little more money at first, but we'll -- we'll get there. Is that -- so –

MAYOR SEILER: You want to get Sam Goren to give a third opinion here?

COMMISSIONER WEXLER: No. No.

MAYOR RODSTROM: All right. So -- and Commissioners, any reaction to this offer? Yes, Commissioner Ritter.

COMMISSIONER RITTER: I -- I just think we need to be very cautious as a County Commission, because everyone else is going to ask us for more money now.

MAYOR RODSTROM: And -- and -- and we recognize that.

UNIDENTIFIED SPEAKER: John?

COMMISSIONER RITTER: And I -- I also have to say that I -- I am very concerned that the -- that there is -- there doesn't seem to be -- you all are paying a lot more than other cities are, and I don't understand why you're not going back to BSO and saying we're not paying 37 bucks anymore when our neighboring city's paying 20-something, or Pompano's paying 29.

I don't understand why you're just paying that money without saying -- and maybe you are. I just don't know an answer -- without saying, you know, why are we \$10 more than our neighboring city.

MAYOR SEILER: We've -- we've addressed that issue.

COMMISSIONER RITTER: Well, what's been the answer?

MAYOR SEILER: I'll let BSO answer that.

COMMISSIONER RITTER: Well, they're not here.

MAYOR SEILER: Oh, you want Lee to answer it?

COMMISSIONER RITTER: You know, you -- but, apparently, you get the same answers we do. We don't know. We'll get back to you.

MAYOR SEILER: Ed has indicated he's --

COMMISSIONER RITTER: I don't have an answer.

MAYOR SEILER: -- not going to answer that.

COMMISSIONER RITTER: You know, we've asked not just this question, but other questions related to BSO activities, and we get the same answer all the time. We don't know. We'll get back to you. So, honestly, if the -- if a majority of the Board wants to give more money, recognizing that every other city's going to follow, this is a -- what --

UNIDENTIFIED SPEAKER: Right.

COMMISSIONER RITTER: -- one of my Commissioners would call a slippery slope, possibly, I want some answers to the questions about --

MAYOR RODSTROM: But it's --

COMMISSIONER RITTER: -- why --

MAYOR RODSTROM: -- for the transition year.

COMMISSIONER RITTER: I understand that. Well -- but -- but -- but, if you -- I know it -- well, Coral Springs isn't ever going to join --

COMMISSIONER WEXLER: That's right. So --

COMMISSIONER RITTER: -- so that frees up some money right there. I understand that. That's only the money for Fort Lauderdale. It's only the money for Fort Lauderdale.

But -- but if the -- and, by the way, if you do this and you need more money and you say we're going to push it back, then this may not be the only bridge year we have. We may have another bridge year, too, which is another 2.75 just for this city.

But I would like to know why you are paying that much more money, and what, if anything, both parties, City and BSO, are doing to reduce your costs.

VICE MAYOR C. RODSTROM: Good question.

MAYOR SEILER: Lee, you want to respond?

MR. FELDMAN: Well, I'll address it on -- in two fashions. One is I think prior to the County Commission in 2010 saying that they were no longer going to pay for the Fort Lauderdale PSAP, it really wasn't an issue, from the City's perspective, because the bill was being paid, and the -- and the Sheriff was moving people from his various PSAPs all around and had that flexibility.

The -- where -- where the -- where everybody landed in fiscal year 2010, however, was that the Fort Lauderdale PSAP was staffed with the most senior people, the highest costs -- in -- in the system, and -- and not necessarily for any more function than that's how they were deployed.

And since -- and then when the cost was then being allocated on a per PSAP basis, it became an issue versus the cost just being assumed within the system. So we -- we have chatted with the -- the Sheriff about things to do to reduce that, such as reallocating personnel, perhaps looking at staffing levels, because I think we have too many call takers.

The other option we have is to staff up our own PSAP using City employees. If we are going to be part of the regional system, as it appears we are, that's probably not something we're going to do, and we will grin and bear the extra costs until the regional system takes place.

But we did look at every individual that was working in the PSAP. We verified their salaries. We verified the benefits. We went back and -- and looked right down to even, you know, who has memberships and what, and the -- I mean, the costs were justified. I think it's a function of who's sitting in the chairs versus anything else.

COMMISSIONER RITTER: Thank you for that. I didn't -- thank you. That -- at least, it answers the question. I guess my -- but I guess that that, then, begs the question, well, why isn't someone suggesting to the Broward Sheriff's Office that they sort of smooth out those senior -- those senior officials -- Mr. Pozzuoli, take this back, please -- that perhaps not every city -- not -- not -- perhaps one city doesn't need the most senior people throughout the entire system, that you can put less senior people with more senior people, and then smooth out the costs so that every city is paying at least close to what the other cities are paying, rather than the disparity that Fort Lauderdale has with Pompano Beach, for example. I mean, I just don't

know how you -- I don't know how you justify that.

MR. POZZUOLI: I will -- I will take back your concern, Commissioner.

COMMISSIONER RITTER: Thank you.

COMMISSIONER JACOBS: There -- there is -- (inaudible).

MR. POZZUOLI: BSO has worked with the City regarding those costs.

COMMISSIONER WEXLER: Do you want a representative (inaudible)?

MAYOR RODSTROM: Okay. Now Commissioner Jacobs wants -- are you finished? Who are you?

MS. RUBIO: I'm Kim Rubio. (Inaudible.) I just wanted to --

MAYOR RODSTROM: You need to come closer so we can get you on the microphone.

MS. RUBIO: Hi. Kim Rubio, and I'm the Regional Manager for the Broward Sheriff's Office. The Fort Lauderdale center, we do not move people around. One of the reasons we cannot move them around is they have a different CAD. So those people are trained specifically to the CAD that the Fort Lauderdale center uses.

The Sheriff does not move people based on most seniority over to the City of Fort Lauderdale. When they -- when people leave through attrition, or they don't make the training, we move new people into those spots. They do have a high seniority base, but when the Sheriff took over that center, a lot of them were Fort Lauderdale employees, so those Fort Lauderdale employees were staying at that center. But we can't move people in and out of that center because their systems are totally different.

MAYOR RODSTROM: Okay. Well, so, but I think -- I think what that does is it gives us some rationale to be more congenial to Fort Lauderdale's offer, and it gives us something to hang our hat on, because, through no fault of their own, they've got a higher cost structure. All right. Commissioner Jacobs.

VICE MAYOR JACOBS: Well, and I would say no fault of the Sheriff's, either. It's -- at one time he absorbed Fort Lauderdale's own employees, and that's why they have the experience with that particular system. I guess what I'm still struggling to understand is what happens to February through August owed of 2012? Where is that money made up?

Because we were happy to take your check on Thursday for September, but I'd like to better understand where the remaining seven months that's owed is coming from, and when.

MAYOR RODSTROM: All right. Is this –

VICE MAYOR JACOBS: Well, I mean, we talk about us –

MAYOR RODSTROM: All right. So –

VICE MAYOR JACOBS: -- throwing more money in –

MAYOR RODSTROM: -- then –

VICE MAYOR JACOBS: -- and I would –

MAYOR RODSTROM: -- just direct this –

VICE MAYOR JACOBS: -- just -- Mayor, let me finish.

MAYOR RODSTROM: -- just direct this to Mr. Feldman.

VICE MAYOR JACOBS: We have been asking –

MAYOR SEILER: I understand –

VICE MAYOR JACOBS: -- we have been –

MAYOR SEILER: -- the question.

VICE MAYOR JACOBS: No, no, no. Excuse me. I have the floor. I'm going to finish my question without interruption. The County has been asked, and has been somewhat amenable, to throwing some more money at the City of Fort Lauderdale.

Before I'm going to agree to do that, and everyone walks out of here today thinking we have a great deal, I want a straight answer about the seven months owed.

MAYOR SEILER: We're -- we're asking you -- that's what I said, we're asking you to allocate 2.75 for both years. You allocated for the 19.7, 2.75 – for '12 and 2.75 for '13, we've got a -- that's -- that's where we are.

VICE MAYOR JACOBS: Okay. That doesn't -- that leaves me very confused.

UNIDENTIFIED SPEAKER: For a past year?

VICE MAYOR JACOBS: Ms. Henry, there are seven months –

UNIDENTIFIED SPEAKER: (Inaudible) for last year?

VICE MAYOR JACOBS: -- the City currently owes for 2012.

MS. HENRY: I -- I apologize. I had understood that this is about the bridge year, for –

MAYOR SEILER: It's for both years.

MS. HENRY: -- for –

COMMISSIONER GUNZBURGER: Oh, that's –

MS. HENRY: -- 2013.

MAYOR SEILER: I think, John –

VICE MAYOR JACOBS: I thought it was for this year, too.

MAYOR SEILER: -- I wrote on here 2.75, 2.75.

MAYOR RODSTROM: 2.75 for both years.

COMMISSIONER GUNZBURGER: We didn't understand that.

MAYOR RODSTROM: I did.

COMMISSIONER WEXLER: I didn't.

MAYOR SEILER: You did, right?

COMMISSIONER WEXLER: I did not understand.

COMMISSIONER GUNZBURGER: None of us understood that.

VICE MAYOR JACOBS: Okay. Mayor, might I suggest that we are throwing a lot of numbers around, and there is absolutely nothing in front of us. I've watched a lot of negotiations go on in the past, but never without any sort of paperwork for a decision of this momentous nature to be arrived at. We can't walk out of here today and not fully understand that which we're agreeing to.

MAYOR SEILER: Can I make a suggestion?

MAYOR RODSTROM: Yes.

MAYOR SEILER: Being that there may be some confusion, then I guess I'm ask -- direct this to Joni and to Harry. Is there a provision for today to us -- for us to assign this issue to like two lead negotiators? You've had Lois over there before. We can assign it to Bruce. And try to iron out these two issues. You all do whatever the County wants to do and -- but I'm just saying so there's no confusion when you come back to vote as to what you're voting on, and there's no confusion when we come back to vote as to what we're voting on, and it would turn us around quickly so that we can get this resolved in a quick manner.

I understand under that Statute the next step was today, but I think you might be able to create a subcommittee of today's meeting for purposes of ironing out specific dollars. Then you're voting on dollars, you know what you're voting on, and we're voting. Because I have not had a chance to share this with our Commission, but I presented it as 2.75 for both years. I think John under --

COMMISSIONER WEXLER: I missed the both years.

MAYOR SEILER: -- let me -- I think John understood it --

UNIDENTIFIED SPEAKER: I did, too.

MAYOR SEILER: -- I think I understood it, but I think others might have -- I understand. I'm not even asking to put you guys to a vote. I'm asking if the County and City Attorney could give us an idea if we can assign this to a subcommittee so we can get this turned around quickly.

UNIDENTIFIED SPEAKER: (Inaudible) just doubled the (inaudible) --

MS. ARMSTRONG COFFEY: The Statute (inaudible).

MAYOR RODSTROM: Right.

COMMISSIONER GUNZBURGER: I can't hear Joni.

MAYOR RODSTROM: Please.

VICE MAYOR JACOBS: Mayor, I -- let's first understand that the City Commissioners were pushed to make a vote before they fully understood the nature of the discussion, with one dissention over there.

MAYOR SEILER: No, I -- I don't think so.

VICE MAYOR JACOBS: And I would ask that did the other City Commissioners believe this was for two years, as well?

COMMISSIONER ROBERTS: Yes, I understood it to be for two years.

COMMISSIONER ROGERS: I did.

COMMISSIONER DUBOSE: Absolutely, yeah.

UNIDENTIFIED SPEAKER: But we didn't.

COMMISSIONER WEXLER: They caucused. They -- they caucused.

MAYOR SEILER: Well, I only caucused the --

VICE MAYOR JACOBS: No, not the City Commissioners.

MAYOR RODSTROM: No, the Commission didn't.

MAYOR SEILER: I caucused with the Auditor, the City Attorney, and the City Manager. But, anyway, can we just --

MAYOR RODSTROM: Joni, you want to answer that question?

MS. ARMSTRONG COFFEY: The Statute expressly contemplates there could be subsequent meetings, both of the joint body and your designees -- or your designees.

MAYOR RODSTROM: And can we take a formal vote here today?

MS. ARMSTRONG COFFEY: No.

MAYOR RODSTROM: No anyway.

MS. ARMSTRONG COFFEY: You have to have a -- you can't do that today.

MAYOR RODSTROM: So it has to come back in a formal setting.

MS. ARMSTRONG COFFEY: Correct.

MAYOR RODSTROM: Ms. Henry.

MS. HENRY: I -- I think it's important, again, if we -- for us, it's about, again, treating all the municipalities the same. For one year, this is almost \$11,000,000. For two years, you're talking \$22,000,000. So we -- I did not understand that we were talking about '12, '13, and then gearing up for '14. I did not understand that. I don't have 22 -- I mean, I don't know where we would get \$22,000,000 from.

MR. FELDMAN: Can I speak?

MAYOR RODSTROM: Mr. Feldman.

MR. FELDMAN: I -- I understand Ms. Henry's concern about treating everybody fairly. Just two points on that. One is we initiated the Chapter 164 conflict resolution. No other city officially joined us, even though Pembroke Pines initiated their own. So this is Fort Lauderdale's matter, not every other city's.

And I don't know that our resolution should be --contingent upon making everybody else feel good. The second issue is, if we want to talk about being treated fairly then Fort Lauderdale should have the same deal that Davie had in fiscal year '12 and Davie had in fiscal year '13.

MAYOR RODSTROM: Commissioner Sharief, followed by Commissioner Gunzburger, followed by Commissioner Lieberman, followed by Commissioner Wexler, and followed by Commissioner Holness.

COMMISSIONER SHARIEF: Well, the reason why I was asking my question is because of the seven months owed, and the additional -- when Ms. Henry said that we would take the bridge amount up from 9,000,000 up to 10.7 million, when you said that, did that bridge amount include a 1.7 million dollar additional amount to cover the cost of other cities coming forth and asking for the increase that Fort Lauderdale is asking, right?

MS. HENRY: Yes, for -- for that one year.

COMMISSIONER SHARIEF: Right. I totally understand.

MS. HENRY: Right. Uh-huh.

COMMISSIONER SHARIEF: That's what I wanted to get clarification. So just for the bridge year, it would be 1.7 additional to allow everyone else the fair opportunity to come forward and get that small increase in what they would need to bridge over.

MS. HENRY: Right. To run their PSAP.

COMMISSIONER SHARIEF: For 2013.

MS. HENRY: Correct.

COMMISSIONER SHARIEF: Oh -- Excuse me? Right. I understand that. But as far as the seven months that are owed for 2012, we're not going back to cover that with our 2.3 million from the bridge year is what I was getting at. We're not going backwards.

MS. HENRY: Well, again, the Mayor was suggesting that there's 2.7 million for '13, but there's also 2.7 million for '12, which I did not understand that, so that would be -- and I apologize. We were -- this conversation has -- has been about the bridge year and the creation of a regional system in 2014.

COMMISSIONER SHARIEF: Right.

MS. HENRY: So the year '12 just adds and -- I mean, it doubles this amount.

COMMISSIONER SHARIEF: Well, my other question is what was the -- what was the purpose of not paying seven months and then giving us a check for September?

MAYOR RODSTROM: What do they owe us for '12?

MR. FELDMAN: First of all, we didn't give a check to the County. We gave a check to the Sheriff, because he threatened to cease service as of September 30th.

MAYOR RODSTROM: It's the same difference. What -- what's the --

COMMISSIONER SHARIEF: Yes. Well, not, not -- actually --

MAYOR RODSTROM: -- what's the amount owed?

COMMISSIONER SHARIEF: -- it's not. It's actually not. And the reason why I -- I wanted to bring that up is because we -- they're saying now, oh, the County is responsible for this, but the Sheriff has yet to come to the table, at this point, to be held accountable for his part in this deal.

And so I'm just trying to figure out if maybe the Sheriff would be willing to come to the table to help them with their 2012 costs, since that's his contract that they're paying on. And he made the -- he was the one that forced their hand to give a -- the September payment, so maybe they can work out

something with the Sheriff and his –

MR. FELDMAN: We -- we have –

COMMISSIONER SHARIEF: -- on his side.

MR. FELDMAN: -- we have no contract with the Sheriff.

COMMISSIONER SHARIEF: Well –

MR. FELDMAN: Everybody seems to –

COMMISSIONER SHARIEF: -- they have a contract with the Sheriff –

MR. FELDMAN: -- labor under –

COMMISSIONER SHARIEF: -- and the Sheriff said –

MR. FELDMAN: -- that we have a contract. We don't. In fiscal year '11, when the funding was pulled from -- by the County Commission from the Sheriff's budget, there was no contract that was put in place for the Sheriff to provide service.

MAYOR SEILER: We don't have –

VICE MAYOR JACOBS: The County Commission didn't pull the money.
(Inaudible)

MAYOR SEILER: -- we don't have a contract.

COMMISSIONER SHARIEF: Okay. So at this point, the Sheriff is just providing services without a contract, right? And they're accepting the services without a contract.

So by nature of that agreement, the County Commission is not involved in that, because they're providing -- he's providing the service. They're accepting the service, and it's set up the exact same way that it was previously.

So I'm -- I mean, I don't understand how that becomes our problem. It's just like I was saying before, we keep getting these problems -- dropped in our lap. Yeah. So I'm -- I'm just a little concerned with how that gets to this point and gets to be the County Commission's problem. And we walk out of here today and -- I totally understand that -- only when he wants us to be.

MR. FELDMAN: Well, I -- could -- could --

MAYOR SEILER: He being who?

COMMISSIONER SHARIEF: The Sheriff.

MR. FELDMAN: -- Commissioner, I think the answer to that goes back to the fundamental disagreement that the City has with the County as to whether it is a statutory responsibility for the County Commission to provide E911 dispatch and call taking services.

COMMISSIONER SHARIEF: See, I don't think you have --

MR. FELDMAN: We -- we --

COMMISSIONER SHARIEF: -- a fundamental disagreement with us. I think your fundamental disagreement is with the Sheriff.

MR. FELDMAN: No. I --

COMMISSIONER SHARIEF: Because --

MR. FELDMAN: -- I think the Statute --

COMMISSIONER SHARIEF: -- I don't think the Statute is clear on that.

MAYOR RODSTROM: But -- but, you know, Commissioners, we -- we can -- we can go around and around and around on this, and if that's the case, we might as well just go to court and let the court decide.

You know, I mean, that's the -- the reason we're here is to see if there's an opportunity for some settlement. And -- and I guess the point being is that, you know, you have a settlement offer. Maybe you need to better understand what that settlement offer is, if you don't understand it, and how it operates. One of the questions that's been asked is where are we -- how much is owed right now by the City of Fort Lauderdale to the County. Do you --

MS. HENRY: I believe it's in excess of 3,000,000. 3.7 or 3.5, somewhere --

MAYOR SEILER: Is it owed to you --

MS. HENRY: -- in between there is what it --

MAYOR SEILER: -- or is it owed to the Sheriff?

MAYOR RODSTROM: Owed to -- owed to the --

MAYOR SEILER: Who's it owed to? Because --

MS. HENRY: The Sheriff. Not to us.

MAYOR SEILER: Well, as it relates to you all, then -- can we work out a deal with you, then, as to where we are -- with the 2.75, 2.75, and we'll deal with the Sheriff separately?

MAYOR RODSTROM: I don't see how that --

MAYOR SEILER: That's what I'm hearing.

MAYOR RODSTROM: -- I don't see how that happens. All right. Well -- okay.

VICE MAYOR JACOBS: Mayor, can I --

MAYOR RODSTROM: I have Commissioner Gunzburger, I have -- I have -- I have a whole queue here of Commissioners.

COMMISSIONER GUNZBURGER: Thank you. I was really offended by something that Mr. Feldman said. You know, we're the ones who started it and we should be the only ones in this pot. That's not the way the County works. We're partners with the entire County and all the cities within it.

And just because you came first doesn't mean there wouldn't be a bunch of me too's. And you have upped the numbers so dramatically, I don't see that we are ever going to agree, unfortunately. I was really excited when Mayor Seiler came back with a number we could agree with, until I found out he was doubling that number.

MAYOR SEILER: I -- I'm going per year.

COMMISSIONER GUNZBURGER: But I -- yeah, but I only heard -- Right.

MAYOR SEILER: I don't think any of our Commissioners --

COMMISSIONER GUNZBURGER: Wait a minute.

MAYOR SEILER: -- had that confusion.

COMMISSIONER GUNZBURGER: I -- I certainly only thought it would be for '13. When you went backwards -- and we're past last year. This is a new tax year. And we've been very careful. And I've got -- I compliment Ms. Henry all the time is how she has kept this County so stable and kept our citizens so whole without raising taxes, that I'm not willing to go and start raiding funds that help us stay stable.

And I was willing to do something for one year, but I'm sitting and seeing Mr. Dodge here, with his attorney. I -- and I know Mr. Goren, that he is really giving him good advice for one of my cities that I serve, which is Pembroke Pines.

But that may not be good advice for everyone in Broward County. And I have to look out for Broward County, as a whole. And one year, we could have done it. Two years, the money isn't there. And I don't -- I mean, I feel very sorry for Commissioner Wexler and Vice Mayor, is it -- no, Commissioner Roberts to have to sit down and try to come to some agreement, when I don't think the votes are at the County Commission to do more than one year. If I were to poll this Commission, which I will not, but I can tell by the faces that there is only support for one year.

MAYOR RODSTROM: Okay. Commissioner -- Commissioner -- I had Lieberman, Wexler.

COMMISSIONER LIEBERMAN: Okay. I think, Commissioner Gunzburger, first of all, I do agree with you, but I'm not sure there's even support for one year, and I'll tell you why.

Missing from this list, probably, is a city that's very similarly situated to Fort Lauderdale, and that's Pompano. Pompano had an ILA with the County where we paid them money toward dispatch, and the year before Fort Lauderdale's expired, Pompano's expired, and we're making them pay.

They're going to be here. You want to look for similarly situated? I think the number that Ms. Henry has in her model, the 8.9, or the additional 10-point -- with the 400,000 more that Fort Lauderdale is asking for doesn't even begin to reflect other cities who are going to be coming here and asking you for money.

And so I can't remember -- I think it was the Vice Mayor who said, how can we be making a decision without having final numbers in front of us, or having financial data in front of us. And we just don't have that.

And -- and, Ms. Henry, I think you've done a good job. Mr. Feldman is advocating for his city, he's doing what he thinks is right for Fort Lauderdale. But there's more in this County than just Fort Lauderdale. There's more in the County than just these eight cities on your list.

One of them, I'm sure, will see it -- attorney will see it as similarly situated because of the agreement. So before I'm going to commit to giving 8.9 million, let alone another 400,000 -- I mean, I think two years is off the table - - I've got to find out from the other remaining cities, the 25 of them, who else is going to be -- I'm sorry, the 23 of them -- who else is going to be coming and looking for funding and make the same argument.

Just because somebody didn't initiate proceedings, they're not time barred from starting them today, or tomorrow, or by Friday. And I think you find yourself in the same position. And so without having a complete picture in front of us financially, I'm not sure that you can commit to any dollars at this point. I can't.

MAYOR SEILER: Am -- am I correct, then, is the offer being pulled that you all made?

COMMISSIONER LIEBERMAN: We've not voted. We --

COMMISSIONER HOLNESS: (Inaudible.) You --

MAYOR SEILER: We have an offer on the table, still. Has that been pulled?

COMMISSIONER HOLNESS: No, no, no, no, no, no, no.

COMMISSIONER LIEBERMAN: It's not --

COMMISSIONER HOLNESS: You -- you --

COMMISSIONER LIEBERMAN: -- come to the Board for approval.

MAYOR SEILER: No. You guys --

MAYOR RODSTROM: No. We have our own -- offer (inaudible). We had our own offer --

MAYOR SEILER: Based on what Commissioner Lieberman said to me, it sounds like --

MAYOR RODSTROM: Right.

COMMISSIONER GUNZBURGER: We don't have an offer on this table.

MAYOR SEILER: -- that's no longer on the table.

MAYOR RODSTROM: You –

COMMISSIONER HOLNESS: Let's -- let's -- Mayor?

MAYOR RODSTROM: Before -- before this thing spins out of control, all right, I'll -- I just want to -- I want to –

UNIDENTIFIED SPEAKER: Thank you, Mayor.

MAYOR RODSTROM: -- I want to just get a sense here, because maybe -- maybe we can continue talking, or maybe it's time to leave the table and go to court -- I just want to get a sense here.

Does the Board of County Commissioners feel like we've -- we have an understanding, a better understanding than when we walked in this room, of where the two parties are and that -- that we maybe are even committed to working together, City of Fort Lauderdale and the County, for a joint system to be the leaders in -- in bringing on this system.

VICE MAYOR JACOBS: Mayor, I think –

MAYOR RODSTROM: And -- and –

VICE MAYOR JACOBS: -- one of the key points there –

MAYOR RODSTROM: -- let me say just one more thing. And that the only thing separating us from doing that is a dollar amount, that maybe we should refer to our staff and see if it can be hammered out and we can get a closer number to where we are. Because, clearly, we're not there number-wise. You're not there number-wise –

VICE MAYOR JACOBS: No, but there is a number we are there on.

MAYOR RODSTROM: Yes, we are.

VICE MAYOR JACOBS: And that's the 19.7.

MAYOR RODSTROM: Right.

VICE MAYOR JACOBS: So I think that issue, we need to walk out of here today, that is an offer that was proffered that both sides agreed to, and that is we're -- we're in all the way on the 19.7. So that issue comes off the table.

MAYOR RODSTROM: Right. But is -- but is there -- well, but is there -- I mean, are you -- is this Board willing to -- is -- is the number, that 19.7, is that number -- is that a hard and fast number that you're not willing to negotiate in the spirit of cooperation, understanding that Fort Lauderdale pays an inordinate amount of share because of their cost structure that other cities may not be paying --

VICE MAYOR JACOBS: Okay. But --

MAYOR RODSTROM: -- you know --

VICE MAYOR JACOBS: -- Mayor, every study that's done, as Ms. Henry said, was based -- and every conversation of the I-Board has been based on 19.7. And the City of Fort Lauderdale has said to us today, the City Manager said that number is if there's a super majority of cities that sign on. Is the County in for -- for good with that number? We said we are.

So in my mind, that number is that number. And if the City of Fort Lauderdale doesn't want to look at some point at a regional system, maybe other cities do, and the 19.7 stays there. So there are --

MAYOR RODSTROM: But you're drawing your line in the sand. So that's the point.

VICE MAYOR JACOBS: No. I'm -- I'm reiterating that which --

MAYOR RODSTROM: Right.

VICE MAYOR JACOBS: -- everyone in this room --

MAYOR RODSTROM: But -- but it --

VICE MAYOR JACOBS: -- already agreed to.

MAYOR RODSTROM: -- but -- I know, but now we're going one step further, because we either -- we either -- we either walk out of this room and go to court, or we walk out of this room and continue talking. And I think that's the key element here, if this Board of County Commissioners -- because I think there's a middle ground we haven't struck yet. If you're -- if you're at -- still at the 19.7 or 19.6 --

VICE MAYOR JACOBS: Seven.

MAYOR RODSTROM: -- then we're walking out of this room and we're saying that's our line in the sand, you know. So I need to -- I need to get a sense from the Board here if the Board is willing to continue to negotiate, would they be willing to come off that number somewhat in order to structure a --

VICE MAYOR JACOBS: Okay. Mayor --

MAYOR RODSTROM: -- settlement.

VICE MAYOR JACOBS: -- let me -- let me rephrase. The -- the concern of the City was that our number was not a real number because it was based on the contingency that there may be, you know, unknown numbers of cities that would join in a regional system. So to give the City comfort, this Board said today, yes, we are all in on that number. That doesn't mean that that number might change. It means that at the minimum the 12-point -- I just forgot our number --

COMMISSIONER WEXLER: 19.7.

VICE MAYOR JACOBS: Thank you. 19.7 --

UNIDENTIFIED SPEAKER: 19.7.

VICE MAYOR JACOBS: -- is a real number. Now, if that number were to go up, that's a different discussion from where it is. But the idea that the County is there, that this offer is real, and that we are willing to not make it contingent on some unknown number of cities participating, is an important deal -- point that was made today that I think we need to underscore.

MAYOR RODSTROM: And we've said that. But here's the problem. If we decide on a lower number as far as what we're going to charge Fort Lauderdale, then that 19.7 number is likely to go higher, because that means we have to contribute more to the rest. We have --

VICE MAYOR JACOBS: Right.

MAYOR RODSTROM: -- to understand --

VICE MAYOR JACOBS: And I'm saying --

MAYOR RODSTROM: -- how that could move in a sliding scale.

VICE MAYOR JACOBS: -- it could go higher, but no matter what, we are still in for at least that base number.

MAYOR RODSTROM: Yes. Yes. Yes.

MS. HENRY: Point of –

MAYOR RODSTROM: I think the Board said that.

MS. HENRY: -- point of clarification.

MAYOR RODSTROM: All right? Yes.

MS. HENRY: Point of clarification. The 19.7 million is a different number from the 10.7. So it's 19.7 plus 10.7.

MAYOR RODSTROM: Right.

MS. HENRY: So we're talking two sets of dollars.

MAYOR RODSTROM: Right.

UNIDENTIFIED SPEAKER: I know.

MS. HENRY: So the 10-point -- the 19.7 I heard is in. Then there's 10.7, which is a movement from the 2.3 that we placed on the table before, now to get them to 2.5 or 2.4 –

MAYOR RODSTROM: 2.7.

MS. HENRY: Okay.

COMMISSIONER HOLNESS: 2.3.

MAYOR RODSTROM: 2.7.

MS. HENRY: To 2.7 –

MAYOR SEILER: Five.

MS. HENRY: -- we were good with that for –

COMMISSIONER HOLNESS: '13.

MS. HENRY: -- we were good with that for FY '13. It's going backwards to

'12 which is where we seem to have a problem.

MAYOR RODSTROM: Right.

MAYOR SEILER: And -- and so --

VICE MAYOR JACOBS: So could we not at least --

MAYOR SEILER: -- in good faith --

MAYOR RODSTROM: Right.

VICE MAYOR JACOBS: -- let those issues go?

MAYOR SEILER: -- what I suggested is why not assign them to figure out what we're going to do with '12. If you all -- if you can't do it, then -- then we can just go to court. It's fine. I was trying to come up with a solution here. If you all had confusion about what you voted on, our Commission did not.

COMMISSIONER HOLNESS: We never did.

VICE MAYOR JACOBS: We didn't have any confusion.

MAYOR RODSTROM: Commissioner -- Wexler.

VICE MAYOR JACOBS: No one said two years.

MAYOR SEILER: Yeah, I said two years.

VICE MAYOR JACOBS: No, you didn't.

COMMISSIONER WEXLER: Folks -- having --

COMMISSIONER HOLNESS: You did.

COMMISSIONER WEXLER: -- folks, having -- lived through hours and hours and hours of -- before we got to this joint meeting of negotiations, almost every meeting there was something new that was thrown out. Okay? And, quite frankly, we had moved away from 2012. We had moved away from it in our negotiations, four sessions.

UNIDENTIFIED SPEAKER: We did.

COMMISSIONER WEXLER: We were talking 2013. Now all of a sudden it's, gee, let me dig it out of my back pocket and throw it on the table again?

Not going to happen. Not going to happen. I'm going to tell you, it's not going to happen from this Commissioner.

The 19.7 million dollars is something that we have committed to stay in the mix. But let's not fool ourselves here. That doesn't help Fort Lauderdale. That 19.7 million dollars goes for all those BSO cities that don't pay one penny separate line item in their contracts for dispatch.

It goes for a multitude of other -- the other five cities, Mayor, that you rattled off, Davie, Hallandale, Lauderhill -- I don't know, there's a couple more --

MAYOR SEILER: There's seven here.

COMMISSIONER WEXLER: -- that also have special arrangements. Miramar has another kind of special arrangement. So there's all kinds of special arrangements, guys.

COMMISSIONER SHARIEF: With BSO.

COMMISSIONER WEXLER: With BSO. We are trying to fix this. It's the whole reason for moving in this direction is to consolidate and fix this, and to be statesmen -- statesmen here --

UNIDENTIFIED SPEAKER: Right.

COMMISSIONER WEXLER: -- statespersons here -- forgive me, Lori -- in -- in -- in trying to move this County forward. So, I mean, I've got to tell you, for me, 2012 was off the table in our four negotiating sessions. It is off the table today.

Moving forward for 2013, I am certainly willing to -- to compromise and support 2.75 million. Done. That -- that's what.

MAYOR RODSTROM: All right. I have Commissioner Holness followed by Commissioner LaMarca.

COMMISSIONER HOLNESS: Well, let me -- let me compliment Mayor Seiler for his great negotiating tactic. Now we know how you got that deal done with Wilton Manors and Fort Lauderdale. You're pretty good. I think that -- you are. It's -- it's -- I give you credit, sir.

First we were directed to agree to the 19.7 million being all in. And then the extrapolation came that that would equate to 2.75 million. And then, I guess sensing some lack of clarity on the part of all -- everyone here, we got another year thrown in, which would take us to 5 and a half million, compared

to the highest number that had been discussed before of 3.6 million dollars. Now, if we were at 3.6 million and we go up, that -- that seems like a big leap from -- from where we were before.

And I don't think that we can find the money, according to Ms. Henry. Where is it going to come from? So we have to deal with that issue. Now, I -- I think that there's a -- a sense -- and in terms of us proffering that offer, we didn't proffer the offer. Neither did we accept the offer. In fact, your -- your Vice Mayor said she wanted to first hear --

COMMISSIONER JACOBS: Hear.

COMMISSIONER HOLNESS: -- from what this Board would say as it regards -- as it pertains to -- to where we would go. So -- so where we are at this point in time is do we -- do we find some other number that is more comfortable than the 2.75 million for one year? I think that if we were to do 2.75 million, I think the County Commission, from what I'm hearing, would be willing to do that. Okay? For -- for -- for -- for the one year. For what we're talking about previously, the one year. Not -- not coming back to the '12 and -- and then making it retroactive. I don't think that was a conversation that we're having. So I think that there's -- there's a consensus from the County Commission that 2.7 million, we can get it done. Otherwise, I think that at the number that is here now, 5 and a half million, we can call it a day and go to court.

MR. FELDMAN: Mr. Mayor, if I can just clarify the issue that Commissioner Wexler spoke to and Commissioner Holness a second ago. Commissioner Wexler is absolutely correct. In the County's position, fiscal year '12 was off the table. My offer, the City's offer, on August 17th was a two-year deal.

UNIDENTIFIED SPEAKER: Correct.

MR. FELDMAN: And so our last official offer, just so --

MAYOR SEILER: It's a two-year deal.

MR. FELDMAN: -- we're --

MAYOR SEILER: It's always been.

MR. FELDMAN: -- we're clear, was a two-year deal. The response that the County provided, which was handed out on August 31st, two weeks later, was a one-year deal.

MAYOR SEILER: We've never moved off --

MR. FELDMAN: But we did not –

MAYOR SEILER: -- a two-year deal.

MR. FELDMAN: -- but we did not accept the August 31st –

MAYOR SEILER: We're not saying –

MR. FELDMAN: -- which is why we're here.

MAYOR SEILER: -- we accepted it.

MR. FELDMAN: So I just want to be clear that Commissioner Wexler is correct that the County's position's always been zero for fiscal year '12. The City's position's always been that we wanted to be reimbursed for fiscal year '12.

MAYOR SEILER: That's why I'm not -- I'm not aware of where the confusion is. We've always insisted on '12 and '13. And what I'm hearing today is you're all saying it's only '13. It doesn't make anybody right or wrong. It's been our negotiating position.

MAYOR RODSTROM: I don't think -- I think you have people coming into this in different -- different places here. Commissioner Wexler has been part of the negotiating team; other Commissioners have not, so I can understand why there could be confusion. We're here -- some of them are hearing for the first time –

VICE MAYOR JACOBS: But Commissioner Wexler's saying at every negotiating meeting it was not (inaudible).

MAYOR RODSTROM: But -- but -- but we weren't -- but we just learned that a few minutes ago. But we -- we weren't privy to that when the offer was made, because we didn't understand what the -- what had gone on in the negotiations.

So there was an assumption made on her part because she believed that the issue was closed, because it never -- it didn't -- the door had been shut for four times.

MAYOR SEILER: We never -- we never closed it.

MAYOR RODSTROM: So -- but he never closed it. So, I mean, I could see -
- Commissioner LaMarca.

COMMISSIONER LAMARCA: Very briefly. I agree with Commissioner Wexler on -- on exactly what she put forward. But we're -- we're not talking -- the confusion is that we're -- we're not talking about other cities going backward.

The money wouldn't have been paid for September if -- if there wasn't a statement made by somebody, the Sheriff, I don't know. I wasn't there, but that they would discontinue the services. Is that correct? So --

MS. HENRY: Right.

MAYOR SEILER: Now, did she -- it was (inaudible), right?

COMMISSIONER LAMARCA: -- but it's not for -- it's -- what we're talking -- and even if we just look at that -- that missing, is it February through August? Okay. Well, that's not a full year, anyway.

I -- I don't know that I'm willing to go back, but, certainly, if we were to look at it, we're not going to look at -- value that at 2.75 million dollars.

I am -- I'm absolutely a hundred percent all in, the 19.7 million. I'm -- I'm all in on -- on making this work and negotiating and -- and leaving here with a deal that we can all live with and move forward, because it's -- again, it's to -- for public safety and life safety that, you know, we've got to continue to move the ball down the field. And other cities are going to look at what we do here. But the -- the issue is that we're at February, March, April, May, June, July, August. We're at seven months.

COMMISSIONER GUNZBURGER: Right.

COMMISSIONER LAMARCA: What is the -- what is the -- what is the seven month cost of 2.7 -- and I'm not -- I'm not saying that anybody is on this --

MAYOR SEILER: Actually, take it over 12 months.

COMMISSIONER LAMARCA: The 2.75?

MAYOR SEILER: Take -- yeah. Take the 2.75 --

COMMISSIONER LAMARCA: Over 12 months.

MAYOR SEILER: -- whatever we've paid in, we've paid. We've paid some of those months. Give a 2.75 million dollar credit. Whatever the difference is, we'll write you a check for last year, and then we move forward with this same year, with the same deal, in '13.

Remember, this is -- Lois is right about this issue. We have sat there -- this negotiation started during '12. It's always included '12 in every single report we've had at the City of Fort Lauderdale. Nobody at Fort Lauderdale ever said, oh, the County said '12's off the table. We agree.

So we've gone into every closed door session, every discussion, every meeting, with the understanding that '12 was still a dollar amount to be resolved. Just because you delayed it and pushed the ball down the field, or we delayed it and pushed the ball down the field, doesn't mean that we ignored where we started.

COMMISSIONER LAMARCA: Okay. Let -- let me go back (inaudible).

MR. FELDMAN: Three --

COMMISSIONER LAMARCA: Why -- why did we --

MR. FELDMAN: -- three million ninety-four thousand.

COMMISSIONER LAMARCA: Okay. Why did we stop at February paying? Why did Fort Lauderdale?

MR. FELDMAN: I -- I can address that.

COMMISSIONER LAMARCA: Okay.

MR. FELDMAN: The reason why we stopped was we had proceeded after the joint meeting here last October with making the payments based upon a consolidated County communication system coming on line for fiscal year '13, and us joining that, that we would bite the bullet and -- and keep the service going --

COMMISSIONER LAMARCA: Through '12.

MAYOR SEILER: Through a one year transition.

MR. FELDMAN: -- for fiscal year '12, provided that fiscal year '13 there was going to be a Countywide solution and Countywide funding source in place. It became evidently clear to us after the C-4 report -- that -- after the C-4 report --

COMMISSIONER LAMARCA: Right.

MR. FELDMAN: -- and the steps necessary, and the ability not to have an MSTU in place for fiscal year '13, that there was not going to be a solution in place, and the issue about the inequitable treatment to the City --

COMMISSIONER LAMARCA: Okay.

MR. FELDMAN: -- was going to continue through fiscal year '13.

COMMISSIONER LAMARCA: Okay. So you stopped in February with that in mind, that we weren't going to. But we're -- we're saying, as a County, that we've put this bridge package together to get you through '13. So we --

MAYOR SEILER: But -- but Commissioner --

MR. FELDMAN: But it doesn't get us --

MAYOR SEILER: -- let me just --

MR. FELDMAN: -- it doesn't get us through '13.

MAYOR SEILER: -- let me back up. Let me -- let me address that specific issue.

COMMISSIONER LAMARCA: Okay.

MAYOR SEILER: When we left here last time, we all sat around this table -- the discussion was it was going to be in place in 2013.

COMMISSIONER LAMARCA: It's not.

MAYOR SEILER: There -- I know. But we operated under that assumption. We took you all at your word that by 2013 we would have a system in place. So we -- I didn't interrupt others.

UNIDENTIFIED SPEAKER: You are (inaudible).

MAYOR SEILER: So we -- we now have Mr. Feldman comes in last time when we go back, and we say, all right, we've got to come up with the funding for 2012 to transition to 2013 when we join you all. Now we're being told in the last round of meetings that it's not 2013. It's 2014. So we're being asked to pay two years for transition. We paid up until a point in time when we got notified 2013's off the table.

COMMISSIONER LAMARCA: Well, but the County --

MAYOR SEILER: So we operated in good faith –

COMMISSIONER LAMARCA: -- but the County's willing to pay that difference.

MR. FELDMAN: Well, wait, Commissioner.

COMMISSIONER LAMARCA: Hang on a second. Because I was in those meetings with Commissioner Wexler, Commissioner Roberts, police chiefs, city managers. There was a lot -- there was no way this was going to get brought to a -- a closure and moved forward, even in the most optimistic situation, for 2013. I think that's why the -- the bridge is there.

What we're talking about is you stopped in February and you paid -- and regardless of why, you paid September so you would have service. We're talking about seven months, and at 2 point -- because you're valuing -- you're valuing that year, the two years, at 2.75. You valued the -- the year at 2.75 million, and you did it -- divided by 12 months. Over seven months that you didn't pay, it's 1.6 million dollars. So we're not talking -- I mean –

MAYOR SEILER: But -- but –

MAYOR RODSTROM: And he said he would write you a check.

MAYOR SEILER: -- that's what I'm saying. The easy –

Yes. The easy way to do it is simply take what the cost is for the year, deduct 2.75, figure out what's paid and what's unpaid, and we write the check.

MAYOR RODSTROM: Write the check.

MAYOR SEILER: Now we move to '13.

MAYOR RODSTROM: Right.

MAYOR SEILER: But we operated under '12 with the assumption we were going to have a deal in '13. That's what you told us.

MAYOR RODSTROM: So the -- so the question is do you want to give them some relief on what they owe in 2012.

MAYOR SEILER: Right.

MAYOR RODSTROM: That's really the issue.

MAYOR SEILER: And that's why I offered the 2.75.

MR. FELDMAN: And -- and I'd like -- I'd like to just point out --

COMMISSIONER JACOBS: They already have relief. We're in October, and they're not paying.

MAYOR SEILER: Well, do you want to write off the bill and we'll move forward?

COMMISSIONER HOLNESS: And we had to fix the Sheriff's budget, also.

COMMISSIONER JACOBS: You're still getting it for free. That's the relief (inaudible).

MR. FELDMAN: Well, no. Commissioner, we're not. We -- we -- Commissioner, we are paying the Sheriff on a month to month basis to provide the service. It is budgeted at this point in the City's budget --

MAYOR RODSTROM: I'm telling you --

MR. FELDMAN: -- and we are planning on assuming control, using City forces, on April 1st of 2013.

VICE MAYOR JACOBS: Okay. So you're paying month to month, but February through August, not so much.

MR. FELDMAN: February of August of fiscal year '12 --

MAYOR RODSTROM: This is sunshine.

MR. FELDMAN: -- no.

MAYOR RODSTROM: This is in the sunshine.

MR. FELDMAN: But I -- I did want to address --

VICE MAYOR JACOBS: So we received a check for September. Does this mean that one is coming month to month for --

MAYOR SEILER: You didn't receive it. We gave it to the Sheriff because --

VICE MAYOR JACOBS: The Sheriff, right.

MAYOR SEILER: -- he was the one that threatened to cut off services.

VICE MAYOR JACOBS: The Sheriff. You gave your check to the Sheriff, which we had to accept at our last Commission meeting, for September. Does this mean we're going to go through this process on -- in October and November and December?

COMMISSIONER HOLNESS: And -- and --

MAYOR SEILER: We're going to our own (inaudible).

VICE MAYOR JACOBS: Continuing every month until such time --

MAYOR SEILER: Commissioner Jacobs --

VICE MAYOR JACOBS: -- as a different -- I'm asking your City Manager -- until such time as a different arrangement happens?

MR. FELDMAN: Yes, ma'am.

VICE MAYOR JACOBS: Okay. So every month, going forward, not the seven months that are still owed, but every month going forward, the agenda item that we passed for the month of September last week will continue to come before us each month on a month to month basis.

MR. FELDMAN: If that's how you conduct your business, yes.

MAYOR RODSTROM: But you -- you -- you --

MR. FELDMAN: I --

MAYOR RODSTROM: -- fall further and further behind, don't you?

MR. FELDMAN: No, we --

VICE MAYOR JACOBS: No, they --

MR. FELDMAN: -- we are writing a check --

VICE MAYOR JACOBS: -- just never pick up their arrears.

MAYOR RODSTROM: No, you don't. Right.

VICE MAYOR JACOBS: No, they just -- they just have isolated that seven months --

MAYOR RODSTROM: That arrears.

VICE MAYOR JACOBS: -- which is where my question started is it seemed to me like we have a point going forward where we have resolved all of these issues. There's one left. What happens to the last seven months?

The City Manager is saying even now, going forward until a bridge -- until this Countywide system is completely satisfied and put to pen, that month to month they'll be paying. So there's only one thing left --

MAYOR SEILER: That's not what he said at all.

VICE MAYOR JACOBS: -- sitting out there. That's the seven months.

MAYOR SEILER: That's not what he said at all.

MAYOR RODSTROM: Okay.

VICE MAYOR JACOBS: He just said month to month he's going to --

MAYOR RODSTROM: But here's --

MAYOR SEILER: Let me clarify.

MAYOR RODSTROM: -- what's being offered.

MAYOR SEILER: Let me clarify.

MAYOR RODSTROM: Here's what's being offered.

MAYOR SEILER: Can I just --

MAYOR RODSTROM: But here --

MAYOR SEILER: 2.75 million this year, 2.75 -- those numbers come off the table if we've got to continue going on this month to month, because what we've proposed at our city is after six months of the month to month, we're just going to go do our own system with any other cities that want to join us, after six months, if we can't come to a Countywide resolution.

VICE MAYOR JACOBS: When does your six month clock start ticking, then?

MAYOR SEILER: It started this month.

MR. FELDMAN: It started yesterday.

VICE MAYOR JACOBS: This month.

MAYOR SEILER: It started yesterday, October 1.

VICE MAYOR JACOBS: Okay.

MAYOR RODSTROM: All right. And –

MAYOR SEILER: So we're in good faith saying we'll join the County's system. We're happy to, if we can get an appropriate credit for the two years we've been forced to unfairly pay for. That's the bottom line.

MR. FELDMAN: There -- there -- there are two –

VICE MAYOR JACOBS: Okay. I will –

MR. FELDMAN: -- there –

VICE MAYOR JACOBS: -- strongly disagree you've been forced unfairly to pay for anything.

UNIDENTIFIED SPEAKER: Right.

MAYOR SEILER: Well –

VICE MAYOR JACOBS: I would –

MAYOR SEILER: Wilton Manors?

UNIDENTIFIED SPEAKER: It's -- it's –

VICE MAYOR JACOBS: -- (inaudible) you are not paying.

MAYOR SEILER: Commissioner Jacobs, Wilton Manors?

MAYOR RODSTROM: What -- what -- I guess what it is, though -- it's an offer to make a payment to the County of, what is it, 1 point how many millions of dollars?

VICE MAYOR JACOBS: Then you know what? I want that same offer for Pompano Beach, and I want it for all the other cities, because I'm not going to have this conversation that benefits one city –

MAYOR RODSTROM: And -- and I think you –

VICE MAYOR JACOBS: -- without the others.

MAYOR RODSTROM: -- can make that -- I think you make that offer. Because here's the question you have to ask yourself, if you want to be blunt about it. What's the likelihood of you collecting from those cities as you go forward for 2012?

VICE MAYOR JACOBS: What's the likelihood of the City of Fort Lauderdale starting a Countywide system on its own?

MAYOR RODSTROM: The County -- the City of Fort Lauderdale –

VICE MAYOR JACOBS: Let us know how that works for you.

MAYOR RODSTROM: -- is joining you today if you'll accept the offer. That's the likelihood of what's going to happen. You set the stage for what's going to happen in the future. The question is you've got to –

VICE MAYOR JACOBS: That's not true.

MAYOR RODSTROM: -- go back and now collect the –

VICE MAYOR JACOBS: That's not true.

MAYOR RODSTROM: Well, then go collect from 2012 for those other cities that have not paid. Where's that money? You've got a -- you've got a city here writing you a check right now for back pay. You don't have any others –

VICE MAYOR JACOBS: Well –

MAYOR RODSTROM: -- lining up.

VICE MAYOR JACOBS: -- no, they don't. No, we don't.

MAYOR RODSTROM: They're -- they're offering to write a check for those – for those months. For those months that -- Correct.

COMMISSIONER WEXLER: You're not writing him a check for the 2.7.

COMMISSIONER GUNZBURGER: They're offering to pay one third of it.

MAYOR RODSTROM: Right. I get that.

COMMISSIONER RITTER: You know what? It's been two hours. Have we gotten anywhere?

MAYOR RODSTROM: Okay. So you -- you're declaring impasse? Is that what you're saying? You don't want to --

COMMISSIONER WEXLER: I don't -- I don't see -- I don't see how we can resolve this going backwards. I see, and I'm willing to support the 2.7 million dollars --

VICE MAYOR JACOBS: Going forward.

COMMISSIONER WEXLER: -- which is an increase of the 2.3, which was our original offer, going forward.

VICE MAYOR JACOBS: I will -- I accept that --

COMMISSIONER WEXLER: But I -- I --

VICE MAYOR JACOBS: -- as well.

COMMISSIONER WEXLER: -- I will tell you I do not see and would never condone --

MAYOR RODSTROM: So you're offering 2.3?

COMMISSIONER WEXLER: I'm offering 2.75.

MAYOR RODSTROM: Five.

UNIDENTIFIED SPEAKER: The deal we --

COMMISSIONER WEXLER: Correct.

MAYOR RODSTROM: So you're meeting the City --

COMMISSIONER WEXLER: Going --

MAYOR RODSTROM: -- on that --

COMMISSIONER WEXLER: -- forward.

MAYOR RODSTROM: -- you're meeting the City on the --

COMMISSIONER WEXLER: One --

VICE MAYOR JACOBS: On that one (inaudible)

MAYOR RODSTROM: Our counter offer -- our counter offer --

UNIDENTIFIED SPEAKER: Right.

MAYOR RODSTROM: -- is 2.75 million for 2013.

COMMISSIONER WEXLER: Yes, sir.

MAYOR RODSTROM: And that's all.

COMMISSIONER WEXLER: That's correct. That's --

MR. FELDMAN: Can I -- can I --

COMMISSIONER WEXLER: -- correct.

MR. FELDMAN: -- just clarify, then?

MAYOR RODSTROM: Yes.

COMMISSIONER WEXLER: No, which -- which year they want to apply it to?

UNIDENTIFIED SPEAKER: What year would --

MAYOR RODSTROM: No. No, it's --

COMMISSIONER WEXLER: No --

MAYOR RODSTROM: -- for 2013.

COMMISSIONER WEXLER: -- it's for 2013.

MAYOR RODSTROM: Yes.

COMMISSIONER WEXLER: Right.

MR. FELDMAN: If you can just indulge me for a second. There's two issues, the dispatch and the 800 megahertz radio system. I want to just make sure I understand the 800 megahertz radio system piece so that when our Commission evaluates this -- the 800 megahertz, we would be able to join in August of --

MAYOR RODSTROM: 2013.

MR. FELDMAN: -- 2013.

MAYOR RODSTROM: Yes.

MR. FELDMAN: Are we going to be subject to this interlocal agreement and this CAD provision? Because that is problematic to us, as well.

MS. HENRY: Here -- here's --

MR. FELDMAN: Well, let me explain why. The CAD, we know that you're going out for a new CAD system, probably in 2015. It would be -- it would be silly for us to go through the time and effort to convert a CAD system to do it again in another year.

And so our proposal is that if we jump onto your 800 megahertz radio system, then we would maintain our own CAD system, and -- which is really, to me, separate from radios, and we would -- there wouldn't be a need to sign an interlocal agreement. Our radios are just on the system. I'd rather keep it simple and sweet, than to try to complicate it.

MAYOR RODSTROM: Let Ms. Henry answer.

COMMISSIONER WEXLER: Mine would probably be more brutal. She'll -- I'm sure she will be more tactful.

MAYOR RODSTROM: Well, then, let her answer, then, I think. Go ahead, Ms. Henry.

MS. HENRY: Again, in trying to make sure that all the municipalities are treated the same, each of those municipalities were asked to -- to -- to sign an interlocal agreement that -- remember, Commissioners, you're here to create closest unit response.

Everybody's come up with a thousand different reasons why we -- why that Charter amendment was there, but it was all about closest unit response. How do you get closest unit response if you don't have a common CAD

where you know where all the equipment is?

So if you are saying that you will migrate to the common CAD at some point, and I -- I need to talk to my -- my staff to -- to figure out when that conversion is, we might be able to have a discussion.

But to say that you're never going to come on the common CAD, and we're going to agree to let you be on the radio system, I think we're going to have issues, because other municipalities have signed agreements saying that they're going to participate in closest unit response.

VICE MAYOR JACOBS: Well, was that a part of the offer that we had about an hour ago? Because I didn't hear that aspect of it.

MAYOR SEILER: Yes, it's part of it.

VICE MAYOR JACOBS: I didn't hear it quantified.

MAYOR SEILER: It's on the sheet. You have it.

VICE MAYOR JACOBS: No. The -- the deal we took a five minute break, the guys came back. You made an offer. I didn't hear this element as a condition of that offer. Now it is.

COMMISSIONER GUNZBURGER: It keeps changing.

VICE MAYOR JACOBS: So we -- you know --

COMMISSIONER GUNZBURGER: Every time you turn around, there's (inaudible).

VICE MAYOR JACOBS: -- this is very --

MAYOR SEILER: If you guys want to keep --

VICE MAYOR JACOBS: -- frustrating to me --

MAYOR SEILER: -- moving away --

VICE MAYOR JACOBS: -- to keep having --

MAYOR RODSTROM: Well, no. They want --

VICE MAYOR JACOBS: -- new issues --

MAYOR RODSTROM: -- they've always wanted to be part of the system in 2013.

VICE MAYOR JACOBS: But it wasn't the deal when they walked back in the door, and now it is.

MAYOR RODSTROM: Well, they never took that off the table. That was always part of the table.

MR. FELDMAN: I'm just asking if it was part of your offer --

VICE MAYOR JACOBS: Well, then, you know what?

MR. FELDMAN: -- or not.

VICE MAYOR JACOBS: We need something in front of us, because every time I turn around, there's something else that's still on the table.

COMMISSIONER GUNZBURGER: Yeah, something new, every other minute.

VICE MAYOR JACOBS: What else is on the table? What else do you have on the table?

MR. FELDMAN: I have nothing else. I was just asking you if your offer contained that or not. If the answer is no, then that's fine. I -- I was just asking for clarification purposes. I wasn't insisting that it was part of it. Just when we go back --

VICE MAYOR JACOBS: I thought I heard you say you had a problem that it was contingent upon signing the interlocal.

MAYOR RODSTROM: Here, here's the offer.

COMMISSIONER GUNZBURGER: Oh, here it is.

COMMISSIONER WEXLER: Can I be recognized, Mayor, please?

MAYOR RODSTROM: Yes.

COMMISSIONER WEXLER: Okay. Part -- I mean, there has been something else thrown on the wall every week that we met, so I really need to --

VICE MAYOR JACOBS: I know.

COMMISSIONER WEXLER: -- and, Mr. Feldman, I -- we've tried to package this. The 800 megahertz system is something that you need a new system. And it's going to cost the City of Fort Lauderdale dollars.

Ms. Henry has been working very hard with her staff for months now to create space on this, the County, system. We approved \$400,000 at a recent meeting in order to transit -- transition -- thank you -- and -- and make sure that the system was maintained in a robust manner, which would allow you to transition onto it, which would save you huge dollar amounts. One of the things, Mayor Seiler, that we did try to do was package the two together.

MAYOR SEILER: I agreed (inaudible).

COMMISSIONER WEXLER: Okay? It's been there. But we -- and -- and Ms. Henry has been working very hard to create a solution. She has now identified a solution. That only happened two weeks ago, two and a half weeks ago? Very recently.

MAYOR SEILER: When did --

COMMISSIONER WEXLER: Very recently, to allow you --

MS. HENRY: It was at our last meeting --

COMMISSIONER WEXLER: Right.

MS. HENRY: -- the August 31st meeting.

MAYOR SEILER: And I fully agreed to put it on the table. I was just surprised by Vice Mayor Jacobs' comment saying this was not on the table. It's always been on the table.

VICE MAYOR JACOBS: No, not on the offer -- it's -- what I was hearing them --

MAYOR SEILER: It's right here.

VICE MAYOR JACOBS: -- what I just heard your City Manager say was another condition.

COMMISSIONER WEXLER: Correct.

MAYOR SEILER: It's not a new condition.

COMMISSIONER WEXLER: Correct.

VICE MAYOR JACOBS: It's not a new condition, but it's –

COMMISSIONER WEXLER: He's saying –

VICE MAYOR JACOBS: -- condition of today's deal.

COMMISSIONER WEXLER: -- he's saying -- I'm saying it's packaged together. He's saying, if we're not going to resolve the second half of this piece of paper, then let's try to do Number 1 anyway.

MAYOR SEILER: I think what he said is to understand the full -- is that still part of the package, is what he said.

COMMISSIONER WEXLER: It is a package.

MAYOR RODSTROM: That's what I thought he said. Still part of the package.

MR. FELDMAN: That's what I was asking.

MAYOR SEILER: He said –

COMMISSIONER WEXLER: It is a package.

MAYOR SEILER: Okay. So how -- where's the confusion here?

COMMISSIONER WEXLER: It –

MAYOR SEILER: His question is it part of the package or not.

COMMISSIONER WEXLER: It is.

MAYOR SEILER: You all jump on our City Manager –

MAYOR RODSTROM: It is.

COMMISSIONER WEXLER: It is.

MAYOR RODSTROM: It is.

MAYOR SEILER: -- and say he's changing the deal. Is that fair?

COMMISSIONER WEXLER: It is part of the package, and it has value.

MAYOR RODSTROM: And nobody's -- we're not jumping on him.

MR. FELDMAN: Well, that's fine.

COMMISSIONER WEXLER: I'm not jumping.

MR. FELDMAN: I'm -- I'm used to it. It's -- just not in this room.

COMMISSIONER WEXLER: Mayor, it has value. We recognize, you recognize that it has value to the City of Fort Lauderdale that you --

MAYOR SEILER: Lois, we've just blown up an issue that has always been part of the package. It doesn't need to be blown up. People don't need to react like we're bringing in new items. All he asked was is it part of the package.

VICE MAYOR JACOBS: I didn't hear that.

MAYOR SEILER: John understood that. I understood that. I think --

VICE MAYOR JACOBS: I didn't hear (inaudible).

MAYOR SEILER: -- everybody else understood that.

COMMISSIONER WEXLER: He wants it to remain on the table.

MAYOR SEILER: As part of the package.

VICE MAYOR C. RODSTROM: He wants clarification to this one item.

COMMISSIONER WEXLER: But you all walked away from the second part of the package.

MAYOR SEILER: We haven't walked away from anything. We're trying to get your final offer, and we'll make a decision.

VICE MAYOR C. RODSTROM: Then maybe we should handle the second offer first (inaudible) and then deal with the other one you suggested (inaudible).

VICE MAYOR JACOBS: See, I thought we made a decision. I thought we had an offer. I thought we had an offer, and there were no conditions attached to it.

COMMISSIONER WEXLER: You want to recap the offer, recap?

MAYOR SEILER: Your offer, as I understand it now is the 2.75 for one year, and this 800 megahertz package. And I think Bertha was getting clarification on an issue when we all jumped to a new issue.

MAYOR RODSTROM: And -- and we committed the 19.7 million.

UNIDENTIFIED SPEAKER: Correct.

MAYOR SEILER: Did you get the clarification you needed?

MAYOR RODSTROM: And we made it regardless of who participates.

COMMISSIONER WEXLER: Correct.

MAYOR SEILER: Did you get --

MS. HENRY: I did.

MAYOR SEILER: Could you update us, if you don't mind?

MS. HENRY: What Lee asked, which is what I was reacting to, was whether or not the City would be required to come on to the common CAD --

VICE MAYOR JACOBS: And sign and interlocal --

MS. HENRY: -- by -- by signing on to the interlocal agreement. This was a provision that we put into our offer because the Charter amendment said closest unit response. There are a number of cities that are -- that have signed on, and there are a number of cities that have not.

What I heard Lee say was they're going to -- we're going to be replacing our CAD or somehow upgrading our CAD in a couple years. Are you willing, in the next two or three years, Lee, to agree that you're coming onto the common CAD?

MR. FELDMAN: I think in two or three years, when there's a migration, that would be something the City of Fort Lauderdale would entertain, assuming we were satisfied that it was a CAD equivalent to ours or better.

COMMISSIONER RITTER: That's not a yes.

MR. FELDMAN: Well, if -- if we're driving a -- a mid-size car, and our choice is in a couple years to either continue at our cost -- we're not asking you to fund our cost of the CAD. All we're asking for is that if there's a CAD system, that it's at least equivalent to the standard that we have now and that we're not going backwards in terms of quality.

And -- and right now, we believe that the Intergraph system that we have is a higher quality than the County's system. And from what we understand -- at least, what I understood a couple weeks ago when it was on another -- in another office, is that you were most likely going to be migrating to the Intergraph platform, which would be fine for us.

MAYOR SEILER: That would be --

MR. FELDMAN: But --

MAYOR SEILER: -- wonderful. That's -- That's what we would want.

MR. FELDMAN: -- again, without --

COMMISSIONER RITTER: Yeah.

MR. FELDMAN: -- without knowing what --

COMMISSIONER RITTER: If we do what you want --

MR. FELDMAN: -- what the world's going to look like in --

COMMISSIONER RITTER: -- then it's great. And I understand that.

MAYOR SEILER: No, no. You tell us that you're going to --

COMMISSIONER RITTER: The -- the problem, Jack, is that -- that whether it is a superior or inferior system may very well be subjective, not objective. Coral Springs believed that their system is superior to ours; we disagree. So we have an impasse -- I mean, not a -- not a formal impasse, but we have a disagreement that, two or three years, that may very well be the case here.

Oh, we don't like your system. We don't think it's superior. Well, we think it is. That will cause more problems for a different Board two or three years down -- down -- down the way. And -- and if we don't have the same CAD, what's the point?

MAYOR SEILER: This is a similar issue to the 19.7, which we cleared up earlier. The 19.7's in, and you said the message you're in. Great. All we're asking you is in our prior discussion it was suggested to our staff that you were going to a system equivalent to our system.

If you're not going to that system -- and I understand the Board isn't -- but it was suggested to us in -- for purposes of getting this done, that we think this system works best for everybody. If we know you're going to that system, we love it, and I'm sure a lot of other cities love it.

If you're not going to that system, that's what the contingency Lee is saying is that if you go to a system that is not the same caliber system -- we're not promoting any vendor or anything like that. We just know we have a system that we thought, from your staff, you all agreed with us. If your staff does not agree with us, that's why Lee put the contingency.

COMMISSIONER RITTER: It's not a question of agreeing or not today. We are not -- we are not at a position to make that decision today on what system we may or may not be migrating to. So --

UNIDENTIFIED SPEAKER: Right.

COMMISSIONER RITTER: -- it -- it appears -- and understand, Mayor, that, you know, for most of us on this Board, these are the first times we've heard these conversations, so we're asking the questions that -- that Commissioner Wexler may already have asked and gotten answers to.

But I -- I would be very concerned about signing an agreement -- even if we get the money part put aside -- that says that in concept you agree, but if it's not equivalent, then the answer's no.

I do not -- I could not support an agreement that -- I could support an agreement that gave you 2.75 for one year and then said and we will migrate to your system. Period. End of discussion. Otherwise, I can't -- honestly, I think that the past two hours have been a waste of time.

We are in -- we are not any further down than we were before, and I would suggest that we adjourn this meeting and -- and move on to -- because we have --

MAYOR RODSTROM: Well, but I --

COMMISSIONER RITTER: -- an afternoon meeting, and you guys have a meeting, too.

MAYOR RODSTROM: -- I -- I would --

COMMISSIONER RITTER: We're just -- we're not getting anywhere.

MAYOR RODSTROM: -- I would hold short of that characterization, because I do think a lot's been accomplished today. I really do. I think -- I think the County --

COMMISSIONER RITTER: I don't think anything's been accomplished.

MAYOR RODSTROM: -- I think it has. I think the County --

COMMISSIONER RITTER: Nobody's agreed to anything.

MAYOR RODSTROM: -- I think that the County has clarified our position, and I think we've made -- there's been a counter offer made, and I think we have made progress today. I do believe that.

MAYOR SEILER: And I agree with you.

COMMISSIONER RITTER: Well, I hope you're right. I --

MAYOR RODSTROM: I don't -- I think -- you know, I mean --

COMMISSIONER RITTER: -- I don't feel it.

MAYOR RODSTROM: -- Commissioner Wexler and LaMarca, I mean, did we --

COMMISSIONER RITTER: Okay.

MAYOR RODSTROM: -- make progress today?

COMMISSIONER WEXLER: Yes, we're talking (inaudible).

COMMISSIONER LAMARCA: I thought it was just about money, and it's more --

COMMISSIONER RITTER: It's not just about money.

COMMISSIONER LAMARCA: But I -- I agree there's been a lot of progress.

MAYOR RODSTROM: There's been a lot of progress today. So much so -- that it seems to me that we want to -- do we want to schedule another meeting and do we want to keep talking or do we want to -- or do we want to go to court? I mean, do we want to schedule another meeting -- or do we want to go to court?

COMMISSIONER HOLNESS: I -- I -- I -- I think that the -- the -- the issue that arises just now from City Manager as to the graph system, our technical people should be able to tell us if that's where we going. Are we going to go to something as good as that?

And -- and maybe, maybe, they can go back and work out that graph system as compared to whatever other system, or -- and also take that 2.75 million and see whether or not that -- if we can find something there that says if we're going there already anyhow, if that's what our staff is recommending and that's what they want to do, then maybe that might be the deal-maker.

MS. HENRY: I -- I didn't ask the staff if they were going to this -- I didn't even know what the system was. My question to staff was would we be able to, in a - - in a rational -- on a rational basis? The City's argument is why move today when you're going to be changing in two or three years, so why make them go through that process twice?

And he agreed that we can work with the City until it's time to upgrade the system. That was the only question I asked. We didn't get into what is the new platform or the technology, because that -- there -- there will be a competitive process that ensues. I don't know what's going to be the hottest, the latest and greatest two, three years from now. I don't know.

MR. FELDMAN: And that's my point exactly, too. We don't know either, so I can't tell you --

MAYOR RODSTROM: And you raised -- and you've raised your point, and -- and, let's -- let's leave it at that for now, because I don't think we're going to resolve that process.

So -- so, I mean, here's the question. I -- the Mayor says that he -- you know, because right now, we have a -- we have a choice. We can either end this meeting and go right to court, or we can continue to talk.

And the Mayor believes that we've made progress today. I agree. Does our Board agree that we've made progress to the point where we should continue talking, or do you all want to go to court?

COMMISSIONER RITTER: I think we should continue to talk.

MAYOR RODSTROM: Okay.

COMMISSIONER RITTER: However, I am concerned that every time we seem to make -- we seem to take one step forward, we are taking two steps back. As -- as Ms. Henry said, it's a competitive process. Two years from now, there might be a system superior to yours that you like better. So to sign an agreement that says we must have your system or -- or the equivalent --

MAYOR SEILER: We're not insisting on that.

MAYOR RODSTROM: No.

COMMISSIONER RITTER: Yes, but you are --

MAYOR SEILER: We're not saying that.

COMMISSIONER RITTER: -- but you aren't, because --

MAYOR SEILER: It's a compatibility --

COMMISSIONER RITTER: -- you're saying it has -- you're saying it has to be equivalent to what you have, and that is subjective. That is subjective.

COMMISSIONER ROBERTS: Can I clarify that one point just a little bit?

COMMISSIONER RITTER: And honestly --

COMMISSIONER ROBERTS: I'm sorry.

MAYOR SEILER: Do you want the Chief to clarify?

COMMISSIONER RITTER: Hold on. Hold on. Because if we -- if we say we want to go to the system Coral Springs has, then they may very well join us. Otherwise, they're not going to, because --

MAYOR SEILER: You want Chief Roberts --

COMMISSIONER RITTER: -- they think their system is superior.

MAYOR SEILER: -- to clarify it? He was thirty-five years --

COMMISSIONER ROBERTS: No, I -- excuse me, Commissioner, but what happened -- what happened was when our committee -- the main committee where we sat on the consolidated, coordinated committee, Chip was there, Lois was there, and we had these discussions, one of the basic premises and goals was to make sure that when we went to the closest unit consolidated response system, that nobody suffered a deterioration of services.

So Lee, in my opinion, is just trying to protect that. He's not saying you've got to go to a particular system or not to another one. He just wants to make sure that whatever we choose has no negative impact --

MAYOR RODSTROM: Is no worse than what you have.

COMMISSIONER ROBERTS: -- but totally enhances everybody's system. So I think we're getting hung up on that, and I think it's something we shouldn't get hung up on. I think it's something very workable that, between Bertha and Lee, can be talked about in the future.

But the assurance has to be, and all the cities are going to be looking forward to that, not to have a deterioration of current services. It should be at least the same, if not enhanced. And that's what the whole purpose of the -- of what the consolidation was about.

COMMISSIONER RODSTROM: Commissioner Lieberman, briefly, and then Commissioner Rodstrom.

COMMISSIONER LIEBERMAN: Okay. Is the City of Fort Lauderdale backing off its request for fiscal year 2012 dollars?

MAYOR SEILER: At this point in time, no, we're not.

COMMISSIONER LIEBERMAN: Okay.

MAYOR RODSTROM: Commissioner Rodstrom.

VICE MAYOR C. RODSTROM: Yes. I have a --

COMMISSIONER LIEBERMAN: Well, hold on.

VICE MAYOR C. RODSTROM: I'm sorry. Go ahead.

COMMISSIONER LIEBERMAN: I just took a breath. The question is should we continue talking?

MAYOR RODSTROM: Yes.

COMMISSIONER LIEBERMAN: That's not an issue that they're backing off of, so I don't know why we would continue talking. To me, that's the main -- that's like the 900 pound elephant in the room that nobody wants to talk about. So we can continue talking, but until they say, hey, we're going to back off fiscal year 2012, we're going to end up in court anyway.

MAYOR RODSTROM: Maybe there's something that --

VICE MAYOR C. RODSTROM: Some middle ground (inaudible).

MAYOR RODSTROM: -- it gets sweeter at one end and you save face on the other. I don't know. I mean --

COMMISSIONER LIEBERMAN: And, Mayor, with all due respect, you -- Fort Lauderdale is in your County Commission District. Some of these other cities out there are -- are in mine.

And I can tell you, they'll come up and they'll tell you they think their CAD system is superior. And so you can't just have a discussion about are we going to be compatible with Fort Lauderdale. There's a number --

MAYOR RODSTROM: But I -- but I --

COMMISSIONER LIEBERMAN: -- of other players there.

MAYOR RODSTROM: I just think that's an issue we're not going to decide anytime soon. It's not part of these negotiations, honestly.

COMMISSIONER LIEBERMAN: But it can't just be resolved by the County and Fort Lauderdale.

MAYOR RODSTROM: I understand.

MAYOR SEILER: But I think -- just if I may, I think what you heard from Chief Roberts is that there's a lot more people at the table than just Fort Lauderdale and the County. I mean, Lois has been at the table with people from all over. And everybody has the same goal. And I truly believe the County has the same goal.

I think when you look at where you all are and the areas you represent, you have the exact same goal that you heard Bruce express and Lois express. There is the same goal to try to come up with a system that is an enhanced system.

COMMISSIONER LIEBERMAN: Mayor, the reason that –

MAYOR SEILER: That's the goal.

COMMISSIONER LIEBERMAN: -- we're where we're at is because our Board took a position, and we supported that regional -- regionalizing dispatch should be more cost effective and it should be better for safety and welfare. To –

MAYOR SEILER: We agree.

COMMISSIONER LIEBERMAN: -- to do that, everybody's got to be on the same system who's going to be part of it. And so what I hear you saying to me is the same thing that I hear, or I see, in agreements all the time. And you put four lawyers in a room and you get five opinions.

Which one is better? It's more reasonable. Everybody has a different definition. And so unless -- in my mind, unless you all say, okay, we'll -- we understand, it's only fiscal year 2013 and, yeah, we're in, we're going to be part of a common dispatch system -- because that's really what the voters asked for, which is why we're putting money on the table in the first place -- we could sit here, but we're still going to end up in court over at least one issue.

MAYOR SEILER: I mean, if you guys –

MS. HENRY: Mayor?

MAYOR SEILER: -- are declaring impasse, I think we've made progress. If you don't want us to go back and see what we can come up with, then I'm happy to do whatever (inaudible).

MS. HENRY: Mayor –

MAYOR RODSTROM: Commissioner Rodstrom.

VICE MAYOR C. RODSTROM: -- just real quickly. I want to -- we -- just to refresh everyone's memory, the word, vast, came with Number 2, and I believe Bertha's feet were held to the fire to go ahead and get a compromise using the word, because she said vast amounts of cities.

And now the same philosophy is happening with one coming out of our Manager's mouth, wanting to have a -- a confirmed deal. So the feet to the fire needs to be held both ways. It can't just be forcing the County to change their word, vast amount of cities, and pigeonhole them into exactly what they have to do, and then allow the City of Fort Lauderdale the flexibility on Item Number 1.

So I don't want to ruin Ilene Lieberman's wonderful train of thought where she was going with this, because I'm -- I'm all for the -- following the -- the Charter and giving the voters what they want and coming up with a regional approach. And these all sound wonderful, but the standard of the conversation here is -- is starting to annoy me a little bit when you're -- when you're correcting the language of one Administrator and then allowing for a City Manager from the largest city in the County, which is fine, but it is not the only city, to -- to maybe get a little more benefit than he should from the flexibility of his language in 2.

So I appreciate, Bertha, that you actually, you know, did stick to your feet to the fire and come up with a firm recommendation for the Number 2 on the word, vast cities.

MAYOR RODSTROM: Everybody's got to give a little --

VICE MAYOR C. RODSTROM: So thank you.

MAYOR RODSTROM: -- here.

MAYOR SEILER: Can I just get a clarification?

VICE MAYOR C. RODSTROM: Right. Exactly.

MS. HENRY: I have a proposal.

VICE MAYOR C. RODSTROM: And that part I understand.

MS. HENRY: Mayor?

VICE MAYOR C. RODSTROM: I'm saying people did give.

MS. HENRY: Mayor, I have a proposal.

MAYOR SEILER: Just a clarification, am I correct --

COMMISSIONER HOLNESS: Hello.

MAYOR SEILER: -- that Bruce and Lois are on a committee that involves numerous cities -- and Chip -- numerous cities and numerous entities that are working together to come up with a system? And that's what we're proposing for Fort Lauderdale, not some unique -- something unique for Fort Lauderdale.

COMMISSIONER HOLNESS: Solution's at hand.

MAYOR SEILER: Is that right?

COMMISSIONER HOLNESS: Our -- our County Administrator want to make a proposal, Mayor.

MAYOR SEILER: Why don't we hear from Lois?

MS. HENRY: Yes. My proposal, it's going down a path that you -- where you are. We have -- the structure that's been discussed at this point has an operational subcommittee that's made up of the -- the police and fire folk, and they will all come together to look at what -- what the criteria -- because if this subjective mine is better than yours, then we're never going to get anywhere.

But if there's objective criteria by which we've agreed that we would live by, if everybody else agrees to live by that, then Fort Lauderdale would have -- I mean, could agree to live by that as well.

MAYOR RODSTROM: And I think Fort Lauderdale agrees with that.

MAYOR SEILER: Right. I don't think we're disagreeing with that.

MAYOR RODSTROM: Right.

COMMISSIONER ROBERTS: The end product, we want to make sure that we are, at least, in Fort Lauderdale, maintaining our service level --

MAYOR RODSTROM: At least the quality --

COMMISSIONER ROBERTS: -- if not better.

MAYOR RODSTROM: Right.

COMMISSIONER ROBERTS: That's what it's about.

VICE MAYOR JACOBS: Does the City Manager agree with what the County Administrator just said?

COMMISSIONER ROBERTS: No. I -- that's my --

VICE MAYOR JACOBS: Does the City Manager agree with what the County Administrator just said?

MR. FELDMAN: I cannot tell you that --

UNIDENTIFIED SPEAKER: Are they going to (inaudible).

MR. FELDMAN: -- without knowing what the --

MAYOR RODSTROM: We're not going to get a bad system. That's not going to happen.

VICE MAYOR JACOBS: Then the City, does the City Manager agree with what the County Administrator just said?

MR. FELDMAN: We -- without knowing the specifics of what the new system's going to be, I would be foolish to say --

MAYOR RODSTROM: No, you wouldn't be. No, you wouldn't be.

MR. FELDMAN: -- we're going to agree for everything.

VICE MAYOR JACOBS: Okay. The answer is, no, he doesn't agree.

MAYOR RODSTROM: You're going to get a good system. We're not going to let you down, and we're not going to give you a bad system that doesn't work.

MR. FELDMAN: But if I --

COMMISSIONER GUNZBURGER: (Inaudible), there's your answer.

COMMISSIONER HOLNESS: There's -- there's -- there's -- there's -- there's a pathway, though, is what the County Administrator is saying, Mr. City Manager.

UNIDENTIFIED SPEAKER: Yeah, but he's not willing to --

COMMISSIONER HOLNESS: She's saying --

VICE MAYOR JACOBS: The City Manager does not agree --

COMMISSIONER HOLNESS: -- look, let the technical --

VICE MAYOR JACOBS: -- with that.

COMMISSIONER HOLNESS: -- folks who are involved and engaged with this come up with an evaluation which includes representative from your City. And if they come up with that -- that the system that they deem best, that that's the system we agree to live with, all of us.

MR. FELDMAN: Let -- let me back up for a second and say that this discussion is probably moot, if there is a consolidated Countywide system --

MAYOR RODSTROM: Right.

MR. FELDMAN: -- because at that point, we're not going to be dispatching.

UNIDENTIFIED SPEAKER: Exactly.

MR. FELDMAN: There's going to be a consolidated system that's going to be dispatching. And the issue of CAD really becomes secondary at that point, because it's really going to be what works for the Countywide system.

MAYOR RODSTROM: Thank you. Thank you. Thank you. That puts it in context.

MR. FELDMAN: Okay.

VICE MAYOR JACOBS: So why was that issue raised then?

MAYOR RODSTROM: So -- so the question is it's 1:30. The Commissioners --
MAYOR SEILER: Because it's on the sheet.

VICE MAYOR JACOBS: Because it's not important?

MAYOR RODSTROM: -- have to go to their own Commission meeting.

MAYOR SEILER: Because it's on the sheet.

MAYOR RODSTROM: Do you all object to not declaring an impasse right now and continuing on for two weeks to see if the two staffs can craft something together to bring back? You okay with that?

UNIDENTIFIED SPEAKER: Yes.

COMMISSIONER WEXLER: Sure.

MAYOR SEILER: Is our Commission okay with that?

COMMISSIONER WEXLER: You need to recognize -- wait. Please recognize --

COMMISSIONER JACOBS: I want something reduced to writing.

COMMISSIONER WEXLER: -- folks, recognizing, Ms. Henry, Mr. Feldman are both members of the I-Board. They have a sunshine violation in that regard to the two of them.

MAYOR RODSTROM: Well, then, maybe resign from that board.

COMMISSIONER WEXLER: No, they cannot resign from that board. However -- no, no, no. So -- Mayor, the only reason I'm bringing that up is they can have their staffs, on their behalf, negotiate if they have -- if they agree to do that. But the two of them sitting there together doing it, I don't think would be appropriate.

MAYOR SEILER: Just notice --

MAYOR RODSTROM: Yes, notice their meeting.

COMMISSIONER WEXLER: Well, they haven't been -- they have -- they have --

MAYOR RODSTROM: Notice their meeting and negotiate in the sunshine.

COMMISSIONER DUBOSE: Right.

MAYOR RODSTROM: That's fine.

UNIDENTIFIED SPEAKER: So what? (Inaudible.)

MAYOR RODSTROM: Yeah. So you could sit there. We don't care.

COMMISSIONER WEXLER: Are you --

MAYOR SEILER: Can I just --

COMMISSIONER WEXLER: -- are you both okay with that?

MS. HENRY: I'm fine.

COMMISSIONER WEXLER: Okay. Thank you.

MAYOR SEILER: -- Commissioners, are we good with resetting this and not declaring an impasse? Yes.

MAYOR RODSTROM: Okay. All right. Thank you. Thank you.

MAYOR SEILER: Thank you, John.

(The meeting concluded at 1:31 p.m.)

PROVIDED BY
CITY MANAGER

Discussion Points for Joint Meeting with Broward County Commission 10/2/12

800MHz Radio System

- Issue:** The Broward County Charter, Section 5.03(A) provides that "[t]he County Commission with cooperation from Municipalities shall establish a countywide communications infrastructure for fire and emergency medical services. *The County shall provide funding for the communications infrastructure and all service providers will utilize the elements of the communications infrastructure.* The communications infrastructure shall facilitate closest unit response for life-threatening emergencies and support for regional specialty teams." [emphasis added]
- The City of Fort Lauderdale currently funds through its General Fund for the operation and maintenance of an 800 MHz radio system for Fire-Rescue and Law Enforcement purposes.
- Position:** The City of Fort Lauderdale believes that Broward County has the immediate obligation to allow the City to participate in the County's 800 MHz radio system. In the alternative, the County can reimburse the City for the cost of operating its 800 MHz radio system.
- City's Last Offer 8/17:**
- City would continue to pay operation and normal maintenance through FY 2017.
 - County would pay for system upgrades (capital infrastructure) necessary for operational reliance.
- County's Last Offer 8/31**
- City to be a full participant in August 2013
 - City would be required to sign the "Standard Regional Inter-Local Agreement", which would include common CAD system.
- Both systems, City and County, are at "end-of-life"
 - City has recently spent \$3.6MM in upgrades to its 800 MHz radio system
 - City anticipates another \$11MM - \$20MM will need to be spent in the next 7 years
 - County has indicated it will spend between \$40MM and \$55MM by 2018
 - Five municipalities (including Fort Lauderdale) have their own 800MHz system
 - Fort Lauderdale supports Oakland Park, Wilton Manors and Pompano on its 800 MHz system

E-911 Call Taking and Police Dispatch

- Issue:** Since 1997, Broward County, either directly or through the BSO budget, has provided E-911 Call Taking and Police Dispatch services at the Fort Lauderdale PSAP. Commencing in FY 2012, Broward County ceased funding BSO to provide those services.
- Position:** The City of Fort Lauderdale believes that in accordance with Florida Statutes, the Florida Administrative Code and the E-911 State Plan, Broward County is required to provide E-911 Call Taking and Dispatch Services.

City's Last Offer 8/17: - City would fund, in addition to the \$1,070,470 already funded for Fire-Rescue Dispatch, \$1,720,000 towards BSO continuing to provide E-911 Call Taking and Police Dispatch Services. [After E-911 Distribution this would equate to the County paying BSO approximately \$3.6MM for FY 2013]

County's Last Offer 8/31 - County would reimburse City \$2.3MM for E-911 Call Taking and Police Dispatch Services
- Reimbursement would be contingent on (1) a Countywide Consolidated Communication System being established and (2) the City of Fort Lauderdale joining the Countywide Consolidated Communication System.

- City has funded E-911 Call Taking and Police Dispatch Services for FY13 at an additional \$3.5MM.
- City will utilize BSO for 6 months and provide service through its own forces for 6 months.
- Cost of providing service by BSO (FY 11):
 - Public Safety Building (PSB) PSAP - \$20.84/call
 - Fort Lauderdale PSAP - \$37.79/call
 - Pompano PSAP - \$29.21/call
- Fort Lauderdale PSAP provides service to Wilton Manors PD. All proposals presented by County provide no accommodation for Wilton Manors except to have Fort Lauderdale pay for their service.
- The municipalities of Davie, Hallandale Beach, Lauderhill, Lighthouse Point, Miramar and Sea Ranch Lakes are not charged for E-911 Call Taking and Police Dispatch Services be either the County or BSO.
- The County I-Board (established by County resolution to form recommendations for the implementation of the County Consolidated Communication System) voted to recommend that the County fully fund a consolidated system through County funding sources (ad valorem taxes).
- Broward County transferred operational responsibility of the Communication System (including E-911) from BSO to the County effective 10/1/2012.

Memorandum

No. 11-0589

City Attorney's Office

To: Honorable Mayor and Commissioners

From: Harry A. Stewart, City Attorney/5037 

Date: October 6, 2011

Re: Emergency Communications Number E911 Act

ISSUE: Who is responsible for Emergency Communications E911 in and for the City of Fort Lauderdale?

This question arises due to the fact that the Broward County Sheriff's Office (hereafter "BSO") has informed the City of Fort Lauderdale (hereafter "City") that they will no longer provide E911/dispatch services to the City unless the City pays BSO directly for continuation of these services.

BACKGROUND: On or about December 15, 1995, Broward County (hereafter "County") contracted with the City to provide E911 and police dispatch services to the City. As part of the contract, the City in turn agreed to provide services to the County including: acquisition, development, construction and operation of the Homeless Assistance Center (HAC); maintenance and landscaping services for Riverwalk; jail booking services, i.e. facilities and equipment; and, support for the Performing Arts Center Authority (PACA). The County delegated its E911 responsibilities to BSO. BSO and City contracted for E911 and police dispatch services without charges, which contract ended on September 30, 2009. Negotiations between City and BSO have failed to produce a new contract and BSO will continue to provide E911 and dispatch services to City until October 6, 2011.

The Florida Legislature enacted the Florida Emergency Communications Number E911 State Plan Act. F.S. §365.171. The legislative intent was to designate E911 as the emergency communications number, and implement and continually update a cohesive statewide emergency communications plan, which would provide citizens with rapid direct access to public safety agencies with the objective of reducing the response time to situations requiring law enforcement, fire, medical, rescue, and other emergency services. F. S. §365.171(2).

The state plan shall provide for public agency emergency communications requirements for each entity of local government in the state (local government definition includes cities and counties), provide for a system to meet local government requirements, and funding provision to implement the system. F.S. §365.171(4).

The intent of the legislature that E911 service be available throughout the state includes the expenditure by counties of the E911 fee to support this intent to the greatest extent feasible within the context of local service needs and fiscal capability. F.S. §365.171(6). Therefore, it is the County's responsibility to use the fees that it receives to provide for the needs of the E911 system, which includes the services of same.

The Emergency Communications Number E911 Act, F.S. §365.172, establishes a comprehensive statewide emergency telecommunications number system that provides rapid direct access to public safety agencies statewide. The Act provides for **funds to counties** to pay certain costs associated with their E911 systems. F.S. §365.172 (2)(b). The E911 Board administers the fee to be used exclusively for costs associated with developing and maintaining E911 systems and networks by counties. F.S. §365.172(e). The intent of the legislature is that **the fees authorized or imposed should not necessarily provide for the total funding required for establishing or providing E911 service.** Id.

E911 is the enhanced 911 system that provides the 911 service and directs 911 calls to appropriate "public safety answering points" (PSAP) by selective routing based on geographical location from which the call originated, or as otherwise provided in the state plan. F.S. §365.172(3)(i). Answering point means the public safety agency that receives incoming 911 calls and dispatches to appropriate public safety agencies to respond to the calls. F.S. §365.172(3)(a).

The E911 Board is established to administer the fees imposed, including revenues derived from the fee and distribution of revenue to the counties. F.S. §365.172(5)(a). The board also has the authority to adopt rules to implement this section and provide coordination, support and technical assistance to counties. The E911 fee collection is established in F.S. §365.172(8). Subsection (k) provides that a **local government may not levy the fee or any additional fee on providers or subscribers for the provision of E911 service.** The E911 fee shall be used for costs directly attributable to the establishment of E911 service and contracting for E911 services, including the equipment, maintenance, salary and associated expenses for E911 call takers for taking and transferring E911 calls, dispatching, salary and associated expenses for county to employ a full time E911 coordinator and staff assistant position per county for administrating the E911 system, training costs for call takers, supervisors and managers, and expenses required to develop and maintain all information, etc. F.S. §365.172(9).

Under F.S. §365.172(10), counties are liable to the local exchange carrier (local exchange telecommunications service provider or 911 service or equipment) for any

911 service, equipment, operation or maintenance charge owed by the county to the carrier.

The Emergency Communications Number E911 System Fund is established from all revenues derived from the fees levied on subscribers under F.S. §365.172 and paid into the State Treasury. F.S. §365.173(1). Sixty-seven percent of the monies in the wireless category shall be distributed each month to counties, based on the total number of service identifiers in each county, and shall be used exclusively for the expenditures noted in F.S. §365.172(9) and costs to comply with requirements for E911 service in any existing or future rules. F.S. §365.173(2)(a). Ninety-seven percent of the monies in the non-wireless category shall be distributed each month to counties based on the total number of service identifiers in each county and shall be used exclusively for payment of authorized expenditures in §365.172(9). F.S. §365.173(2)(b). If the county receives these funds it shall establish its own fund to be used exclusively for receipt and expenditure of revenues collected for costs. The money shall be appropriated for these purposes by the county commissioners and incorporated into the annual county budget. F.S. §365.173(2)(c).

Rules for implementing, coordinating and maintaining a statewide emergency E911 communication system are established and provided in Chapter 60FF-6 of the Florida Administrative Code. The purpose is to provide for the State E911 rules and necessary procedures to be followed by a local government entity to implement the state plan. F.A.C. §60FF-6.001 (1).

The County is required to have a County E911 Plan which shall include identification of all public safety agencies within the boundaries of the 911 system, how the system is being managed, agreements between PSAPs, equipment compliance, call handling for each emergency service and functional diagram showing routing of calls. F.A.C. §60FF-6.002(1). **Prior to altering its system, an entity of local government shall seek prior approval from the Department of Management Services through Statewide 911 coordinator.** F.A.C. §60FF-6.002(2). It is believed that the County has not received approval to change its current E911 system with the Department of Management Services by the cessation of E911 services to City.

Pursuant to F.A.C. §60FF-6.004(1), the **Board of County Commissioners in each county is established as the responsible fiscal agent.** The funds collected and interest earned are appropriated for E911 purposes by county commissioners for County 911 system and operations and the **ultimate responsibility and authority within a county for the E911 System rests with the Board of County Commissioners.**

The Board of County Commissioners is required to designate a County 911 coordinator who is responsible for coordinating the E911 program within the county. F.A.C. §60FF-6.004(3). The county coordinator is responsible for coordination of E911 activities to ensure the system performs smoothly, reliably, and efficiently in concert with the statewide emergency communications objective. The County coordinator is responsible for evaluation and action to assure adequate staffing for emergency call volume. F.A.C. §60FF-6.005(1)(c). The County coordinator also shall develop an E911 Emergency Operations Plan to limit system failures impact and restore E911 service. F.A.C. §60FF-6.005(4).

The Florida Emergency Communications Number E911 State Plan (rev. 10/18/2010) provides the statewide plan for implementing, coordinating and maintaining E911 services. Section 2.4 of the State Plan establishes the Board of County Commissioners in each county as the responsible fiscal agent for the funds collected and interest earned for E911. Section 2.4 further states that **although E911 operations may be ceded to some other official or agency, ultimate responsibility and authority within a county rests with the Board of County Commissioners.** This indicates that the Board of County Commissioners is responsible for providing E911 operations, (including services) even though the operations portion has been delegated to another official, such as the County Sheriff.

Section 2.5 of the State Plan requires the County Commissioners to designate a county 911 coordinator who must coordinate E911 infrastructure activities and ensure maintenance and functionality of the county's E911 system, 24 hours a day, seven days per week. Section 3.2.1.1(A) of the State Plan requires that all public safety agencies (law enforcement, fire protection, emergency, medical, and rescue agencies), within the boundaries of the 911 system, shall be included in the system. Rule §60FF-6.002(1)(a). This would require that the City's law enforcement be included in the county-wide system.

Section 5.4 of the State Plan provides that it is the responsibility of the county 911 coordinator to assemble all cost data and determine the amount of necessary funding. Annual E911 financial information updates are required from the Board of County Commissioners by the E911 Board and Department. Fees collected and interest earned in this fund shall be appropriated by the county commissioners for E911 purposes and incorporated into the county's E911 budget. **Statutory limitations on the amount of funding, which may be derived from E911 fees, may mean that revenues collected will be insufficient to fund all equipment and services required by the county E911 system. Therefore, general revenue funding may be required to offset potential revenue shortfalls.** The County has the responsibility to fully fund the E911 system and must take the appropriate fiscal measures to do so accordingly.

City Communication No. 11-0589
October 6, 2011
Page 5

CONCLUSION: Based upon the aforementioned Florida Statutes, the Florida Administrative Code and the E911 State Plan, the County is required to provide E911 services. The County is the only local government entity that is allowed to receive fees from providers and subscribers for E911 service and is the only entity allowed to use E911 funds for E911 services. The County has the ability to cede E911 operations to another official or agency, but has the ultimate responsibility for E911 operations. Therefore, the County should be required to continue to provide E911 services on a county-wide basis.

HAS:mr

cc: Lee R. Feldman, ICMA-CM, City Manager
John Herbst, City Auditor
Jonda K. Joseph, City Clerk



Memorandum

Memorandum No: 11/12-01

Date: October 6, 2011

To: Honorable Mayor and Commissioners

From: John Herbst, CPA, CGFO
City Auditor

Re: E-911 service

I have reviewed the Sheriff's budget for the preceding 4 years, as well as the proposed budget for FY 2012. As shown on the attachment, for Wireline E-911, his budget has *increased* by **\$2,047,760** from the prior year. For Wireless E-911, his budget *increased* by **\$79,190**. Included within those two funds is a total of **\$13,163,420** set aside as a reserve for capital replacement. There was nothing within the budget documents which describes what capital replacement is being anticipated or how the amount of reserves was arrived at.

In addition, the Sheriff has traditionally budgeted for the Fort Lauderdale dispatch operation in his Regional Law Enforcement Services Fund (RLESF), paid for with a transfer from the E-911 funds in the amount of \$4.5 mm for FY 2010 and \$4.1 mm for FY 2011. During those two years, there were 72.6 and 73.2 FTEs, respectively, included in his personnel count in the RLESF.

It is interesting to note that in the proposed FY 2012 budget, there is still a transfer of \$4.3 mm going from the E-911 funds to the RLESF, but they are now showing zero FTEs for Fort Lauderdale dispatch. There is no explanation of what the legally-restricted E-911 funds are being used to pay for in the RLESF if our dispatch operation is no longer being funded.

Attachment

cc: Lee R. Feldman, City Manager
Harry Stewart, City Attorney
Jonda Joseph, City Clerk
Stanley Hawthorne, Assistant City Manager
Susanne Torriente, Assistant City Manager

ANALYSIS OF THE BROWARD SHERIFF'S OFFICE BUDGET

WIRELINE E-911	FY 08 ACTUAL	FY 09 ACTUAL	FY 10 ACTUAL	FY 11 BUDGET	FY 12 BUDGET
REVENUES					
E-911 SURCHARGE	\$ 5,311,723	\$ 6,128,952	\$ 5,400,824	\$ 4,490,000	\$ 4,490,000
INTEREST	67,529	62,900	73,714	15,000	20,000
LESS 5%	-	-	-	(225,250)	(225,500)
FUND BALANCE FWD	3,550,000	3,884,000	5,757,000	3,456,990	5,500,000
TOTAL	8,929,252	10,075,852	11,231,538	7,736,740	9,784,500
APPROPRIATIONS					
PERSONAL SERVICES	276,102	353,931	363,962	440,650	442,110
OPERATING EXPENSE	1,721,654	1,350,885	1,210,693	1,743,220	1,643,650
CAPITAL EXPENSE	70,991	36,372	58,109	4,000	1,450,000
PAYMENT TO OTHER GVT AGENCIES	1,370,660	788,918	1,037,763	613,000	617,430
TRANSFER TO GENERAL FUND	1,606,170	1,787,760	2,006,653	1,260,240	1,173,180
RESERVE FOR FUTURE CAPITAL OUTLAY	-	-	-	3,675,630	4,458,130
	5,045,577	4,317,866	4,677,180	7,736,740	9,784,500
FUND BALANCE FWD	\$ 3,883,675	\$ 5,757,986	\$ 6,554,358	\$ 3,675,630	\$ -

WIRELESS E-911	FY 08 ACTUAL	FY 09 ACTUAL	FY 10 ACTUAL	FY 11 BUDGET	FY 12 BUDGET
REVENUES					
E-911 SURCHARGE	\$ 6,127,927	\$ 5,405,085	\$ 5,669,629	\$ 5,520,000	\$ 5,520,000
INTEREST	222,670	193,200	228,400	20,000	25,000
SALE OF SURPLUS EQUIPMENT	-	-	10,000	-	-
LESS 5%	-	-	-	(277,000)	(277,250)
FUND BALANCE FWD	15,368,000	16,310,000	16,320,000	9,175,560	9,250,000
TOTAL	21,718,597	21,908,285	22,228,029	14,438,560	14,517,750
APPROPRIATIONS					
PERSONAL SERVICES	80,095	85,350	89,025	160,720	92,890
OPERATING EXPENSE	1,047,066	1,260,986	1,280,245	977,130	957,550
CAPITAL EXPENSE	2,048,585	653,321	843,151	884,750	56,000
PAYMENT TO OTHER GVT AGENCIES	2,232,820	2,497,470	2,559,301	2,846,170	3,083,320
TRANSFER TO GENERAL FUND	-	1,153,786	1,221,102	1,384,420	1,622,700
RESERVE FOR FUTURE CAPITAL OUTLAY	-	-	-	8,185,370	8,705,290
	5,408,566	5,650,913	5,992,824	14,438,560	14,517,750
FUND BALANCE FWD	\$ 16,310,031	\$ 16,257,372	\$ 16,235,205	\$ 8,185,370	\$ -

REGIONAL LAW ENFORCEMENT SERVICES	FY 08 ACTUAL	FY 09 ACTUAL	FY 10 ACTUAL	FY 11 BUDGET	FY 12 BUDGET
TRANSFER FROM E-911 (CALL TAKER SALARIES)			\$ 4,565,954	\$ 4,106,410	\$ 4,256,500
EMPLOYEE COUNT FOR F/L DISPATCH			72.6	73.2	0



CITY OF
FORT LAUDERDALE

City Auditor's Office

Memorandum

Memorandum No: 11/12-04

11 OCT 19 AM 10:49

Date: October 19, 2011

To: Harry A. Stewart, City Attorney

From: John Herbst, CPA, CGFO
City Auditor

Re: Request for City Attorney Legal Opinion

Background:

Broward County collects revenue from the E911 wireline and wireless surcharges. Such revenues are accounted for in a special revenue fund. The 911 dispatch operations for the Sheriff and Fort Lauderdale have traditionally been budgeted in the Sheriff's Regional Law Enforcement Services Fund (RLESF) and the County has transferred a portion of the E911 revenues (\$4.5M for FY 2010 and \$4.1M for FY 2011) to the RLESF to offset dispatch operation expenditures. The FY 2012 RLESF proposed budget includes a transfer of \$4.3M from the E911 fund; however, zero FTEs have been budgeted for Fort Lauderdale's dispatch compared to FY 2011 where 73.2 FTEs were included.

Within the two special revenue funds, there is presently \$13,163,420 budgeted for "Reserve for Capital Outlay". The County has maintained that the "Reserve for Capital Outlay" account, which is the residual balance in the fund, is limited to capital purchases and therefore not available to be used for call-taking and dispatching services.

Question:

May the Broward County Government allocate identified and existing E911 fee revenues for 911 call-taking and dispatching services, (an authorized expenditure pursuant to F.S. 365.172(9) and F.S. 365.173(2)) when the funds are held in a County special revenue fund reserve?

cc: Honorable Mayor and Commissioners
Lee R. Feldman, City Manager
Jonda K. Joseph, City Clerk

Memorandum

City Attorney's Office

No. 11-0620

11 OCT 25 PM 4:20

To: John Herbst, City Auditor

From: Harry A. Stewart, City Attorney/5037 

Date: October 24, 2011

Re: Request for City Attorney Legal Opinion—E911 fund reserves

On October 19, 2011, you sent me a Memorandum requesting a legal opinion on the following question:

May the Broward County Government allocate identified and existing E911 fee revenues for 911 call-taking and dispatching services, (an authorized expenditure pursuant to F.S. 365.172(9) and F.S. 365.173 (2)) when the funds are held in a County special revenue fund reserve?

Based upon the information provided by you, the answer to your question above is "yes".

As stated in your memorandum, E911 revenues are received by Broward County from the State. There are two special revenue funds for E911 revenues: wireless and non-wireless (also known as "wireline"). Fla.Stat. §365.172(9) limits the type of expenditures from these revenue funds directly attributable to E911 service. Money collected and interest earned into the E911 fund shall be appropriated for E911 purposes by the county commissioners and incorporated into the annual county budget.

Fla.Stat. §30.49(8) provides that the Sheriff's budget items are subject to the same provisions of law as the county annual budget, except that no amendments may be made to appropriations for the sheriff's office except as requested by the sheriff. Therefore, the Sheriff must request an amendment to the budget in order to allocate identified and existing E911 fee revenues for 911 call-taking and dispatching services.

With regard to the County's budget, Fla.Stat. §129.06(2)(a) states that "[A]ppropriations for expenditures within any fund may be decreased or increased by motion recorded in the minutes if the total appropriations of the fund does not change." The County has the authority to move appropriations within the same fund. Therefore, the County has the authority to change the amount of revenues appropriated in the E911 fund from capital outlay to operating expenses upon request by the Sheriff.

Please note that both special revenue funds (wireless and non-wireless) are funds included within the financial audit performed in accordance with Fla.Stat. §218.39 and the county is limited to carrying forward up to 30% of the total funds disbursed to the

county by the State during a calendar year for expenditures for capital outlay, with certain exceptions. Fla.Stat. §365.173(2)(c).

HAS:GW:mr

cc: Honorable Mayor and Commissioners

Lee R. Feldman, ICMA-CM, City Manager

Jonda K. Joseph, City Clerk

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