

MARJORY STONEMAN DOUGLAS HIGH SCHOOL  
PUBLIC SAFETY COMMISSION MEETING

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PROCEEDINGS: TELECONFERENCE COMMISSION  
MEETING

DATE: October 31, 2019

TIME: Commenced at 8:31 a.m.  
Concluded at 9:15 a.m.

LOCATION: Florida Department of Law  
Enforcement  
2331 Phillips Road  
Tallahassee, Florida 32308

REPORTED BY: JULIE A. CULVER  
For The Record Reporting  
1500 Mahan Drive, Suite 140  
Tallahassee, Florida 32308

## 1 MEMBERS PRESENT TELEPHONICALLY:

2 Bob Gualtieri, Comission Chair  
Kevin Lystad, Vice Chair  
3 Larry Ashley  
Bruce Bartlett  
4 Lauren Book  
Mike Carroll  
5 Douglas Dodd  
James Harpring  
6 Grady Judd  
Chris Nelson  
7 Jacob Oliva  
Ryan Petty  
8 Marsha Powers  
Max Schachter  
9 Richard Swearingen  
Pam Stewart  
10 Simone Marstiller

## 11 MEMBERS PRESENT IN PERSON:

12 Jennifer Miller  
Sam Rexford  
13 Toree Ennis  
Jason Jones  
14 Tom Foy  
Donna Uzzell  
15 Heather Pence  
Christina Litton  
16 Jeremy Burns

## 17 GUEST PRESENT TELEPHONICALLY:

18 Kevin Bolling

19 CERTIFICATE OF REPORTER:

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1 T E L E P H O N I C P R O C E E D I N G S

2 CHAIRMAN GUALTIERI: It's 8:31 Eastern time.  
3 This is Sheriff Bob Gualtieri.

4 We're going to call the meeting to order.  
5 And I'm going to ask Jennifer Miller from FDLE, if  
6 you would please, take a roll call of all of the  
7 commission members.

8 And again, for everybody else, please mute  
9 your lines. And for the commission members, if  
10 you would please, after you speak, please mute  
11 your lines it will really help as far as the  
12 background noise is concerned as we do the  
13 telephonic meeting this morning.

14 So Jennifer, if you would, go ahead and call  
15 roll.

16 MS. MILLER: Okay. Good morning. Do we have  
17 Sheriff Ashley?

18 MR. ASHLEY: Florida central time, here.

19 MS. MILLER: All right. Commissioner  
20 Bartlett?

21 MR. BARTLETT: Here.

22 MS. MILLER: Senator Book.

23 MS. BOOK: I'm here. Good morning.

24 MS. MILLER: Good morning. Commissioner  
25 Carroll?

1 MR. CARROLL: Here.

2 MS. MILLER: Good morning. Commissioner  
3 Dodd?

4 MR. DODD: I'm here.

5 MS. MILLER: Commissioner Harping?

6 MR. HARPING: Here.

7 MS. MILLER: Sheriff Judd?

8 MR. JUDD: Here.

9 MS. MILLER: Commissioner Larkin-Skinner?  
10 You may have to unmute your phone.

11 (NO RESPONSE.)

12 MS. MILLER: Okay. We may have to come back.  
13 Commissioner Nelson?

14 MR. NELSON: Here.

15 MS. MILLER: Commissioner Petty?

16 MR. PETTY: Here.

17 MS. MILLER: Commissioner Powers?

18 MS. POWERS: Here.

19 MS. MILLER: Commissioner Schachter?

20 Commissioner Schachter?

21 CHAIRMAN GUALTIERI: Hey, Jennifer, you've  
22 got to speak up.

23 MS. MILLER: Commissioner Schachter, are you  
24 on the line?

25 MR. SCHACHTER: Yes, present.

1 MS. MILLER: Commissioner --

2 CHAIRMAN GUALTIERI: Again, everybody please  
3 mute your lines. If you're not talking, please  
4 mute your lines. We've got a lot of background  
5 noise.

6 MS. MILLER: Do we have Commissioner Stewart  
7 on the line?

8 (NO RESPONSE.)

9 MS. MILLER: Commissioner Swearingen is in  
10 the room with us. Commissioner Lystad?

11 MR. LYSTAD: Here.

12 MS. MILLER: And we have Sheriff Gualtieri.  
13 Secretary Marstiller?

14 MS. MARSTILLER: I'm here. Good morning.

15 MS. MILLER: Good morning. Secretary Mayhew  
16 is absent. Do we have Mr. Oliva from DOE?

17 MR. OLIVA: I'm here. Thank you.

18 MS. MILLER: And Secretary Poppell.

19 (NO RESPONSE.)

20 MS. MILLER: All right. So I do not have  
21 Commissioner Larkin-Skinner, or Secretary Poppell,  
22 or Commissioner Stewart. Did I miss anyone on  
23 there? All right. Sheriff, I think we're good.

24 CHAIRMAN GUALTIERI: Okay. All right. Thank  
25 you, Jennifer. I appreciate that.

1           You all received a copy of the minutes from  
2           our October 15th and 16th meeting in Orlando. I  
3           hope you had a chance to review the minutes from  
4           that meeting.

5           Did anybody have a motion to approve the  
6           minutes?

7           (BACKGROUND NOISE.)

8           (PHONE RINGING.)

9           (MULTIPLE SPEAKERS.)

10          UNKNOWN SPEAKER: So moved.

11          UNKNOWN SPEAKER: Moved --

12          (MULTIPLE SPEAKERS.)

13          MR. ASHLEY: Sheriff Ashley --

14          CHAIRMAN GUALTIERI: Okay. Sheriff Ashley  
15          moves with approval. Do we have a second?

16          MR. JUDD: Second.

17          CHAIRMAN GUALTIERI: Sheriff Judd, second.  
18          Any discussion or revisions on the proposed  
19          minutes?

20          MR. CARROLL: Sheriff, this is Mike Carroll.  
21          I think there has been a note because I thought in  
22          chapter 12 we had added a recommendation in  
23          response to the new finding that we had. And I  
24          didn't see that referenced in the minutes or in  
25          the report.

1           So I don't know if now is the time to discuss  
2           that report, but --

3           CHAIRMAN GUALTIERI: Yeah, and I've got  
4           comments on that. You are correct. We went back  
5           and looked at it. We will take that as we get  
6           into the report, but we will note for the minutes  
7           of this meeting that -- in that section as we talk  
8           about chapter 12 that you have noted the  
9           discussion on a recommendation that the  
10          legislature consider implementing juvenile mental  
11          health and well-being courts and provide judges  
12          with more tools and consequences. That was  
13          discussed and I will talk about it when we get to  
14          it. But we will note that in these meetings. And  
15          we will revise those minutes, accordingly. I  
16          think that is your point Commissioner, correct?

17          MR. CARROLL: Yes, thanks.

18          CHAIRMAN GUALTIERI: All right. So we will  
19          go ahead and make that notation to it. Does  
20          anybody have any other discussion or revisions to  
21          the meeting minutes from October 15th or 16th?

22          UNKNOWN SPEAKER: Bob, the only ones that  
23          could be considered -- and it may be in the  
24          report. I sent information to Jennifer. I think,  
25          absent us requiring or recommending legislative

1           action, I don't know how that loggerhead between  
2           Hollywood and Broward county works out.

3           Do you -- is that something that we should  
4           talk about now or is that in the final report?

5           CHAIRMAN GUALTIERI: Yeah, let's wait on  
6           that. Because, like I said, let's wait on that --  
7           we will go -- in fact, we're going to take that up  
8           next, so we will talk about that here in a second.

9           UNKNOWN SPEAKER: Okay.

10          CHAIRMAN GUALTIERI: So anything else on the  
11          minutes?

12          (NO RESPONSE.)

13          CHAIRMAN GUALTIERI: All in favor of approval  
14          of the minutes signify by saying aye.

15          (CHORUS OF AYES.)

16          CHAIRMAN GUALTIERI: Any opposed, same like  
17          sign?

18          (NO RESPONSE.)

19          CHAIRMAN GUALTIERI: Good. The motion passes  
20          and the minutes are approved.

21          So I just want to -- for all of the  
22          commissioners, you have received a couple of  
23          versions. The most recent version of the report,  
24          which went out a couple of days ago -- and we have  
25          been working very hard on trying to get this put



1           together. And I think it is in good shape. I  
2           hope you all feel the same way.

3           But it is still -- and it's not final until  
4           we actually transmit it to the Governor and to the  
5           presiding officers of the legislature. And so it  
6           is still a work in progress.

7           Knowing that -- and we hope to -- the plan is  
8           to finalize it and get it to them tomorrow. But  
9           it's better that it be right and not quick. It  
10          could be Monday before we get it over there. And  
11          we're going to try to get it over there tomorrow.

12          And there are still a few typos, and  
13          numbering, and some other things that we are  
14          working on. But there is nothing substantive that  
15          has changed or will change. It's all style and  
16          formatting, just to make sure again, all of the  
17          i's are dotted and t's are crossed.

18          If anybody on the comission or anybody out  
19          there still sees anything in it -- we know that  
20          there are things in there that we are working on.

21          And also, nobody should use a version that is  
22          currently been distributed or made available  
23          publically as a final product of this commission  
24          until we actually transmit it to the Senate  
25          President, or Speaker of the House, and to the

1 Governor, which we will do either tomorrow or on  
2 Monday. So I want to make sure everybody is clear  
3 on that.

4 As far as a couple of issues that -- before  
5 we get into the report itself and we entertain a  
6 motion to approve the report -- the one -- Sheriff  
7 Judd, you just brought up the first topic that we  
8 need to discuss. You had asked us to -- in the  
9 intervening period between the last meeting and  
10 this meeting you had asked us to consider another  
11 proposed finding and recommendation regarding the,  
12 as you call it, the stalemate and the issue down  
13 in south Florida on the power issue.

14 We sent out your proposed recommendation --  
15 proposed finding and proposed recommendation. And  
16 I asked everybody to also please look at -- as you  
17 consider that -- what we have now currently in  
18 chapter 4 in findings 2, 3, and 4 and  
19 recommendations 1, 2, and 3. So if you want to  
20 make a motion and somebody wants to second it we  
21 can have discussion on it.

22 Before you do that, I just ask you to  
23 consider this, though, that I think, to some  
24 degree, I understand the problem down there,  
25 believe me, and the stalemate, and the untenable

1 situation. And the -- just the problem that they  
2 are -- although they are -- seems to be trying, at  
3 their pace, to work it out. Whether they will  
4 have success in that is yet to be seen.

5 But my concern with it is that the proposed  
6 recommendation -- I'm sorry the proposed finding  
7 is somewhat redundant of what we already have in  
8 chapters 2 -- in findings 2, 3, and 4, in chapter  
9 4 -- to some degree is worded differently, but to  
10 some degree it's redundant.

11 But my concern with it is in the  
12 recommendation and I have talked to Jason Jones,  
13 our general counsel, who is on the phone. And he  
14 can weigh in on this -- is that I'm concerned  
15 about the recommendation. I'm not sure -- in  
16 fact, I have some real questions about whether the  
17 legislature can actually do what you're suggesting  
18 that we ask them to do. I get it, somebody needs  
19 to unclog that jamb down there.

20 But I don't think that, legally, with all the  
21 charters, imminent domain issues, taking clause  
22 issues, property rights, all of those things that  
23 the Governor can -- if the legislature can  
24 actually allow the Governor to just tell somebody  
25 to place power somewhere.

1           And I have concerns about us, as a  
2           commission, recommending something that may not be  
3           able to be done. So that's my concern with it.

4           But if you want us to pursue it we can have  
5           that discussion and further it. So it's up --  
6           it's your motion Sheriff. If you want to make it,  
7           we can make it and we can have further discussion  
8           about it.

9           UNKNOWN SPEAKER: Certainly. Thank you very  
10          much. And I hear clearly what you are say -- what  
11          you're saying. And you do understand that --  
12          probably even better than the commission does that  
13          has slogged through this my -- my motion for -- is  
14          that we requested the legislature push forward  
15          that when a local community will not improve the  
16          radius system at -- on behalf of the public safety  
17          someone or somebody has got to -- to step in and  
18          go time out. Hollywood if you can't get along,  
19          Broward if you can't get along -- you know, we're  
20          dealing with public safety here.

21          And as a side note, I spoke with the CFO who  
22          used to be in the legislative process. And he  
23          said many times the filing of the legislation is  
24          enough to get them off centered for fear that they  
25          will have to wrestle that. So from a lawyers

1 prospective, I see that --

2 (MULTIPLE SPEAKERS.)

3 UNKNOWN SPEAKER: -- I see the concerns.

4 But I also recognize from a operational  
5 perspective when you got back -- and you -- let me  
6 quote a old legislator, "the law is whatever we  
7 decide it is in Florida."

8 And so at some point in time someone has got  
9 to step in and get that radius system fixed. And  
10 that's why I put the motion out and said let's ask  
11 the legislature to introduce legislation when the  
12 local people won't act and when public safety is  
13 at risk --

14 MR. SWEARINGEN: What (INDISCERNIBLE).

15 (MULTIPLE SPEAKERS.)

16 THE COURT REPORTER: I can't hear when you're  
17 talking.

18 UNKNOWN SPEAKER: -- passionate enough about  
19 the safety and security of these law enforcement  
20 officers, firefighters, and paramedics who can get  
21 in areas of Hollywood and that area of Broward  
22 county without that last radio tower that their  
23 life is in peril, as well as the people that they  
24 are trying to save and/or rescue.

25 And so I think it's worthy that we ask for

1           it. If the legislature turns us down we asked for  
2           it; we tried to do something.

3           But the -- the other issue is -- is that we  
4           can, you know, bring Hollywood and the county  
5           commissioners one by one in front of us at the  
6           next meeting or some meeting next year and try to  
7           force this issue that way. But, you know, if they  
8           don't capitulate, we still have our law  
9           enforcement officers at risk and our community at  
10          risk.

11          I think it's worth an ask. But obviously,  
12          it's up to this commission. And I will agree with  
13          whatever y'all want, but that's -- that's, in the  
14          nutshell, my argument for putting a motion on the  
15          table.

16                 (MULTIPLE SPEAKERS.)

17           CHAIRMAN GUALTIERI: Okay. Hang on a second.  
18           One at a time. Sheriff Ashley, go -- first of  
19           all, let's do this, so we can get this -- assuming  
20           that we are going to vote on it or have some  
21           posture on this, Sheriff Judd, just to get this,  
22           you know, procedurally correct and in the proper  
23           procedural posture for moving it forward, would  
24           you consider this at least for discussion  
25           purposes? I do think that the proposed finding

1           that you submitted to us is correct and it is  
2           accurate. But I do believe that it is redundant  
3           of the finding that we already have in 2, 3, and  
4           4.

5           And from what I'm hearing you say, you are  
6           more concerned about the recommendation than the  
7           finding. Would you make your motion that the  
8           commission consider just the recommendation since  
9           I think there is already a factual basis in the  
10          there for a recommendation? Would you consider  
11          making the motion just to the recommendation and  
12          not the additional finding?

13          UNKNOWN SPEAKER: Yes, sir.

14          CHAIRMAN GUALTIERI: Okay. So we have -- and  
15          you all have in front of you Sheriff Judd's motion  
16          that the additional recommendation -- and for  
17          those that don't have it I will go ahead and read  
18          it, and then see if we have a second.

19          It says, "Before the legislature should craft  
20          language, either specific to Broward county and  
21          the city of Hollywood or in a broader manner,  
22          which in a similar circumstance will give the  
23          Governor the authority to declare that a  
24          communications tower may be placed on any land  
25          within the state of Florida if it is in the best

1 interest of public safety, the legislative  
2 language should also be crafted to ensure  
3 compliance with any other existing law."

4 So that's Sheriff Judd's proposed  
5 recommendation to be added to chapter 4. Is there  
6 a second?

7 (MULTIPLE SPEAKERS.)

8 MS. BOOK: I will second.

9 UNKNOWN SPEAKER: Second.

10 CHAIRMAN GUALTIERI: Okay. So second by  
11 Senator Book. So now, we have this set up and  
12 that is the motion that has been seconded. And  
13 now, it's proper for discussion and debate. So  
14 Sheriff Ashley, you are first. Go ahead.

15 MR. ASHLEY: Thank you, Sheriff. I was just  
16 curious if our legal staff could tell us if  
17 emergency communications -- local communications  
18 are considered a part of state's critical  
19 infrastructure?

20 CHAIRMAN GUALTIERI: Mr. Jones, do you want  
21 to weigh in on this and answer Sheriff Ashley's  
22 question and provide your prospective on this?

23 MR. JONES: Sure. Sheriff Ashley, I don't  
24 know the answer to that off the top of my head.  
25 But the concerns that we have over this are in



1 addition to what the Chair went over with all of  
2 the different problems with eminent domain, and  
3 taking, and county home rules. And also, they can  
4 be challenged on a constitutionality level.

5 So while it is true that whatever the  
6 legislature says the law is, the law is. And  
7 that's true, until someone challenges it because  
8 it violates either the Florida or U.S.  
9 Constitution.

10 So I think that that's where the challenge  
11 from the locals would come from. And the way that  
12 this is currently written it's not just written to  
13 where in this situation if the tower -- there's an  
14 argument over whether it can be placed in a park  
15 because of the county's charter, this is written  
16 so that a tower can be placed anywhere on private  
17 property, on top of someone's house. So I  
18 think --

19 MR. ASHLEY: Right.

20 MR. JONES: -- that it would receive a lot of  
21 challenges the way it is currently written.

22 MR. ASHLEY: Well, the reason I ask is -- is  
23 if it keeps -- it would defeat -- if it's going to  
24 end up in litigation and eminent domain anyway it  
25 would defeat our purpose in trying to speed this

1        thing up because they are already litigating, or  
2        discussing, or negotiating trying to get this  
3        tower up. So we would just move it from one set  
4        of negotiations to another if the Governor were to  
5        declare some eminent domain and it ended up in  
6        litigation that way.

7                So I'm not sure -- I'm not sure in the end,  
8        that it would do what we would want it do by  
9        making this recommendation.

10               MR. JONES: Well, it's definitely not going  
11        to speed anything up. I mean, session starts in  
12        January, but we're not going to have anything  
13        signed into law until probably April or May. And  
14        then if it goes into effect when it's signed then  
15        the challenges are going to come. So they are  
16        just going to be locked up in some form of  
17        litigation for years.

18               MR. ASHLEY: I would just like the better  
19        recommendation of bringing those county  
20        commissioners and city officials before the  
21        commission and working it that way rather than  
22        asking our legislatures to do something that is  
23        not going to meet what we want -- it's not going  
24        to do what we want it to do. And so that's my  
25        point and input.

1 (MULTIPLE SPEAKERS.)

2 CHAIRMAN GUALTIERI: Go ahead, Sheriff Judd.  
3 Go ahead.

4 MR. JUDD: My point is, it's not that I want  
5 to do one or the other. I want to do both,  
6 Sheriff Ashley. And lawyers are lawyers; that's  
7 what they do.

8 And what I want to do is -- is -- and the  
9 wording that we put in this recommendation doesn't  
10 have to be the exact wording that the legislators  
11 put in the legislation. So lawyer is a lawyer.

12 But I'm telling you that somebody has got to  
13 do -- take all of the proactive measures that we  
14 can to break that log jamb. And we've got to quit  
15 worrying about what the outcome maybe because if  
16 we worry about the outcome we would never pass  
17 another law because anything that you pass is  
18 subject to court scrutiny and litigation. So you  
19 know sometimes you have to damn the torpedoes at  
20 full speed ahead if you want a positive outcome --  
21 is my point.

22 CHAIRMAN GUALTIERI: So let me just say one  
23 thing, as far as the issue of -- so we can just  
24 take this and -- and have an understanding about  
25 it, at least as far as I'm concerned is -- is that

1       that I wholeheartedly concur, and adore, support,  
2       everything that I can say positively --

3               MR. FOY:   He is cleaning up the language.

4               CHAIRMAN GUALTIERI: -- if by the time we're  
5       ready to meet again early next year that they have  
6       not, meaning the city of Hollywood, the city --  
7       Broward county and whatever other governments,  
8       Tamarac, etc. that are involved in the land swap  
9       -- everybody else out there has not resolved this  
10      by that point of next year when we meet here, you  
11      know, the first part of next year in several  
12      months -- and I have no concern and fully support  
13      what the suggestion is and that is if we need to  
14      -- depending on the county commissioners, and city  
15      commissioners, and officials in -- and because at  
16      that point they will have had so -- so much time  
17      to get those resolved. And so there is no issue  
18      with that, as far as I'm concerned. There -- as  
19      long as the commission as a whole supports that we  
20      do it and if we need to issue subpoenas we will  
21      issue subpoenas. And so but -- let's see what  
22      they do in between now and the time we meet and if  
23      we need to we will.

24              And so I don't -- you know, I don't think  
25      that that really needs to have any further

1 discussion. We're all on the same page with that  
2 as it really relates to this recommendation and  
3 whether we want to -- and I hear you Sheriff Judd  
4 -- is that -- and everything that you say is  
5 correct. But at the same time, I also don't think  
6 that we should be putting forth a recommendation  
7 that, you know, on it's face has -- it has  
8 affirmatives --

9 (MULTIPLE SPEAKERS.)

10 CHAIRMAN GUALTIERI: -- and that's been my  
11 concern with it and we're trying to do this here  
12 and kind of the last minute, and trying to get it  
13 right.

14 And this also -- keep in mind, also, this is  
15 a recommendation, just because we recommend it  
16 doesn't mean that they are going to do it. And  
17 just because we recommend it doesn't mean that we  
18 are going to do it in this fashion.

19 So, you know, and to the point, is that we're  
20 trying to also signal and send a message. And to  
21 the extent that that helps to move this maybe it  
22 doesn't matter that it's perfect, even though it  
23 does have affirmatives.

24 But I am concerned that, you know, it so  
25 broad that -- and so obvious affirmatives with it,

1 I also don't want our recommendations to be seen  
2 as something that we -- recommend something that  
3 is undoable and people see it on the face that it  
4 is undoable. I don't think that is good for the  
5 commission to do that. But who is next?

6 (MULTIPLE SPEAKERS.)

7 CHAIRMAN GUALTIERI: Yes, Senator Book.  
8 Senator Book, go ahead.

9 MS. BOOK: Thank you so much. And this is  
10 actually something that came up last session.  
11 Senator Brandon from your area has that regional  
12 communications bill. And we were working on an  
13 amendment that we couldn't get on at the time that  
14 would have been a friendly amendment. It just  
15 didn't work with the timing.

16 And so I have a question and I think it would  
17 be very, very specifically tailored. And I just  
18 want to read it out loud because I went back and  
19 pulled it, just to kind of get your thoughts, the  
20 commission's thoughts, and Jason's thoughts -- it  
21 was in any county where the county is responsible  
22 for emergency CAD and 911 radio systems any local  
23 government zoning restrictions, land use  
24 restrictions, or restrictive covenants shall be  
25 deemed null and void for purposes of citing

1        towers, equipment, and any related equipment  
2        consistent with installing, upgrading, or  
3        operating emergency radio communications within  
4        that county. And we did it that way because I --  
5        you know, Broward county is responsible for  
6        protecting the community's health, safety, and  
7        welfare as you so correctly said. And that was  
8        specifically tailored. And I agree with you that  
9        this was something that was discussed. We just  
10       didn't get it on time, but I don't know if that  
11       fixes your agita with the language.

12            CHAIRMAN GUALTIERI: You know, I will tell  
13        you this is -- remember, to a degree -- but  
14        remember, the hold up now isn't any of those items  
15        that you just referenced, Senator. Is the -- the  
16        hold up now, which I don't think that you can --  
17        as the legislature -- the legislature can address.  
18        The hold up now isn't any of the restrictive  
19        covenants and deeds -- deed restrictions, etc.  
20        They already addressed that the county commission  
21        already voted to overturn the deed restriction.  
22        The problem now is the county charter. I don't  
23        think the legislature can pass anything that  
24        overturns the county charter.

25            And it's the county charter that is the

1           problem because the county charter says that  
2           "Broward county may not own county land -- a park,  
3           for anything other than recreational purposes."

4           So this is a -- the latest cog in the wheel.  
5           It seems like every time you turn a corner in this  
6           thing there is a new cog in the wheel. And  
7           everything was supposed to be resolved because the  
8           county commission by super majority, eight to nine  
9           vote, removed the deed restriction and they got  
10          the deal with Hollywood. They had a -- they  
11          agreed -- they had an agreement that they would go  
12          with all of that. And then oh, okay, we are set  
13          to go. Well, whoops. Now, we're not because  
14          we've got this problem in the county charter. So  
15          I don't even think that -- if we're trying to just  
16          really fix the issue in Broward county that's not  
17          going to fix it.

18                 MS. BOOK: Got it.

19                 CHAIRMAN GUALTIERI: So who else wants to  
20          weigh in?

21                 MR. BARTLETT: Commissioner Bartlett. I  
22          would like to weigh in.

23                 CHAIRMAN GUALTIERI: Go ahead, Commissioner.

24                 MR. BARTLETT: Precisely for what you just  
25          said I think they made an effort to do this.



1 Hollywood actually had a deal with Broward. And  
2 then Broward had a problem with the park land  
3 issues -- that they couldn't own that for the  
4 purposes that they were going to do it. And that  
5 kind of put the brakes on it. And then talked  
6 about Tamarac coming in -- and then, you know,  
7 that was a problem because Hollywood,  
8 understandably, didn't like them owning property  
9 within the city. But they were on a path, at  
10 least from Hollywood's perspective, they were on a  
11 path to try to resolve this thing. So I think  
12 we're -- the recommendation by the legislation is  
13 kind of hard towards Hollywood in it's self as  
14 suggesting that they weren't cooperating. And I  
15 think they were. They were at the point -- one  
16 time they thought they had a deal.

17 UNKNOWN SPEAKER: Correct.

18 MR. BARTLETT: And secondly, I just think by  
19 making a recommendation like this we're  
20 overreaching. Really -- I mean, we're kind of  
21 taking it into the next level and it introduces  
22 all kinds of issues. So I would not agree with  
23 the recommendation.

24 CHAIRMAN GUALTIERI: That's my concern. You  
25 know, I think we're -- we've got to be careful.

1       You know, we all want this done. But we've got to  
2       be careful that we don't -- again, I'm concerned  
3       about sending something to the legislature that is  
4       -- anybody is going to look at and say, "Look, we  
5       can't do this and y'all should know that." I have  
6       concerns about that. But any way who wants to  
7       weigh in?

8               MR. BARTLETT: Bob, my last statement is, you  
9       know, when the county tried to sell the land to  
10      Tamarac in the middle of Hollywood, you know that  
11      is game playing -- that is game playing, correct.

12             CHAIRMAN GUALTIERI: Correct.

13             MR. BARTLETT: I mean, who in their right  
14      mind would think that Hollywood should go along  
15      with that?

16             So Bob, my point is I don't know what their  
17      end game is or what their political game is down  
18      there. All I know is that the public and our  
19      first responders are being put at risk and  
20      somebody has got to break the log jamb. That's  
21      all I know.

22             So however we word it -- and I'm perfectly  
23      fine with being voted down and then we can just  
24      get in line with Broward, and Hollywood, everybody  
25      and stand around and ring our hands.

1           CHAIRMAN GUALTIERI: Well, and I hear you.

2           But remember this, too, is against this backdrop,  
3           it is on track to be better than this because  
4           Broward county is moving forward with the 15th  
5           hour and the east Hollywood hour is 16. And they  
6           say that the course that this is on will have the  
7           new system up and running by the first quarter of  
8           2020. The only power that won't be operational is  
9           this one. And the only agency that is going to be  
10          affected by it -- directly affected by it, is the  
11          City of Hollywood Police Department. Everybody  
12          else in south Broward county will be on the new  
13          system.

14          And the -- they will be better, but not  
15          perfect. The only issues will be penetration  
16          issues. So -- and then once Hollywood is the only  
17          agency on the legacy system the chances of the  
18          legacy system overloading are probably, you know,  
19          nominal because they will be the only ones on it.  
20          So it is moving forward. And they are not  
21          standing -- you know, 60 days ago that would be  
22          absolutely true.

23          What has changed in the last 30 days or so is  
24          the county's decision to drive this forward and  
25          stand it up on the 15 and say to Hollywood, "Y'all

1 are the only ones that are affected by it so get  
2 off the dime or not."

3 But I -- then you've got this whole -- it is  
4 game playing -- we're trying to -- Hollywood -- I  
5 can understand. I concur. I would be upset too  
6 if I was the city of Hollywood and the county was  
7 trying to sell park land in my city to another  
8 city on the east side of Broward county in some  
9 land-swap deal without offering it to us first, so  
10 that is all correct. But it is on the path to  
11 improvement and they have moved, somewhat. It's  
12 not just stagnant, and stale, and sitting as it  
13 was 60 days ago. So --

14 (MULTIPLE SPEAKERS.)

15 MR. BARTLETT: And that should run cold water  
16 through our veins just thinking that -- well, you  
17 know, everybody but Hollywood is okay, so --

18 CHAIRMAN GUALTIERI: And, you know -- well,  
19 you know, and the other issue that you got too  
20 with this -- you know, again, you've got the  
21 citizen groups that are involved down there. And,  
22 you know, citizen groups are as vocal on this --  
23 and they are as prominent to debate on this as  
24 anybody.

25 And, you know, you get into this too where,

1       you know, the legislature passes a law telling the  
2       Governor that he can do this. And the citizens,  
3       as we know, in Hollywood are -- you know, citizens  
4       are adamantly opposed to it. You know, it's just  
5       a -- it's a tough one, it's a very tough one.

6               MR. BARTLETT: You know, I -- my thing is  
7       that we, you know, that I -- if we don't include  
8       this, but we give them the next, you know, 90 days  
9       or so and see where it is and where we meet again.  
10      And then if it's not resolved then we take the  
11      gloves off and then we pull all of the stops out  
12      because that point is over the line of ridiculous.  
13      And then we -- then we start moving forward and  
14      get aggressive with it.

15             But I think since they are making some  
16      incremental changes, and it has gotten better in  
17      the last 30 days, and they are trying to work it  
18      out, you know, as opposed to trying to get  
19      something transferred here and craft something,  
20      you know, at the last minute to put in the report.

21             But I absolutely hear you. And I'm as  
22      frustrated as you are with it, believe me. But I  
23      want to make sure that we --

24             (BACKGROUND CONVERSATION.)

25             CHAIRMAN GUALTIERI: -- craft something that

1 is doable, too. So anyone else wants to weigh in?  
2 Anybody?

3 (NO RESPONSE.)

4 CHAIRMAN GUALTIERI: All right. So we got a  
5 motion. And we got a second on the floor.

6 Jennifer, if you would, for the voting  
7 members of the commission, go ahead and call --

8 MS. MILLER: Okay.

9 CHAIRMAN GUALTIERI: -- for the voting -- call  
10 to order.

11 MS. MILLER: Okay. Sheriff Ashley, what is  
12 your vote?

13 MR. ASHLEY: Nay.

14 MS. MILLER: Commissioner Bartlett?

15 MR. BARTLETT: No.

16 MS. MILLER: Senator Book?

17 MS. BOOK: Sorry, I was on mute. I will  
18 always support you Sheriff Judd.

19 MR. SWEARINGEN: Okay.

20 MS. MILLER: So yes for Senator Book.  
21 Commissioner Carroll?

22 MR. CARROLL: No.

23 MS. MILLER: No. Commissioner Dodd?

24 MR. DODD: Yes.

25 MS. MILLER: Yes. Commissioner Harpring?

1 MR. HARPRING: Yes.

2 MS. MILLER: Sheriff Judd.

3 MR. JUDD: Yes.

4 MS. MILLER: Commissioner Nelson?

5 MR. NELSON: Yes.

6 MS. MILLER: Commissioner Petty?

7 MR. PETTY: Yes.

8 MS. MILLER: Commissioner Powers?

9 MR. POWERS: Yes.

10 MS. MILLER: Commissioner Schachter?

11 MR. SCHACHTER: Yes.

12 MS. MILLER: Commissioner Swearingen?

13 MR. SWEARINGEN: No.

14 MS. MILLER: Commissioner Lystad?

15 MR. LYSTAD: No.

16 MS. MILLER: Sheriff Gualtieri?

17 CHAIRMAN GUALTIERI: No.

18 MS. STEWART: Jennifer?

19 MS. MILLER: Yes?

20 MS. STEWART: This is Pam Stewart. I'm on

21 the call so if you will take my vote, as well.

22 It's a no.

23 MS. MILLER: Motion carries eight to seven.

24 CHAIRMAN GUALTIERI: Okay. So motions

25 passes. We will included that recommendation in

1           the -- in chapter 4.

2           The other thing that we have to talk about is  
3           -- and I don't think it requires a vote. It was  
4           just discussed -- it was just the omission that we  
5           didn't put in as a recommendation in Chapter 12.  
6           And it is what Commissioner Carroll talked about a  
7           couple of minutes ago. And unless there is any  
8           objection to it or anybody feels like we didn't  
9           adequately consider it and we need to take a vote  
10          on it we will, but I'm going to read it, unless  
11          there is an objection. We're just going to add it  
12          into one of the recommendations in chapter 12.

13          And in the recommendation that we just  
14          omitted that we did talk about as of the last  
15          meeting in October is from Commissioner Carroll --  
16          and it is this, "The recommendation is that the  
17          legislature consider implementing juvenile mental  
18          health and well-being courts and provide judges  
19          with more progressive tools and consequences to  
20          better engage children in mental health  
21          treatment," so that was talked about.

22          And we again -- we omitted it. Commissioner  
23          Carroll caught it and he brought it to our  
24          attention. So unless, there's any objection, I'm  
25          going to go ahead and include that in chapter 12.



1 Is there any objection to that?

2 UNKNOWN SPEAKER: I like it.

3 CHAIRMAN GUALTIERI: Okay. So without  
4 objection, we're going to add that to chapter 12.  
5 And Commissioner Carroll that takes care of your  
6 point, your concern, correct?

7 MR. CARROLL: It does. Thank you, sir.

8 CHAIRMAN GUALTIERI: Okay. So where we are  
9 now is on the report that you have in front of you  
10 that -- now, again, is just subject to tweaks with  
11 form and formatting. Is that -- do we have a  
12 motion to approve the draft report with what we  
13 will add as I just mentioned -- the new finding  
14 from Commissioner Carroll, and the language that I  
15 read previously that just passed by motion with --  
16 from chapter 4 -- from Sheriff Judd? So those --  
17 with those two additions, do we have a motion to  
18 approve the report?

19 MR. HARPRING: Commissioner Harpring, so  
20 moved.

21 CHAIRMAN GUALTIERI: Okay. Commissioner  
22 Harpring moves the approval. Do we have a second?

23 MR. JUDD: Grady Judd.

24 UNKNOWN SPEAKER: Second.

25 CHAIRMAN GUALTIERI: Okay. Sheriff Judd

1 second. And anybody, discussion or debate on the  
2 motion to approve the report?

3 (NO RESPONSE.)

4 CHAIRMAN GUALTIERI: All right. Jennifer, go  
5 ahead and call the roll.

6 MS. MILLER: Sheriff Ashley?

7 MR. ASHLEY: Yes.

8 MS. MILLER: Commissioner Bartlett?

9 MR. BARTLETT: Yes.

10 MS. MILLER: Senator Book?

11 MS. BOOK: Yes.

12 MS. MILLER: Commissioner Carroll?

13 MS. CARROLL: Yes.

14 MS. MILLER: Commissioner Dodd?

15 MR. DODD: Yes.

16 MS. MILLER: Commissioner Harpring?

17 MR. HARPRING: Yes.

18 MS. MILLER: Sheriff Judd?

19 MR. JUDD: Yes.

20 MS. MILLER: Commissioner Nelson?

21 MR. NELSON: Yes.

22 MS. MILLER: Commissioner Petty?

23 MR. PETTY: Yes.

24 MS. MILLER: Commissioner Powers?

25 MS. POWERS: Yes.

1 MS. MILLER: Commissioner Schachter?

2 MR. SCHACHTER: Yes.

3 MS. MILLER: Commissioner Stewart?

4 MS. STEWART: Yes.

5 MS. MILLER: Commissioner Swearingen.

6 MR. SWEARINGEN: Yes.

7 MS. MILLER: Commissioner Lystad?

8 MR. LYSTAD: Yes.

9 MS. MILLER: Sheriff Gualtieri?

10 MR. GUALTIERI: Yes.

11 MS. MILLER: Motions carries 15 to 15.

12 MR. GUALTIERI: Okay. So the motion carries  
13 unanimously. Thank you everybody for --

14 (MULTIPLE SPEAKERS.)

15 CHAIRMAN GUALTIERI: -- your time and effort  
16 in reviewing the report.

17 And again, we will get it finalized and  
18 submitted before we open it up to any final  
19 business from the commission members. And we  
20 have, I think, public comment. And we are going  
21 to begin public comment, I believe -- I know we  
22 have -- Jennifer, we have one request for public  
23 comment.

24 MS. MILLER: Yes, just the one.

25 MR. SCHACHTER: Sheriff, before we do that,

1 can I talk about something?

2 CHAIRMAN GUALTIERI: Sure. Who is this?

3 MR. SCHACHTER: It's Commissioner Schachter.

4 CHAIRMAN GUALTIERI: Okay. Go ahead.

5 MR. SCHACHTER: So Sheriff, during the senate  
6 hearing last week concerning the former Scott  
7 Israel it was mentioned by two different senators  
8 that we debated and voted not to recommended the  
9 removal of Scott Israel. I do not remember that  
10 at all. I would like to know if that is true.  
11 Did we debate and did we vote not to recommend  
12 Scott Israel's removal as a finding and a  
13 recommendation?

14 CHAIRMAN GUALTIERI: No, that's not true. We  
15 didn't vote on that. That's not true.

16 MR. SCHACHTER: Okay. I just wanted to  
17 clarify that. I found it completely upsetting  
18 that two different senators would go to that  
19 extent and say that if that's not true.

20 I personally took it as an affront to all of  
21 the days, hours, and months that I've dedicated to  
22 investigate the truth as to how and why my little  
23 boy was murdered.

24 And I would like an apology from those two  
25 senators that choose to be dishonest for purely

1 political reasons.

2 And that's all on that issue.

3 CHAIRMAN GUALTIERI: Okay.

4 MS. BOOK: Mr. Chair?

5 CHAIRMAN GUALTIERI: Yes, Senator?

6 MS. BOOK: Senator Book, if I could --

7 CHAIRMAN GUALTIERI: Sure, Senator.

8 MS. BOOK: Mr. Schachter, thank you very  
9 much. Mr. Schachter, I want to make sure that I  
10 am very, very clear. I can't speak for any other  
11 member of the Florida Senate. I never said, nor  
12 did I suggest, that we took a vote on it.

13 What I did say was that it was something that  
14 was discussed at the commission meeting and that  
15 it would not have been sustained.

16 And I apologize if you feel that that is  
17 somehow disrespectful or not a representation of  
18 what you know to be true. For that, I am very  
19 sorry. But I can't speak for any other member of  
20 the Florida Senate.

21 CHAIRMAN GUALTIERI: All right. Thank you,  
22 Senator. When we -- how many public comments --  
23 cards, do we have Jennifer?

24 MS. MILLER: Just one.

25 CHAIRMAN GUALTIERI: Go ahead. Okay. And

1           you want to announce who the citizen is that wants  
2           to make a public comment?

3           MS. MILLER:   Okay.   We're ready for Kevin  
4           Bolling.

5           CHAIRMAN GUALTIERI:   Mr. Bolling, if you are  
6           on the line you have two minutes.

7           MR. BOLLING:   I, too, took what Senator Book  
8           said -- yeah, I -- I believe that the  
9           interpretation was with you guys for supporting  
10          Sheriff Scott Israel.   I still don't believe that  
11          he should have been taken out of office because of  
12          the reasons that the Governor did.

13          I do believe that he lied on the -- I believe  
14          that he lied -- the governor's letter ten days  
15          after -- because it seems that it took you guys  
16          eight, nine months to figure out what happened.  
17          So FDLE -- I don't know if it's even completed  
18          yet.

19          But with that being said, truthfulness  
20          obviously, matters.   There are two paragraphs in  
21          our policy manual that talks about reporting  
22          matters correctly and truthfulness.   And Sheriff  
23          Israel violated both of those; that's my first  
24          comment.

25          My second comment is that I'm totally

1           disgusted that there are people in my community  
2           that believe that eight police officers were on  
3           scene, heard gunshots, and are telling you that  
4           they did not know where those gunshots were coming  
5           from. And for some reason it keeps coming back  
6           that one guy made a mistake or one guy didn't do  
7           what he was -- or whatever you guys keep saying.  
8           But there were eight deputy sheriffs on that  
9           scene, plus Coral Springs and none of them knew  
10          where this guy was or trust me we wouldn't be  
11          having a trial.

12                 Again, I don't -- I would like anybody who  
13          would challenge -- if you could give me any  
14          evidence whatsoever that anybody knew where that  
15          guy was until two minutes after he was gone. When  
16          Coral Springs lined up and took two minutes after  
17          they were told that there were victims in the 1200  
18          Building to go into the 1200 Building -- they are  
19          our heros. They did not know where he was at.  
20          But they knew there were victims in the 1200  
21          Building two minutes after everything was over.

22                 So with that being said, I don't know how I  
23          can -- I've been speaking this -- I try to submit  
24          things. I've given you guys things. I've given  
25          senators things. I'm so disgusted by Senator

1 Book's comments on the floor that I feel that it  
2 was disrespectful to the victims. And I believe  
3 that the law enforcement community down here in  
4 Broward county -- you guys keep making it sound  
5 like it is a circus. I was a member of that team  
6 for 36 years. It has nothing to do with the  
7 policies of the sheriff's office. It has nothing  
8 to do with the cowardliness. It didn't have  
9 anything to do with guys not wanting to do their  
10 job.

11 I am telling you that if they would have know  
12 where the guy was they would have taken  
13 appropriate action. Again, if anybody can give me  
14 a shred of evidence that says that the Broward  
15 Sheriff's Office, eight deputies, failed to go in  
16 because they were hiding, I would love -- I would  
17 love to hear it. And I would like to hear it in  
18 writing because I'm trying --

19 (MULTIPLE SPEAKERS.)

20 CHAIRMAN GUALTIERI: Wrap it up. Please,  
21 wrap it up because you've got about ten seconds.

22 MR. BOLLING: All right. Well, I'm going to  
23 -- like I said, I'm not sure exactly why this  
24 commission is hell bent -- I think that Mr.  
25 Pollack (PHONETICALLY) is 100 percent correct



1           about the change that needs to happen. I like  
2           seeing you guys doing those changes. I appreciate  
3           your time as public servants, but I am telling  
4           you, you are 100 percent wrong on this thing.

5           (MULTIPLE SPEAKERS.)

6           MR. GUALTIERI: Thank you.

7           MR. BOLLING: I have no problem whatsoever  
8           with -- with him being gone. I have no problem  
9           with it at all. You're -- the guy that you put in  
10          was a sergeant --

11          (MULTIPLE SPEAKERS.)

12          MR. GUALTIERI: Mr. Bolling, you're finished.

13          MR. BOLLING: Again, I can't --

14          MR. GUALTIERI: Commission members, we will  
15          get -- we're going to go ahead and finalize the  
16          report. We will get it submitted. And I'm going  
17          to -- I've asked for a meeting with the senate  
18          president and with the speaker to discuss the  
19          recommendations, and hopefully, move down a path  
20          of what we did this past year involving something  
21          similar to Senate Bill 73 where they take these  
22          recommendations, consider them, and put them all  
23          into one bill for the upcoming legislative  
24          session.

25          And we will let you know more after I talk to

1 the president and the speaker. And we will see  
2 where that goes. We are going to start working on  
3 it and planning -- there is the follow up for next  
4 year. And then we will have discussion about  
5 where that next meeting will be. May be it will  
6 be a telephone meeting like this after the first  
7 of the year sometime just to touch base and get an  
8 idea as to where we go. But I was thinking after  
9 the session. So maybe sometime March, April  
10 timeframe for convening the next meeting. But --  
11 so does anybody have anything else, anything you  
12 want to add, or anything anybody else wants to add  
13 before we adjourn.

14 (NO RESPONSE.)

15 CHAIRMAN GUALTIERI: All right. Well, thank  
16 you everybody. The meeting stands in adjournment.

17 (WHEREUPON, THE PROCEEDINGS WERE CONCLUDED AT  
18 9:15 A.M.)

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## CERTIFICATE OF REPORTER

STATE OF FLORIDA)

COUNTY OF LEON)

I, JULIE A. CULVER, do hereby certify that I was authorized to and did stenographically report the foregoing telephonic proceeding and that the transcript, pages 1 through 42, is a true and complete record of my stenographic notes.

DATED this 31st day of October, 2019.

-----  
JULIE A. CULVER

Court Reporter



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