INDEPENDENT SURTAX OVERSIGHT BOARD

APPOINTING AUTHORITY MEETING

APRIL 1, 2026

MEMBERS PRESENT:

Mr. Randall Vitale, Designee of the Broward Workshop, Chair

Ms. Laurette Jean, Assistant County Administrator, Designee of County Administrator Monica Cepero

Mr. Sidney Calloway, Designee of the Urban League of Broward County

Mr. Felipe Pinzon, Designee of the Hispanic Unity of Florida

Mr. Jack Seiler, Designee of the Broward League of Cities

Dr. Steven Vollmer, FAU School of Environmental, Coastal, Ocean Sustainability

Members Absent:

Also Present:

Nathaniel Klitsberg, Surtax General Counsel, Broward County Attorney's Office

Gretchen Cassini, Board Coordinator, MAP Broward

Roy Burnett, Program Project Coordinator, MAP Broward

Tashauna Wilson, Public Relations Manager

A meeting of the Independent Surtax Oversight Committee Appointing Authority was held in Room 422 of the Government Center, 115 S. Andrews Avenue, Fort Lauderdale, Florida, at 1:30 p.m. Wednesday, April 1, 2026.

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

CALL TO ORDER: Chair Vitale called the meeting to order at 1:35 PM

CHAIR VITALE: Today is Wednesday, April 1. We are together for the first time in a while for the Transportation Surtax Appointing Authority meeting. We have two new faces, actually. Nate, were you at the last meeting?

MR. KLITSBERG: I was.

CHAIR VITALE: Okay. Been so long for me to remember, but happy to see you again. So, if our two newer members could please just introduce themselves to the group.

MS. JEAN: Good afternoon. Lorette Jean, Assistant County Administrator.

MR. VOLLMER: Steve Vollmer, the Director of School of Environmental, Coastal and Ocean Sustainability replacing the center for Environmental Studies appointment. And I'm at Florida Atlantic University.

CHAIR VITALE: Thank you both. Great to have you here. We've got a relatively brief agenda, but we do have some important items to discuss and I want to make sure everyone has a chance to do just that. So, the first – the first order of discussion is the Administrative Code 34.3 A.

All of that was provided in the backup material and there was a March 26 County Commission agenda item on it, which I do not know the update to. So was not able to attend that meeting.

MR. KLITSBERG: It was passed on the consent agenda.

CHAIR VITALE: Okay, great. Thank you. So, an effect – Is there an effective date immediately or –

MR. KLITSBERG: Yes, the item that went before the board on the 26th because the appointing authority in the past had adopted both as policy for the board itself as well as it was included in the Broward County Administrative Code that all seven members of the Appointing Authority must be present in order to conduct business because there is a vacancy that cannot be filled on the Appointing Authority. County Administration, MAP Administration, County Attorney's Office placed an item on the agenda to have that section of the administrative code waived for purposes of this hearing.

And again, the reason behind that is that one of the categories for members of the Appointing Authority is a representative. The Broward County Council of Chambers of Commerce, which was administratively dissolved about two years ago and has, we attempted to try to reach some of the folks that were still showing up on SunBiz – wasn't able to get any feedback about whether they were reinstating. So, in order for this board to come together to conduct business, we sought the waiver of the code so that you could be meeting here today, actually have something other than a workshop.

CHAIR VITALE: Right.

MR. KLITSBERG: So that. And in addition to that, there was a part B to that item which is directing the County Attorney's Office to in consultation and working with County Administration to come up with changes to the ordinance that creates the different categories for the Appointing Authority to address that situation with the Broward County Council chambers, as well as a tweak to the provision relating to the Florida Atlantic University representative because that particular school was subsumed another school at the university.

So, there are some tweaks that need to be made in connection with our ordinance. And all of that was asked by the Board –

(Audio poor.)

CHAIR VITALE: Okay, great. Does anybody have any questions around that?

MR. CALLOWAY: Yeah, two questions. Was the position that the - relating to the schools or to the chamber? Was that the appointment for which – Dan Lindblade.

CHAIR VITALE: Dan Lindblade’s seat, yes.

MR. CALLOWAY: Okay. All right. And then, to the ordinance only. The first part of that ordinance only applies for purposes of today's meeting.

MR. KLITSBERG: Well, what the – the rule or policy regarding all seven members being present to conduct business is not in the ordinance. It's in the Administrative Code. The County Commissioners has the ability- (Audio poor,)

MR. CALLOWAY: Okay, but that's only for today's purpose.

MR. KLITSBERG: That is, for purposes of today's meeting. If it needs to be done again, we have to go back and get –

(Audio poor.)

MR. SEILER: So why aren't we. Why don't we make that a permanent thing so that we're not having to make you go through hoops, Nate, when you – I mean.

MR. KLITSBERG: Well –

MR. SEILER: If we can meet with six, why not us meet with six? We ought to have at least a minimum of something or five. But it seems crazy to me that if we have another issue that may surface in the future, or name change or why not just permanently allow that?

That way you're not having to put stuff on the agenda and we're having to move meetings so that you can get it through. And I appreciate you doing that, but it just seems like a lot of unnecessary work. If we can just change the code or the ordinance to say, five out of seven to me.

MR. KLITSBERG: Well, and again –

UNIDENTIFIED SPEAKER: Or majority –

MR. KLITSBERG: That was a policy decision of the Appointing Authority at its inception. In terms of meeting with all, whatever you all would like to do, we are going back into the ordinance. We certainly can go back into the Administrative Code as well. That's just the will of this board.

Although I would say that because that item, potentially changing your Admin Code to deal with quorum issues is not on today's agenda. That's not something that you all would be able to formally vote on. But if we're just having a discussion on the topic, and there seems to be some general - not consensus, but unless somebody wants to tell me otherwise, I'm more than happy to go in to make modifications.

CHAIR VITALE: Well, let me just give a little bit of the history and the why, and I think that's important. So, when we were getting started, we just. We didn't know what was going to be what. Right? So how often were we going to have to appoint people? The idea was we really wanted everybody to hear everything about all of the applicants, which I think was the right intention. Since then, we have not had very many openings, and so, I would be open to something like six or something.

That makes sense given how frequently or more accurately, infrequently we are meeting to appoint people. But, the intent in the beginning was everyone should hear everything for all of the applications so you could hear the discussion. And so I think that was the right intent at the time.

MR. SEILER: Yeah.

MR. CALLOWAY: Mr. Chair, I absolutely agree with you. And another question are how many members are on this particular board? Is it?

MR. KLITSBERG: There are seven members.

CHAIR VITALE: Seven.

MR. KLITSBERG: And again, most of these members are coming from an organization. So, the individual who may be sitting here on any given day for a meeting may be different.

MR. CALLOWAY: Got it. Yeah.

MR. KLITSBERG: But it's the underlying agency who has representation on that.

MR. CALLOWAY: And really, again, just for discussion purposes, I don't know why we wouldn't consider having the majority of the seven be necessary to conduct business. Maybe if you wanted something more, may have a majority plus one, but whatever. I just think we should do something. I agree with Jack.

MR. SEILER: But to your point, Sidney, I'm thinking like kind of a super majority, five out of seven to make sure we represent and reflect, you know, a major portion of the body that we comprise.

When we put this together, we made sure we had representation from all these different areas. I think kind of a super majority of 5 out of 7 would be pretty fair to everybody, so.

MR. CALLOWAY: That works.

MR. KLITSBERG: And again, unless there's others that feel differently with regards to that, since an Administrative Code change can be promulgated by staff, unless there's other thoughts on the topic. More than happy to talk with County Administration and potentially bring an item when we're changing the ordinance. Also modifying your Administrative Code section to adjust the quorum requirements.

CHAIR VITALE: Do you have any comments, Laurette?

MR. JEAN: No. Yeah, I agree with that. My comments has to do with the ordinance as it relates to the Oversight Board members specifically. So, I don't want to separate into that until.

MR. CALLOWAY: Mr. Chair, just one last question to Gretchen. Was that the reason why we had difficulty getting everyone on the calendar for the last – I'm thinking two, three months? Yeah. We should resolve that.

CHAIR VITALE: Yeah. The scheduling piece just gets harder and harder. Right? If you know six months in advance you're going to meet, that's one thing. But if we have an opening and then all of a sudden we've got to meet in six weeks or eight weeks, schedules being what they are, becomes harder.

MR. SEILER: Do we have a consensus on 5 out of 7?

CHAIR VITALE: Sounds like.

MR. KLITSBERG: Yep. There's not been nothing requested.

CHAIR VITALE: Yeah. No, no, no.

MR. KLITSBERG: I've just listened to everything that everybody has said and I'll work with County Administration on amendment to the admin.

CHAIR VITALE: Yeah. Because I think the group's intent is to get the most qualified applicants seated as quickly as possible. Right? So, I mean, I think that's the most important thing. So, we can't meet because of our schedules. That's not really what we're trying to do.

MR. CALLOWAY: Yeah, but it looks like we weren't meeting because we didn't have that one person that was absolutely necessary.

CHAIR VITALE: Yeah, yeah. Did you have a question or?

MR. KLITSBERG: Just chit chatting in terms of. There's a provision in your code regarding the categories where it is the – In certain circumstances it is the representative from an organization or a delegate from an organization. So using Mr. Seiler as an example, he is the representative of the Broward League of Cities. The Broward League of Cities can change its representative on the Appointing Authority for every meeting. Not that they should, I'm just saying, they can.

MR. SEILER: They can if they want.

(Laughter.)

MR. KLITSBERG: We'll get Mary Lou on the phone. Others where it is not an organization, for example, the President of a particular school at Florida Atlantic University, it is that person or a designee. So, we may make some tweaks to that language as well to also provide the flexibility to make sure that if the board, if this Appointing Authority needs to meet, it has the ability to do so in an expedited fashion since its primary role is ensuring that the Oversight Board is, has all of its members.

CHAIR VITALE: Yeah, I think that a lot of nodding yes. So, I think that makes sense. Ok. Any other discussion on that issue? Man, I used to be able to see this so clearly. Now I need my readers age is catching up.

MR. SEILER: You used to bring us chocolate too.

(Laughter.)

CHAIR VITALE: Yeah. Times have changed, Jack. Okay, so we have an opening in the accounting category, which is a new opening. This was when we scheduled this meeting. This issue of an opening was not, was not current. And so Shea Smith was the position holder for accounting and the accounting firm that he works with was acquired and the new firm has a policy that excludes the ability to do this.

So, regretfully, he's no longer able to serve. So, we thank Shea for his – for his service. So, we will need to schedule a meeting for getting applicants in that category and also appointing somebody in that category. So, would you like us to try to pull out calendars now? Okay. Start with October. Just kidding.

(Laughter.)

MS. CASSINI: So, Mr. Chair and members, we have four dates that we're proposing that are on the screen and in your binders. If you could take a look at those and let me know if any of those work. We'll start there.

CHAIR VITALE: I was joking by saying October, but end of September.

MR. SEILER: Is there a reason? I mean, we're looking at September. Could we –

CHAIR VITALE: I think we have to advertise, find somebody and have a period of time that it has to be advertised.

MS. CASSINI: And we are in the process of amending the ordinance that might have an impact on the qualifications related to that specific category. So we'd like that to occur before we advertise so we don't have to do it twice.

MR. SEILER: All right, so September. What's that? A Wednesday? Are we talking about the same time? 1:30? Is that what we are –

MS. CASSINI: For September 23rd?

MR. CALLOWAY: This 1:30 works for me.

MR. SEILER: 1:30, yeah.

MS. CASSINI: So, for September 23rd, Wednesday, it has to be in the afternoon. The others have more flexibility.

MR. SEILER: I can do the 23rd at 1:30.

CHAIR VITALE: Yep. 23rd at 1:30.

MR. VOLLMER: Yep.

MR. SEILER: Okay.

CHAIR VITALE: Okay. Be happy to have you back.

MR. CALLOWAY: And, Gretchen, there's – I'm just kind of – there's no way that we can do this sooner than September? I mean.

MS. CASSINI: Because the ordinance changes and the admin. I mean, primarily the ordinance changes do need to come back to the County Commission, and then they have a public hearing and two – two hearings, and then the Board goes on break for the summer. We just didn't think it was possible because we also have an Oversight Board Budget Meeting in August.

So, if you all would like to try to do it before that, we certainly can. We were just trying to be cautious so that we wouldn't have to have you block up time or come when we really didn't have a good slate of candidates.

CHAIR VITALE: Maybe we can hold the 23rd. And if there is a way to accelerate the timeline, we can just socialize that date in advance and say, hey, everything's approved, ready to go, what have you. Let's meet in June, you know, or whatever.

MR. SEILER: Yeah, that works.

CHAIR VITALE: At least we know this will be the outside date. And if I could just request that, I'll hold it. But we just send an invite, calendar invite, once we know. Thank you, Roy.

MR. BURNETT: Yeah.

MS. CASSINI: Did you want to look at some dates in June just to see if –

CHAIR VITALE: I just picked June arbitrarily? I mean, we have a clock, right. We know it has to be advertised for a certain number of days, and we have to get it reviewed and approved. I don't know how long, you know, what's the shortest possible date given all the constraints?

MR. KLITSBERG: Right. So, at the moment we're putting items on. I think for now, we're up to the first, first May meeting of the Board of County Commissioners. So, I should be able to know within the next week or so whether I expect that we'll be able to have the Admin Code and the code changes ready to go for that meeting. So, if it was the 1st of May meeting for the initial hearing or. Excuse me, it'll be. Yeah, set for public hearing and then a public hearing for the second May meeting, then having the Appointing Authority in June. Well, again, no.

They'd have to advertise. They'd have to advertise it. And the meeting would wind up potentially being in July. I don't know what everybody's schedule is for that. I'll either. I'm going to either make myself available if that's where - where we land, or have somebody else from my office cover the meeting. I happen to be away at that point. So earliest I could imagine would be July, and I should know that within the next seven to 10 days, max.

MR. SEILER: Why don't you circulate some days? We'll see if we can. Because I just think the sooner the better. I'm kind of in agreement. Sit down. Oh, we can move it up. Move it up. Yes. Anyone else?

MR. CALLOWAY: And, Mr. Chair, the – what's our advertising? Is it 30 days in advance or what's the requirement?

MS. CASSINI: So, what we typically try to do is as soon as we find out that we have a vacancy, we are required to start advertising. But as I said, because there might be a change to the qualifications for this particular category, we're trying not to do that because then we might have to ask people to resubmit. So as soon as we have clarity on what the qualifications for this category are going to be, we'll start the process.

We'll notify all of you so that you're aware and you can help us like we always do, get the word out to anyone that might be interested in serving in that particular accounting category. And then as soon as we have an adequate slate of candidates that have been reviewed and are considered qualified by the Attorney's Office, then we go ahead and we set the meeting with you all.

CHAIR VITALE: Okay, thank you very much. Any other questions or discussion around that?

MR. SEILER: Okay.

CHAIR VITALE: All right, so item three on discussion, Independent Transportation Surtax Oversight Board qualifications and categories defined in Article 5, Section 31 ½ - 75 (a), the Broward County Code of Ordinances.

Is there anything else we need to discuss around that? Is that where you wanted to weigh in a little bit, Laurette?

MS. JEAN: Yes, I apologize. I – my eyes must be deceiving me as well, because I didn't see we can –

CHAIR VITALE: we can share some readers.

MS. JEAN: In some of our conversations, it's come to my attention that the qualification criteria for the various roles on the Oversight Board varies. There's some inconsistencies. And since the County Attorney is going to be working making some updates on the ordinance as it relates to the Third Amendment, ILA and some other changes, I figured it would be a great opportunity.

Monica and I, I should say we figured it'd be a great opportunity to revisit all of the qualifications of the Oversight Board members, ensuring there's some consistency. One example that we found was that there is no criteria, at least no flexibility with some of the roles as it relates to allowing other like career experience in lieu of certain certification or educational requirements, whereas other roles allows for those and for Florida statutes allows for in lieu of the County Board of County Commissioners have accepted that as part of our hiring process.

So why wouldn't we allow that with our Oversight Board members? So, I just thought it would be a great opportunity for us to revisit that.

CHAIR VITALE: So other comments or questions? I think the idea is you might have somebody who's not a professional engineer but has got lots of engineering experience, as an example, and so they would not be qualified. And I don't know if this is the right example, but just as an example, because they don't have a PE after their name but have the relevant work experience.

So, the idea here is to relook at all of those things so that we have the most possible qualified applicants and not exclude anybody who might be a perfect fit but does not have the appropriate credential or designation that is currently called out. Is that right, Nate?

MR. KLITSBERG: Yes, in large part. We have a change that we need to make to this ordinance anyway with one of the categories. Previously there had been an individual at one of the public institutions of higher education within Broward County that had knowledge and experience in Supplier Relations and Diversity.

Those positions no longer exist. And so, we, obviously, need to make a tweak in terms of that category. Since it does, it no longer exists. You have, you know, several of the other categories don't have or require either a licensure or a requirement for any particular number of years that they have been in the field.

So again, you know, that was the one that I just mentioned was subcategory or category 9. We have a former city or county manager. Well, there's no degree or licensure required for that, so there wouldn't need to be a change there for that reason. Category 7 is the user of public transit. Again, not anything in terms of that. We have a professional in the field of environmental science that only requires a degree and practical experience in environmental science.

So that's not a specific licensure under a specific statute and a specific number of years. It is a degree and a type of experience generally. You know, the architecture one, as well as engineering and also the professional in the field of accounting. Those have specific. I'm sorry.

(Speaking away from microphone.)

Oh, I'm sorry. Architecture, engineering and accounting actually talk about either licensure or privilege to practice under a particular badge, which obviously reduces your potential applicant pool.

Now, there was certainly a reason that these were done at the time this way. And, you know, the board has given, you know, authority for us to make changes to the ordinance. And this is a discussion item for you all in terms of looking at those things and seeing if there's anything that you think should be changed that we may take into consideration when we're revising the ordinance and bringing something.

CHAIR VITALE: So, I'd be curious for Steven and Laurette to kind of weigh in as newer members. I think we probably have our view. But just what your thoughts are on experience in lieu of.

MS. JEAN: Well, from my experience, I find that it, number one, it allows opportunity to open up the pool. There are people that have had long tenures of experience in the field, and they may not be - They may not have an active licensure or certification, but that doesn't negate their experience - firsthand experience in the field.

And given the role and in seeing the conversations that have taken place with the Oversight Board and the role that they play, I personally just weigh their experience just as high, if not higher than just having an active licensure certification. That's where I –

CHAIR VITALE: Okay, thank you, Stephen.

MR. VOLLMER: I guess not knowing the full scope of what has been happening, I think probably minimal degree standards, but something like architecture, people will come in and out of licensure. Maybe they have 20 years of practice, but they've stepped away. They'd still be a great potential board member, same with engineering. I think those kinds of situations where they – they have professional experience and they have had licensure or they have the adequate degrees, that would probably be a good case.

For me, I guess the hard thing would be to evaluate if it was too open, evaluating a standard of practice. Like if you didn't require a minimum set of engineering degree or minimum set of architectural degrees, then it's on us to determine their expertise, which would be pretty hard. But maybe relaxing the licensure requirements could be a good way to go about it.

MR. KLITSBERG: And just one other thing in terms of that, and for piggybacking on there, we have a lot of currently holds or has held in the last three, three years a particular license under a particular statute. So that also, for example, you could have somebody who, you know, was a licensed, was a professional engineer in the state of Georgia for 30 years, moves down to Florida and has been here for a decade and now seeks to do it, but is retired or semi-retired or only maintain their license in a different state and works remotely and they would be ineligible.

So if you're contemplating, I mean, there's a clean break that you could make, which is, which is just somebody who has or has held a license as a professional engineer or a professional building contractor or an architect or an accountant in Florida or another state without requiring it to be within any particular number of years.

You open up the pool that way without, as you indicated, going so far, that we now just have a pool of people who say, I am experienced in accounting and I have an accountant's degree, but I've never been a CPA. If that's still the standard we use.

CHAIR VITALE: Sydney or Jack.

MR. SEILER: I'll follow you.

MR. CALLOWAY: I don't have a hard time agreeing with opening up the pool. I think it's probably good. And ultimately, you know, we are the backstop. So that's kind of where I'm at on that.

MR. SEILER: Yeah, and I'm a little closer to where Steve mentioned, you know, I don't mind losening a little bit. I'm concerned. Remember when we did this? I remember this extremely well. When we 2019 or whatever year we started putting this together, we talked about this is a billion-dollar oversight, not a million-dollar oversight. It's a billion-dollar oversight.

Luckily, and I commend the County staff, I think they've done an excellent job of overworking with us and working with this oversight County Attorney's Office too. But it just takes one bad cycle. We've seen it in Broward County, whether it's a school board, whether it's a hospital district, takes one bad incident.

All of a sudden some members of the media are going to be saying, wait a minute, they appointed some person who lost their license who is now serving in a role with Oversight. And I'm not saying we can't try to filter that, but it puts a lot on us if we don't have some minimum threshold. Because all it takes is, like I said, one bad cycle, one bad incident.

They're going to come and say, well, this Oversight Board that's responsible to make sure these transportation dollars are being spent wisely, efficiently. You know, appointed a former DC who lost his license. He had a scandal. We don't know that stuff. So, my only concern is I'd like to have some minimum threshold. Don't mind loosening it up because I do think we want to make sure we have a good pool of candidates, but I think we have to be careful.

Look, right now things are going really well, very smoothly, and everybody's happy to be associated with this. But I'm telling you, one bad incident or cycle, we're all of a sudden going to be saying we appointed that person and we didn't know that person was disbarred and engineer somewhere or license. That's my reluctance.

CHAIR VITALE: Do you have Nate or Gretchen? But probably it's Nate. A level of due diligence that we could incorporate to kind of blunt some of those concerns. You know, was a general contractor, but no longer has their license.

Two scenarios, one because they retired, two because they lost it. Right. It was taken from them for any number of reasons. Those are very different scenarios, but very different. I don't know how we would manage that.

MR. KLITSBERG: So, we certainly can include in the ordinance language that indicates that if the person in all of those categories that we just talked about, from accounting to engineering, construction and architecture, that they. If they don't currently have a license, they are both eligible to obtain a license and have not had their license previously revoked by the State of Florida or the state in which they were licensed.

Now, in terms of the due diligence component to that, our office reviews these applicants for - to ensure that they don't have a conflict because of the firm that they work for, also doing (Audio poor) but we do not. And I don't know if we would have the ability to vet the attestation of every applicant or… Okay, they were licensed in 15 different states, and they were suspended or revoked in one. They're eligible to get a license in Florida. It becomes a lot of sort of just fog, at least from our review in our office. I don't believe that there's other due diligence that takes place other than conflicts, really. Right.

MR. CALLOWAY: Mr. Chair?

CHAIR VITALE: Please, Sydney.

MR. CALLOWAY: And to Jack's point, it does mean that – and I'm also responding to staff that we have a more increased responsibility to look at what we're doing to trigger self-disclosure as much as we can.

In other words, how we're writing the application process to trigger those responses that will give us enough. And then to me, I think that becomes more important if we don't have resources from staff to do background, more in depth background discussion, then at least we think about what can we do with our application process to have it again be some self-triggering disclosures.

CHAIR VITALE: Other thoughts?

MR. SEILER: How many openings are there right now? There are two. And they are in the field of construction and accounting, both of which just happened.

MR. KLITSBERG: Just accounting just happened. And you're not considering that today the engineering or construction professional, which is again one of those categories that requires the specific specific licensure. And to Mr. Calloway's point, in terms of the application process we do have the ability to make.

We already have the applicants attesting to the fact that they don't have any that - they and their company does not have any relationship with Broward County. There's certainly no reason that we can't include in the sworn attestation the fact that you know, that they either do have an active license identifying the state and have not had their license previously revoked in any state.

MR. SEILER: If we were or suspended or – right.

MR. KLITSBERG: Well, the question then becomes okay, if somebody has been practicing, I mean just looking at our business, we all know lawyers who've been practicing for 40 years that 25 years ago had a 30-day suspension and were automatically reinstated. So, I don't know whether or not suspension at any time for any period of time becomes too much in terms of that particular issue. It's ultimately a policy decision for the Board of County Commissioners and we're certainly seeking your recommendations regarding that.

Revocation in terms of an attestation seems to be something that we can certainly have them be self-disclosing under penalty of perjury and -

MR. SEILER: I'm fine with that.

CHAIR VITALE: What I'm hearing is we'd like to loosen it up a little but put a floor on the risk. So, if you can document that in a way, given the discussion that supports that, it sounds like you'd have the group saying yes, let's do it that way. So, let's not dial up any risk for us as a collective and who we're appointing, but open up a little bit.

MS. CASSINI: Okay.

CHAIR VITALE: Does that sound generally where we are?

MR. KLITSBERG: So if everybody is generally comfortable with the concept that I had described earlier in terms of so that we're not disqualifying people who have had a lengthy tenure in a particular profession but have retired and we do have some individuals who have served on the Oversight Board who are who still have a license but otherwise meet the the concept of not actively practicing.

So, if there's a general thought that what I had discussed before opening it up to individuals who have had, are eligible to have one, and have never been had a license revoked. We will work with County Administration and staff to come up with specific language that sort of generally fits those parameters.

CHAIR VITALE: Sydney?

MR. CALLOWAY: Would you just repeat that first element that you were talking about a position that had been eliminated and I think it related to diversity. Yes, I had a thought on that. But can you read what that position was?

MR. KLITSBERG: Right. So currently, Category 9 for the Oversight Board is one president of public institution of higher education with a geographic presence in Broward County or such person's designee, provided the designee has knowledge and experience in supplier relations and diversity. There used to be positions that were fit within that definition. Vendor and supplier relations is certainly something that still exists. And I think to some extent, this was intended to both capture that concept as well as the OESBD concept within Broward County.

Somebody that has experience with those types of things, and we have the ability to just make a minor tweak to that. So we are still dealing with somebody that has vendor relations experience. Unless it's the president of the university that wishes to serve on the Oversight Board. Yeah.

MR. CALLOWAY: And I know that, again, you know, politically and legally, too, there are some issues with the use of concepts like diversity, and I get that. I would still just suggest, and I think you kind of picked up on it, that there are still ways of describing what those needs are in a way that, again, gets at the primary intent of what the County is looking for for that position. So, I would certainly just recommend that we still try to do that.

MR. KLITSBERG: Absolutely. That certainly is the intent. We need to make sure, obviously, that we are within the bounds of current Florida law, that has changed over the past two or three years in a whole variety of ways. And while we're still capturing the elements of what that category and role was intended to deal with, which is ensuring that it is somebody from institution of higher learning appointed or designated by the president, that has experience in vendor relations, small business relations, things of that nature, we certainly have the ability to capture those things.

MR. SEILER: Nate, to Sydney's point, though, just because the Federal Government and the State Government wants to say we're not focused on. This is still a County Board.

MR. KLITSBERG: Absolutely, sir.

MR. SEILER: But I think, to Sydney's point, we ought to find ways to accomplish diversity without broadcasting.

MR. KLITSBERG: Well, it's –

MR. SEILER: And I think, because this is one of the things that, you know, gets you frustrated when you're serving, because I look at the way we have diversified, I think we've done a really good job in this, both at this level and at the surtax level, at the Transportation Surtax. And I don't want to lose that momentum because we're deleting a reference to the word diversity.

So, I do hope whatever we do, we capture the intent, and I think it is our intent to maintain diversity. Yeah.

MR. CALLOWAY: And, Mr. Chair, from my perspective, again, people use the same words, but what it means for someone else is different from what it means to us. And so, again, I think that's where we can find out how to get to where we need to be.

MR. KLITSBERG: Very good. And again, just to be clear, though, the statutory changes that I'm referring to are not merely with regards to the use of particular words, but it is policies and concepts that local governments are prohibited from engaging in. We'll make sure that we are keeping within the bounds of the law without gutting the underlying intention behind some of these provisions.

MR. SEILER: Well, you're the General Counsel.

MR. KLITSBERG: That is why they pay me the medium bucks.

CHAIR VITALE: Okay, thank you. Great discussion. I totally aligned with Sydney's comments. And Jack, thank you. Any other discussion around this, do you have enough information from us to give direction to the next steps?

MR. KLITSBERG: Absolutely. We'll work with County Administration on the updates to the ordinance to deal with both the issue of the professional licensure as well as that the university can. Okay, absolutely.

CHAIR VITALE: Thanks, Lorette, for bringing it up. Okay, moving on to the regular agenda.

Regular Agenda Item 1

We have a motion to approve the minutes of September 18, 2024. It's been moved and seconded. Thank you for including them in the backup. Does anyone have any questions or discussion corrections? Okay, seeing none. All those in favor of the motion, signify by saying aye.

ALL: Aye.

(Motion passes unanimously.)

CHAIR VITALE: Any opposed? Same sign. Okay, great. Thank you.

Regular Agenda Item 2

Next is a Motion to Appoint. Also, in the backup material you received, the qualified applicant for the category of Engineering or Construction Management as defined by Article 5, Section 31.½ -75 (a)(4) in the Broward County Code of Ordinances.

So there also in the folders in front of you, the application for Tracy Kaplan. And maybe, Nate, you can just help our new members or Gretchen or whoever wants to do it. Just what the process is for somebody who says, I want to be considered to them being presented to us just so you can become more familiar.

MS. CASSINI: So, we have to follow what is in the Administrative Code, which requires us to receive a resume. And then, I think – do we have it on one of these slides? Should I put it up? Okay, so no, the actual ordinance of the Administrative Bill. Let me just go back and see if we have included it. Yep. There it is.

So, a – the process for filling the vacancies on the Oversight Board requires us to publicly notice the vacancy and receive application for the vacancy for a minimum of 15 calendar days. I did have a document in your binder that showed you the process that was used and our team follows, which was much, much longer than 15 calendar days for the current vacancy.

We require a resume, a Certification of No Conflict of Interest which is notarized, and then a personal statement that must include include at a minimum, the identification of the category that they wish to be considered for their relevant experience, whether they've ever previously been nominated by an Appointing Authority entity, and if so, which one, and whether the applicant has been involved in the provision of transportation services or the construction of infrastructure such as roads, bridges, highways or rail. Those are the requirements.

After that, he reviews them, determines whether or not they meet the qualifications. His team then lets us know, and then at that point we prepare a packet. So you'll notice that you have a packet for each applicant and whether they've been deemed qualified or unqualified. And then we set the meeting. Did I miss anything?

CHAIR VITALE: You did not. You covered it all. Okay, please go ahead.

MS. JEAN: Given our conversation about the Administrative Code and direction given to General Counsel to make some changes setting the minimum qualifications and so forth, would it be terrible if I recommend that we hold off on making this decision until General Counsel is able to come back with some of the code changes for our consideration?

CHAIR VITALE: No bad ideas and brainstorming. So, it would not be terrible. But I think, I mean, I'm happy to have the group hear that. How long is this opening been?

MR. KLITSBERG: So, it looks like it was advertised for November 11th.

CHAIR VITALE: Was the president?

MR. KLITSBERG: Yeah, I mean, it was open for months, I believe. There were only two applicants that responded, one of whom was deemed not qualified, based on the licensure related issue that we discussed previously, there is only one qualified applicant we have. And again, ultimately it is a policy decision for the – this Appointing Authority as to whether or not to proceed or not proceed. At this point, we do have an April Oversight Board meeting.

We have another Oversight Board meeting in the next quarter and the budget in August for the budget. So potentially we will be, if the board fills this position or the Appointing Authority fills this position today, it is filled through the end of a term. And if you elect to defer and want to have the item, want to have the matter re advertised once the ordinance is revised again, whatever choice –

CHAIR VITALE: A couple of clarifying questions and then I'd like to get everyone to weigh in. If the Role changes and somebody is qualified today and they're not qualified in the future, would they not be reappointed? Meaning if we change the subject qualification criteria.

MR. KLITSBERG: So, if the Board of County Commissioners completely changed a category, you know, for example, if the architecture one became a florist, I picked something ridiculous intentionally and the person was not a florist, they would no longer be qualified to serve. But the changes that we're talking about now are broadening the base for those categories and not restricting.

MS. CASSINI: I think the question though is if there's someone sitting that doesn't have a license and we, and we broaden it, it shouldn't have any issue, right?

MR. KLITSBERG: Well, no. Anybody who serves on the board now because what we're talking about is expanding out the pool would suddenly not become as a result of these changes, there's nothing that we would be doing that would be changing this and making somebody who's serving currently no longer qualified to serve.

Since again, what we're talking about is expanding, not shifting or in any way narrowing those categories.

MS. JEAN: Question.

CHAIR VITALE: Go ahead.

MS. JEAN: If you were to expedite the changes, we, obviously, work together, expedite the changes to the ordinance that would result in perhaps the incumbent missing maybe one Oversight Board meeting, but possibly two. Where are you gauging, Gretchen?

CHAIR VITALE: I saw Sydney first and then Jack.

MR. CALLOWAY: Quick question. The term for each appointed member to this Oversight Board. Remind me please. Four years?

CHAIR VITALE: Jack.

MR. SEILER: We've had a qualified applicant that has been waiting to serve to step forward. I don't want to discourage. I think one of the reasons some people don't apply is they feel like nobody's acting on their application. You want to step up, you want to serve. Nobody calls you to serve. I don't know how many women we have on the board. Two, I think, you have a qualified female candidate who had a great resume. She worked at multiple states.

Looking at her licenses and professional registration numbers, Florida, Connecticut, Rhode Island, New York, Massachusetts, Virginia, New Jersey, so. And she's been a 30-year resident of Florida apparently doing projects. I don't want to discourage someone that's stepping forward, and I also like the fact it's a qualified female. And to keep that idea of diversity, I'd like to pointer sitting open since November will be coming up. We come back in June, we wait for the new – probably July, probably the new language, maybe even September.

That's a year with a vacancy without a Construction Manager. I haven't spent any time talking to you and obviously we can't talk about this because of Sunshine Law, but I was actually pleased that we had a female candidate step forward. And this is an industry that's been traditionally dominated by men.

MR. CALLOWAY: Well, and Mr. Chair, I'm sorry, please. I agree with Jack on that point. But I would also add, and this is probably as good a time as any to go back to our earlier conversations as we started with our responsibilities as the Appointing Authority, the importance of acting as quickly and being as timely as we can. And so that's kind of what I'm seeing here.

In addition to the fact that, you know, again, we've been trying to get this meeting done and it's taken several months because of a glitch in our Administrative Code and our having to follow that code. So I agree, but I also think that it's important that we act quickly or as quickly as we can. And this is an applicant and a process that is. It's been teed up and we're here today, so I'm ready to vote on it.

CHAIR VITALE: Stephen, any additional questions or comments?

MR. VOLLMER: I mean, I think there’s a strong applicant. So, I'm in general agreement that we, if we have a strong applicant with the right licensure, that we should probably discuss and potentially act on them. There's a few components in the application. I want clarification with you all specifically about submitting a – submitting a potential conflicting proposal and then it withdrawing. It's not. It's on – it's in their bylines. Did that come up that they had submitted a –

CHAIR VITALE: Yeah. So generally, if they've been brought to us, they're qualified. Okay. So, if –

MR. VOLLMER: If it was their proactive comment that was –

CHAIR VITALE: I read it too and I was a little confused. But we should have the confidence in staff saying they're qualified. Yeah, to appoint. And then it's up to us to appoint. Okay.

MR. VOLLMER: How? I guess my follow up question on that is clearly this person is active in the local region and submitting. Submitting grants that that might fall might give them a conflict of interest, and they're a president of an engineering firm, it looks like that might be submitting applicants by them representing themselves on the board. Is that them basically agreeing that they're not gonna submit for these? Okay.

CHAIR VITALE: Or they would have to resign. Okay. Yes, thanks. That was proactively and I think each year they re-attest.

MR. VOLLMER: Exactly.

CHAIR VITALE: Okay. So, do you have other comments?

MS. JEAN: Just want to echo. I agree with the sentiments of the board of members that this candidate is obviously well qualified. I looked at it differently because it led me to wonder, well, if we were to relax and make the requirements consistent as we with the other roles on the Oversight Board. What potential other candidates could have come forward?

What are – what other candidates have we lost as a result of the requirements being so stringent is how I viewed it, but I also respect the need to act in a timely manner and completely agree she's a qualified candidate.

CHAIR VITALE: Okay, my thoughts. Go ahead, Gretchen. If we want to speak to the candidate and not wanting to select the candidate, I think it's okay to have that conversation, but I'm aligned with timing. It's already been open for a while. She's qualified, she's interested. I wouldn't want to have that slow down the process.

Given to what Sydney echoed, which we said earlier, our task, get the group up and running. It would be almost a full year, maybe another six months after that before she's up to speed.

Now you're talking with all the construction that's happening in the projects, not having a construction or engineer professional on the Oversight Board for a year and a half doesn't feel great. So that's my view on it now.

So, from a process standpoint, I think we should move forward and vote. If somebody has, and I haven't heard any, but if somebody has specific concerns about the applicant, then, you know, you can raise that as well. Gretchen.

MS. CASSINI: I just wanted to Let you know, Mr. Chair, that Mr. Pinzone was disconnected from the Zoom, but that he did email to indicate that he was wanting to be seen as supportive of the action items. So, I just wanted to let you know that –

CHAIR VITALE: I did not – I didn't even know he was on Zoom.

MS. CASSINI: – so that it's on the record.

CHAIR VITALE: Okay, great. Thank you. So, we have a Motion to Appoint item here. We've had a lot of discussion to appoint Ms. Kaplan.

MR. SEILER: I'll move to appoint Ms. Kaplan.

MR. CALLOWAY: Second the motion.

CHAIR VITALE: Okay. Thank you, Jack. Seconded by Sydney. Thank you. Is there any further discussion? Okay. All those in favor of appointing Tracy Kaplan to the Independent Surtax Oversight Board. CHAIR VITALE: Excuse me. Please signify by saying aye.

ALL: Aye.

CHAIR VITALE: Any opposed?

MR. PINZON: Aye.

CHAIR VITALE: Oh, hello, Felipe.

MR. SEILER: There he is.

CHAIR VITALE: Thank you.

MR. PINZON: I'm here.

CHAIR VITALE: Thank you. Good to see you. Okay. She is approved. Thank you for the thoughtful discussion.

(Motion carries unanimous approval.)

Motion to Reappoint

Next item is a Motion to Reappoint. You'll see – I think we would do the slate or should they be done individually?

MR. KLITSBERG: You have the ability to do it all in one motion.

CHAIR VITALE: Okay.

MR. SEILER: One question.

CHAIR VITALE: Yeah. Well, I'm gonna make a comment really quick. I wanted to make before the last vote, but it's still appropriate. We have never had hundreds of applicants for these Oversight Board positions, so. Yes. So, for somebody to, you know, say, I'm not going to do this chunk of business, which is a very big chunk of their business potentially.

You know, I think it is really important for us to just keep in mind, even by loosening this, I do not think we're going to end up getting dozens or scores of potential applicants. Okay, so Jack had a question. We're on the motion to reappoint section of the agenda. Jack.

MR. SEILER: My only question is just; I guess to the of you all. Is there any. There been any issues with attendance, participation from any of the six that are asking to be reappointed? They've all been diligent and consistently being in attendance.

I know several of them personally and I think they're great appointments and I'm pleased to hear they're working out so well. I don't know how we're keeping Phil Allen out of playing pickleball.

(Laughter)

CHAIR VITALE: Well, they –

MR. KLITSBERG: They only meet once every few months. Yeah, that's –

MR. SEILER: Then I'll move. I'll move to reappoint the whole slate if there's no issues with any of them.

CHAIR VITALE: Okay.

MR. SEILER: Of commitment.

CHAIR VITALE: Motion to reappoint the entire slate as presented in the agenda and backup, Sydney with the second.

MR. PINZON: Second.

CHAIR VITALE: Thank you. We'll give it to him. Right? Thank you, Sydney.

Any discussion or questions? Seeing none. Okay. All those in favor of the motion, please signify by saying aye.

ALL: Aye.

CHAIR VITALE: Any opposed? Same sign. Okay. Seeing none. It is unanimous and they all are reappointed. And we thank them all for their many hours of service and in many cases, many years of service.

Non-Agenda Items

Any non-agenda items, Gretchen, that we need to go over from staff side? Okay. From the group? Any general discussion, comments or questions?

MR. SEILER: I just thank you to the two new members stepping up and being here. We appreciate it.

CHAIR VITALE: General Counsel, comments.

MR. KLITSBERG: Nice to see you all again.

CHAIR VITALE: Same. Board Coordinator, comments? Good? Okay. Well, unless anybody has anything else. Hearing none. Seeing none. Felipe, nice to see you.

MR. PINZON: Thank you.

ADJOURN

CHAIR VITALE: We are adjourned. Thank you all very much for your service.

(The meeting concluded at 2:31 p.m.)