

RETAIL SECURITY TASK FORCE MEETING
September 2, 2008

PRESENT:

CHAIR: Broward County Commissioner Josephus Eggleton, Jr.

ALSO PRESENT:

Brad Seff, Real-Time Reporter

A Broward County 2010 Census Complete Count Kickoff meeting was held at 6:30 p.m. on September 2, 2008 in Room 430 of the Broward County Governmental Center, Fort Lauderdale, Florida.

(A sign in sheet reflecting those present is filed with the supplemental papers to this meeting.)

The following is a near-verbatim account of the presentation:

COMMISSIONER EGELLETON: Thank you for coming. First of all, we have some -- these individuals who you see these little tags had indicated earlier they would be here, and I see quite a few of them are not here. If some of you would like to come up and take their seats, that's fine with me. We're going to move forward and get going. Those cards that are there, if you have one of those cards, or one of your own, if you could just replace it and take the card and let's see -- Mona, could you collect the ones of persons who are not here and other people are sitting in there place. I'm just trying to get this housekeeping duty under way. Even if you don't have a card and you want to sit here and there is a vacant seat, your welcome to do so. Those individuals who are here that wish to talk tonight, if you could just line yourself up appropriately so I don't have to look all over, because I'm just going to go right down the row, and if you are scattered about, you might get missed and I don't want you to get

angry at me. It's going to be your fault that you are missed because you are going to be out of place and I don't plan -- my head can't look all around behind people and try to identify who you are. Okay?

For the record tonight, the meeting is going to be recorded, and we would ask before you begin to speak, you need to identify yourself and who you represent here so that we will have an accurate record of that.

Let me just say the purpose of all of this is to solicit your input in the drafting of an ordinance who we feel will take under consideration all of the stakeholders that are effected by whatever ordinance we do. It's not my purpose to try to draft an ordinance that is onerous or that is restrictive or that punishes anyone. The whole purpose of what I'm trying to do is to protect the safety of the public, and that is simply it, and we want to do it as simply and as easy as we possibly can.

Let me just say flat out I know that some of you don't want this ordinance at all. That is not my problem. That is your problem. It going to be -- I'm going to use everything I can to pass this ordinance, and I expect some of you to use everything you can to kill it, and that is your prerogative and that is your right, and I'm not going to impede on that and I'm not going to try to stop you from doing that. I'm not going to talk bad about you if you want to do that. That is just the way it is. We can always disagree and not become disagreeable. That is just the way I feel about it. But my goal is to protect the safety of the general public.

I have heard from a lot of people on this and they really want it, so we will see what happens at the end of the day, and I'm going to take your input and we're going to try to work with it. If I think something is just onerous or just really way out there, trust me, I'm not going to stick it in the ordinance. If you want to offer some

constructive, very good suggestions, I'm willing to take all those. I really am. I'm wide open. I'm free to anything. I don't have a crystal ball. I'm not an expert on this. Some of you maybe. Let me just see the hands of those of you that are around the table or in the audience that sell or manufacture surveillance systems or cameras? Okay. We have some people here that do sell or manufacture these. All right. I imagine most of you are retailers; is that right?

SPEAKER: Shopping centers.

COMMISSIONER EGGELLETON: Shopping center owners, retailers, property owners of some sort, and your input is going to be very valuable to me. I do take your input very seriously. I have -- some of my best friends are shopping center owners. I have talked to them and I need to let you know they have given me some of the horror stories of the ordinance that has been first drafted and so we're willing to work with you to try to make this a better ordinance, and I hope that is what you come to the table with, how we can shape this and make it a better ordinance so that we can protect the residents of Broward County. It's not my goal to try to jerk anybody around or beat you up or any of that sort of thing, but the whole purpose here really is public safety. It really is.

So I'm going to start to my right, and if we could just go around the table, just identify yourself very quickly and say who you represent and we will just move quickly.

(At this time, everyone in the room identified themselves.)

COMMISSIONER EGGELETTION: Let me just say we have had some self introductions and first of all, this is open to everybody. If anyone wants to participate in this at any time, you can. It's going to be my goal to try to get this wrapped up and done, hopefully in 30 days, which will give us some time to get this drafted, and I'm willing to meet any place, any time, anywhere with anybody, if anybody wants me to come see your places individually, I'm willing to do that. I'm willing to do whatever I can to listen to your concerns. I want to take them all under consideration and do whatever we can to be as fair as we possibly can in an on-going basis. I really am. Okay?

So, all of you have the proposed ordinance; is that right? Does anybody not have this copy? I think there are some provided for you if you see Ms. Fandel back there she will get you a copy. As you can see this has changed somewhat. We do have some changes in here. First of all, let me -- those of you that want to address us, if you don't have a microphone near you if you could pull one near you so we can get you recorded. Those of you in the audience who want to speak, if you just go to the podium right there and you can speak directly into the microphone, but it's important you speak into that so that you are voice and comments can get recorded.

Let's start very quickly with page 1 of the ordinance, and I'm just going to go through this and if you have some comments or things you think need to be changed on that page, let's just go down and deal with those issues that need to be changed on the very first page. If you could just point to the line and paragraph and everything on those pages, we will be more than happy to accommodate you on an ongoing basis. Yes ma'am.

MS. PADGETT: Commissioner, if I may, we have -- I'm with Florida Retail Federation. We have compiled a list of about 36 questions that we'd like to pass around, and there are questions that --

COMMISSIONER EGGELLETON: You can pass those around all you'd like.

Let's start with the first page. Does anybody have anything you'd like to see changed on the very first page? Anything on the first page? Okay. Let's move to page 2.

MS. BAKER: I do have one question.

COMMISSIONER EGGELLETON: Yes, ma'am.

MS. BAKER: Cynthia Baker.

COMMISSIONER EGGELLETON: Pull the mike near you, Cynthia.

MS. BAKER: I have a question, only in that you make a statement that parking, retail establishment parking areas are --

COMMISSIONER EGGELLETON: Give us the line.

MS. BAKER: In the very -- line 22, you say many retail establishment parking areas are at risk for robberies and other crimes. The retail establishments that you have -- that you are including in here do not include all retail establishments. So I'd like someone to give me some kind of back up or study that can tell me why shopping centers have been singled out as opposed to gas stations, municipal and governmental agency, parks and buildings and anything else, transit authority. I'd like to know why we're the ones that are being targeted as opposed to everyone.

COMMISSIONER EGGELLETON: So your first question then, if I understand it, is based on page 1, line 22, it says that Section 21-171, it says the Board

finds that many retail establishment parking areas are at risk for robbery or other crimes. You have a problem with that line; is that correct?

MS. BAKER: Well, I'd like to know the basis for it.

COMMISSIONER EGGELETION: Well, I'm just saying, you have a problem with that line; is that right?

MS. BAKER: Yes.

COMMISSIONER EGGELETION: Okay. What I'm going to do is highlight that and -- what I want to try to do first is get your concerns on the proposed ordinance out and then we can come back and discuss these individually, because I don't want us to get bogged down. So you have some concerns with that line; is that right?

MS. BAKER: Right.

COMMISSIONER EGGELETION: So I'm going to highlight that line and we're going to come back and discuss it. All right? And the reason for it is to try to get all your concerns with the ordinance out before we get into some discussion, because some of this discussion may take some considerable time and I don't want to get bogged down on any one thing initially. Let's just find what your concerns are with the proposed ordinance. Then we will come back and deal with the details of those things, like what Ms. Baker is asking. Okay? So on page 1, is that the only concern I have?

MR. LIBERATORE: Mike Liberatore with Macy's. I just asked -- just to add to that, to better understand the definition of retail establishment, it may be somewhere in the --

COMMISSIONER EGGELETION: We can find it on the very next page.

MS. PADGETT: I would stay with the whole of the findings section, what empirical evidence exist to say that whatever minimum security requirements are helpful, what is that based on?

COMMISSIONER EGGELETION: I understand. We're going to come back and deal with the specifics. Again, I want you to understand, we're going to go page-by-page and tell me what you have a concern, and then we're going to come back and address the specifics of the concern. All right? Any other questions on page 1?

MAYOR COOPER: I might as well put it out there. I have a jurisdictional question, and I'm sure it's legal to a certain extent, as to what shopping centers solely are within Broward County's jurisdiction, within my municipal boundaries, as far as --

COMMISSIONER EGGELETION: Is that on page 1?

MAYOR COOPER: Like I said, I'm not sure. That is the title and I'm wondering what jurisdictions you have, regulation you have, as far as the county's --

COMMISSIONER EGGELETION: Just give us where you have a question, Mayor, and -- is it the title of the ordinance?

MAYOR COOPER: Yes. Where the jurisdiction is that the county has --

COMMISSIONER EGGELETION: So you have the question with the title. Let's move on. Second page, questions on the second page? Now notice the

things that the line is drawn through. That is stricken. It's gone. Yes, sir, if you go to the mike, please state your name and who you represent.

MR. MASON: Gilbert Mason, AIKI, private business. Lines 1, 2 and 3, I wondered what statistics you're going to be able to show us to indicate that there are these situations, serious injury and sexual battery occurring during the commission of theft or robbery at retail establishments.

COMMISSIONER EGGELETION: Okay. Got it. Anyone else? Yes, sir.

MR. PENNAVARIA: Tom Pennavaria (phonetic spelling) representing Wal-Mart stores and the self storage association, which is a group of folks that have warehouses, a lot of warehouses in one type of building. I'm sure you are familiar with them. We see them all over Broward. They have four or five retail, and the rest of it is just storage. Is that a shopping center?

COMMISSIONER EGGELETION: What, on this page, Tom -- is it the definition?

MR. PENNAVARIA: The definition of shopping centers.

COMMISSIONER EGGELETION: So, you have a definition problem. Okay. Anyone else? We're going to answer your questions. I'm trying to get all the problems laid out, Tom. You are very familiar with this style. Yes, ma'am.

MS. ROTOLO: I'm also looking at the definitions portion.

COMMISSIONER EGGELETION: Give your name.

MS. ROTOLO: I'm sorry. Chris Rotolo, Stiles Corporation. I'm also looking at the definition section, and particular, lines 8 and 9, where it talks about a minimum of 25,000 square feet, which is design, built or managed as a unit.

COMMISSIONER EGGELLETON: Okay. Line 8 and 9. Anybody else on this page? Yes, sir.

SPEAKER: On page 2, line 16, your stated purpose was public safety was the number one priority of this, so why is there -- I want to know why our governmental entity or premise are excluded from this requirement?

COMMISSIONER EGGELLETON: Okay. You have a problem with line 16; is that correct? Anyone else? Next page is page 3.

MS. PADGETT: I'm sorry. Line 17 through 14, why these businesses are targeted for this ordinance and not other businesses.

COMMISSIONER EGGELLETON: Starting at line 17?

MS. PADGETT: Line 7 through 14.

COMMISSIONER EGGELLETON: Oh, line 7 through 14. Got it.

MS. PADGETT: And why stand alone drug stores post more risk than other establishments.

COMMISSIONER EGGELLETON: Got it. Please state your name for the record, again.

MS. PADGETT: Samantha Padgett, Florida Retail Establishment.

MR. SCHILLER: Neil Schiller, for Becker & Poliakoff, lines 23, 24 of page 2. Our concern --

COMMISSIONER EGGELLETON: Does it carry over to the next page?

MR. SCHILLER: Yes, to lines 1 and 2.

COMMISSIONER EGGELLETON: Lines 1 and 2, on page 3; right?

MR. SCHILLER: Yes, and that is essentially a concern of your having a person who actually owns the parking lot versus the person who controls it. They are pointing the finger at each other.

COMMISSIONER EGGELETION: Thank you. Now that takes us to page 3. Any other questions on page 3, people with issues on page 3? We have got the first two. Continue, sir.

MR. SCHILLER: Lines 13 through 15, the lighting requirements.

COMMISSIONER EGGELETION: 13 through 15.

MR. SCHILLER: There is a concern in some municipalities that lighting is officially depressed, therefore making the cameras inoperable.

MS. BAKER: Excuse me. Cynthia Baker, Lauderhill Mall. I have a question regarding the security camera, 24 hours a day, 7 days a week, covering the entire retail establishment parking area.

COMMISSIONER EGGELETION: Okay.

MS. BAKER: I find that impossible.

COMMISSIONER EGGELETION: You have got line 3; right?

MS. BAKER: Line 3 through 7.

COMMISSIONER EGGELETION: 3 through 7. Got it. Okay. Yes, sir.

MR. SAIA: Frank Saia, Bergeron Properties, lines 7 through 9. More specifically, video surveillance system that is capable of delineating the physical features of a person or areas within the premise is very difficult to achieve with some of the sizes of some of the properties.

COMMISSIONER EGGELETION: Got it. Anybody else on this page?

MR. STROTHER: Commissioner, Bill Strother, Weingarten Realty, 7, 8, 9. What is the definition of physical features? It needs more definition.

COMMISSIONER EGGELETION: Got it. We're going to get to those. I just want you to point them out. We will come back and pick them all up. Please go to the microphone, sir.

MR. BRANT: Ben Brant, line 5, retrieving images for at least 30 calendar days.

COMMISSIONER EGGELETION: Right. We already have that one. Anybody else on page 3? Any other item?

SPEAKER: I sell this kind of equipment, and you have the availability of having video cameras running 7 days a week, 24 hours a day.

COMMISSIONER EGGELETION: Just state which line, though.

SPEAKER: You're being questioned on line 5.

COMMISSIONER EGGELETION: We're going to get to the dialogue. I'm trying to get to what the questions are. I appreciate your comment but we're going to get back to that in a minute. Any other persons on page 3?

SPEAKER: Starting on page 3, continuing to page 4.

COMMISSIONER EGGELETION: What line.

SPEAKER: Lines 22, 23, 24.

COMMISSIONER EGGELETION: Okay.

SPEAKER: And 1 through 5 of the next page, the time for compliance.

COMMISSIONER EGGELLETON: Okay. Got it. Okay. That is lines 1, 2 and --

SPEAKER: 1 through 5.

MR. FRIEDMAN: Not only the time but also the possibility of --

COMMISSIONER EGGELLETON: State your name.

SPEAKER: Bernie Friedman, representing the Florida Retail Federation. In certain circumstances, depending on city codes, you are required to go back for site plan approval. You are required to do variances so that in many cases there will be an impossibility of meeting any date because the city code will --

COMMISSIONER EGGELLETON: Got it. We're going to get to the specifics. I just want to know what they are. Let's get the things out first. Yes, ma'am.

MS. RUSSELL: Judy Russell, Gateway Shops. Lines 14 and 15, sufficiently enable the proper functioning.

COMMISSIONER EGGELLETON: That is on page 4?

MS. RUSSELL: 3.

COMMISSIONER EGGELLETON: We have left 3. Line what now?

MS. RUSSELL: 14 and 15.

COMMISSIONER EGGELLETON: We already have those. Those have already been called out. Page 4.

MS. BELAIRE: Commissioner, Michelle Belaire with Wal-Mart stores. Line 6 through 13.

COMMISSIONER EGGELLETON: 6 through 13. Okay. Got it. Thank you. Someone else had their hand up? Yes, Mayor.

MAYOR COOPER: Yes. Inspections and access, who is going to be in charge of that, who is covering --

COMMISSIONER EGGELLETON: Which line?

MAYOR COOPER: Inspections and access shall be subject to random inspections, shall be performed by the Broward sheriff's office. We don't contract with the Broward Sheriff's office. We have our own police department.

COMMISSIONER EGGELLETON: 6 through 13. Okay.

MAYOR COOPER: Thank you.

COMMISSIONER EGGELLETON: Anybody else on page 4? Okay. Let's go to page 5, concerns on page 5. The whole page has been wiped out. I know you don't have any concerns there. Page 6.

SPEAKER: Wait. You have got your non-compliance penalty.

COMMISSIONER EGGELLETON: Page 5?

SPEAKER: Page 6.

COMMISSIONER EGGELLETON: Okay. We're on page 6.

SPEAKER: 8 through 16.

COMMISSIONER EGGELLETON: Page 6, lines 8 through 16.

SPEAKER: Actually, down through 20, I guess. Basically the whole thing.

COMMISSIONER EGGELLETON: Okay. 8 through 20. Got it. Anything else on page 6? Let's go to page 7. Page 7.

MS. BAKER: Enforcement. It starts on page 6 and goes through.

COMMISSIONER EGGELLETON: This is Cynthia Baker talking.

MS. BAKER: From Lauderhill Mall, the one with the big mouth. This goes back to a previous one. We don't know who is going to be responsible for this.

COMMISSIONER EGGELLETON: Which line?

MS. BAKER: From 21 to down on the next page, 1 through 12.

COMMISSIONER EGGELLETON: 21 on page 7?

MS. BAKER: Yes, 6 and then through 7, 2 through 12, the whole thing.

COMMISSIONER EGGELLETON: Let's say 1 through 12, on page 7.

MS. BAKER: And on page 6, 21 through 23.

COMMISSIONER EGGELLETON: We have got those.

MS. BAKER: Okay.

COMMISSIONER EGGELLETON: What else?

MS. BAKER: I have just one question about, I guess, it goes back to the installation of the cameras. There is nothing in here for funding. There is no vehicle that talks about who is going to pay for this.

COMMISSIONER EGGELLETON: Again, we're going to get to the details. I need to know your concerns with the ordinance.

MS. BAKER: I don't see that anywhere.

COMMISSIONER EGGELLETON: Again, we're going to get to the details. Let me go through the ordinance first and then we will get back to the details. Anything on page 7? Page 8.

MS. BAKER: Wait a minute. We had 1 through 12, on page 7.

COMMISSIONER EGGELLETON: Already got those. Page 8.

MR. RADONSKI: Brian Radonski, Festival Flea Market Mall. Lines 17 through 20.

COMMISSIONER EGGELLETON: 17 through 20 on page 7 -- we're on page 8.

MR. RADONSKI: This is on page 6.

COMMISSIONER EGGELLETON: We already got those numbers, sir. We're on page 8, ladies and gentlemen. Any questions on page 8? Yes, ma'am. Name for the record.

MS. PADGETT: Samantha Hunter Padgett with the Florida Retail Federation. Records kept of --

COMMISSIONER EGGELLETON: Which line.

MS. PADGETT: Excuse me. Lines 3 through 15.

COMMISSIONER EGGELLETON: 3 through 15 on page 8; right.

MS. PADGETT: Any records kept of violations, if they are public records --

COMMISSIONER EGGELLETON: Okay. We're going to get to the specifics. Any other questions on page 8? Page 8? Let's move to page 9.

MR. STROTHER: Commissioner.

COMMISSIONER EGGELLETON: Yes, sir.

MR. STROTHER: Bill Strother, Weingarten Realty. 13 through 15, the purpose, page 9.

COMMISSIONER EGGELLETON: 13 through -- okay. Got it. That takes us through the documents, ladies and gentlemen.

MS. PADGETT: Page 9, effected date.

COMMISSIONER EGGELETION: Now, ladies and gentlemen, let's get into the actual discussion. I think that is what most of us want to get into. We have --

MS. GAMBINO: Commissioner, Laura Gambino, Broward County Council of Chambers. Can I request that you pass the remainder of the questions from the Retail Federation? They stopped in front of you.

COMMISSIONER EGGELETION: Oh, I'm sorry. I apologize. I have all those questions. Let's go back to page 1, ladies and gentlemen.

Mayor Cooper, you had a problem with the title of the ordinance. Can you please state for us the problems with the title and what is it you see specifically in lines 1 through 11 that are objectionable?

MAYOR COOPER: Excuse me if I'm long-winded on this response. After hearing this for the first time and it being brought forth to the Broward League of Cities, I just have an overall concern with the jurisdiction and how this is being created within the county. As a municipality that services it's residences with full service, we have our own police department, our own code enforcement, our own jurisdiction, as to what premises the county believes that they should be moving forward to regulate our retail establishments within our communities, and the concern also with that jurisdiction goes back to the cost of implementation and the cost of regulation in cities that again, provide their own police services and in cities like ours, provide and have already adopted similar ordinances that didn't require this throughout every retail in our city, for various reasons, but I just happen -- it's my understanding this was preferenced through land use and your ability to have land use regulations throughout municipalities, but I'm certainly asking my legal counsel to look through the legal aspects of us having policing

authority, because certainly we're looking at this as a policing authority objective and not per se to a shopping center, per se, to a drugstore, but actually crime prevention and crime deterrence, so I have a big question mark as far as jurisdiction and the methodology stating that it was something that can be regulated through land use.

COMMISSIONER EGGELETION: Let me just say, first of all, I don't know where land use come from. I never even mentioned it. I don't know where you are getting that from, but I have -- that is not my issue, land use here, and I'm going to let the attorney deal with, where we get the authority to do this.

MAYOR COOPER: Thank you.

COMMISSIONER EGGELETION: Mr. Johnson, please, sir.

MR. LYMAS-JOHNSON: Larry Lymas-Johnson. I'm deputy county attorney for Broward County. In answer to the question, this definitely is not a land use regulation. Broward County, as any other county in the State of Florida, has the authority to enact an ordinance that is effective countywide. The limitations are obviously those things that would be prohibited by state statute, the Constitution or any provision of the county's charter, and none of those provisions operate to prevent the Board of County Commissioners from adopting this ordinance as a regulation of retail establishments.

COMMISSIONER EGGELETION: Okay. Any other questions on that?

MAYOR COOPER: A follow-up question.

COMMISSIONER EGGELETION: Follow-up, Mayor, you are recognized.

MAYOR COOPER: Retail, currently retail establishments are how many -- are you saying then that retail establishments are under your jurisdiction? Does the county do code enforcement? Does the county --

MR. LYMAS-JOHNSON: The county has a code enforcement provision.

MAYOR COOPER: And is that relative to every municipality or unincorporated areas in Broward County?

MR. LYMAS-JOHNSON: I'm really not that -- I don't know if someone from our code enforcement division is here. I'm not able to answer questions --

MAYOR COOPER: Maybe you can answer that question, jurisdiction for code enforcement and law enforcement powers, please.

MR. LYMAS-JOHNSON: But what I'm telling you is this is not a code enforcement -- if you mean in terms of zoning code, building code, this is not a code enforcement ordinance in that vein.

MAYOR COOPER: What was the basis of the jurisdiction? You're not answering my question, as far as what the powers were and why the county has jurisdiction, and I'm not an attorney. That is why I'm asking you.

MR. LYMAS-JOHNSON: I'm sorry; I thought I did answer that question. The authority of the county -- as I started out initially answering the question, Broward County has the authority to enact an ordinance that is effective countywide, and I indicated the limitations earlier.

COMMISSIONER EGGELLETION: Yes, ma'am, you are recognized, please give your name and everything for the record.

MS. PADGETT: Samantha Hunter Padgett with the Florida Retail Federation. Respectfully, I would say that the county has the authority to enact an ordinance that would infringe upon private property rights only upon an adequate demonstration that the public safety, health, safety and welfare is served by such an ordinance, and there is no such demonstration present with this proposed ordinance.

COMMISSIONER EGGELETION: We're not done with the ordinance yet. There will be, at the end of the day. Okay. Any other questions with respect to the title?

MR. FRIEDMAN: Going back to the Mayor's point, I guess one of the other issues, maybe Larry, you could explain. In terms of the sheriff, I guess, being the one that the county is going to pay to enforce this ordinance, I mean doesn't that infringe to a certain extent on the police powers and the home rule power of individual cities, and is the county then going to require local police departments to enforce it and pay to enforce the ordinance or is the county going to reimburse the cities for any enforcement of this ordinance? I guess that is the area I think a lot of people are having trouble with.

COMMISSIONER EGGELETION: Well, let me just say we have not established that yet, Bernie. We don't know -- I mean, I understood your question that you asked and you posed whether the county has the authority to make the sheriff do this. We don't know. Let me just say when we first proposed this, the staff had a different way of doing it. You know it was my idea to have the sheriff enforce it or the local law enforcement of your local municipalities to do it, and have the money go in to a law enforcement trust fund, to be utilized to reduce the cost of law enforcement in those particular cities. If I understand that the cities don't want to do that, we will just keep the

money for the county. What I was trying to do is return the money for it back to the local municipalities.

SPEAKER: What money?

COMMISSIONER EGGELETTION: Obviously there is going to be some people that don't necessarily comply. When they do, we intend to have a fine imposed on those individuals that do not comply. I wanted that money, if it's -- for instance let me use the Mayor's city here, the City of Hallandale.

MAYOR COOPER: Hallandale Beach, Mayor.

COMMISSIONER EGGELETTION: If a business in Hallandale didn't comply, I wanted that money to go to the City of Hallandale. That is just my idea. I don't know how this is going to wide up, but I wanted it to go to the City of Hallandale, not to the county, so -- but that is why the League of Cities is here. If they choose not to have that money, we will be more than happy to have it here at the county level.

MAYOR COOPER: What money are we talking about?

COMMISSIONER EGGELETTION: Again, Mayor, there are going to be fines imposed here and in those particular cases, those fines will then come back to the county and let me just say further, in terms of doing this, the county -- the staff originally suggested to me, Mayor, we need to license all of these individuals. I have never been a person who liked a lot of governmental regulations. I didn't want to charge a licensing fee. I just think that businesses -- you know, are smart enough to understand that there are certain things that they need to do for their own protection, and so therefore we didn't need to go out and say every business needs to go out and obtain a license to do this, like you have to have a license for everything else. Municipalities constantly propose businesses to have license to do almost anything they

do. I didn't want that. As we go through this, we may well have to do that to determine whether or not people are complying or not. I personally don't see a need for fee for licensure. However, if it emerged through this process that we have to have that, so be it, and let the Board vote it up for down when we stick it in there. But that is just my thinking. I'm just trying to make this as simplistic as I possibly can. That is all I'm trying to do. If you all want to make it as rigid, that is fine with me too. But I'm just trying to make it really simple. If it were left up to me, I would just say let's just pass an ordinance and let business come into compliance in a certain amount of time out there and let them do it on their own, but if you all want to have all these rigid rules, I'm willing to stick them in there. Trust me, I really am. But I have never been, and anyone that knows me knows I have never been a person that appreciates a lot of government rules and regulations, but I do believe it's time that we deal with this. So we have answered the Mayor's question with respect to the title of the ordinance. I want to get to the very specific section on each page that you brought out. You have a question with respect to the title, sir?

MR. SAIA: Excuse me. Frank Saia with Bergeron Properties, to pose a question that has to do with the entire ordinance.

COMMISSIONER EGGELLETON: I want the title alone right now.

MR. SAIA: Very simply stated, how does the county plan for funding this?

COMMISSIONER EGGELLETON: Well, we haven't gotten to that section yet.

MR. SAIA: There is no section with in this -- within your ordinance.

COMMISSIONER EGGELLETON: Well, again we have not gotten to that section yet. We will get to it. I want to deal with, just the way you all asked the questions on each page, that is the way we want to go through and answer it. So if you just bear with me and just follow that, I think we can get through this very quickly rather than jumping all over the place, because therefore you never get to yes, and that is what I'm trying to get to. I'm trying to get to yes. I understand your point. We will get to it. Someone is taking your notes. We're writing it down, and we will get to your point, but I want to go back to the pages that you had questions on and we want to now get into the dialogue on your questions. Yes, sir.

MR. SAIA: Again, Frank Saia with Bergeron Properties. In regards to the title, I'd like to be stated for the record that Bergeron Properties and all of our tenants who we represent is against this entire ordinance.

COMMISSIONER EGGELLETON: Thank you. Let's go to line 22.

MR. LIBERATORE: Commissioner, Mike Liberatore with Macy's and this question does pertain to the title of this ordinance. Just for better understanding, first of all, I'm not an attorney. I'm not a government affairs person. I happen to run the loss prevention program for Macy's. I'm trying to understand the thought process behind this ordinance. Why does it target retail establishments? Is there any empirical evidence -- for example, I parked here in the municipal lot adjacent to this building. Is there evidence that suggests that the parking lot in which I just parked my vehicle in is safer than parking outside of my Macy's store in Pembroke Pines? I'm just trying to understand the background behind this and why the target is retail establishments and then to kind of add to that, why this unusual definition that some excluded and some are

included, but what is it about government property, as an example, why would that not be something that would be considered as part of this ordinance?

COMMISSIONER EGGELLETION: Well, it could be. I'm not saying that government should be excluded from this. At the end of the day we may wind up with government included in this. If you read the paper today, down in the City of West Park, they now have cameras in their parks, and by the way, we have cameras in many government facilities and our parking areas as well as in our parks. We don't necessarily talk about it but they are there and we don't talk about it particularly at very high level security places like our port and airport because we don't want to talk about it, but they are there and we're required, by the way, by the FAA and the Coast Guard to put those cameras there, so that is a federal requirement placed on us. Again, I want to go through this. You asked a question, the real reason here with respect to retail is, you know, I go to a lot of homeowners meetings throughout my district. I have 41 homeowners and/or condo associations in my district. Almost inevitably, and particularly around holiday seasons, the local police come back and they constantly report on the number of auto break-ins, the number of purse snatchings, the number of robberies that occur in parking lots of retail establishments. They also report on other crimes that are committed. I believe a few weeks ago, for a period of two weeks, I think there were four robberies of armored car guards in the parking lots of retail establishments. We have had two murders that I know of, and there could have been others in the parking lots of retail establishments. Actually, three murders in the parking lots of retail establishments. So, with all of that, I just personally felt that it's time for us to enact something to protect the safety of the general public. And let me just say at

these meetings as well, many of the residents often express a need to do something of this sort, the residents that I represent.

So as a result, I asked the county attorney, way last year, to begin to draft something that we could bring back to the Board for its consideration. In that process, we realized that a bill had been filed or was going to be filed at the state level with respect to cameras inside of retail establishments. So we decided to hold off on any ordinance that we may enact here to wait to see what the legislature was going to do, because it just didn't make sense if the legislature was going to impose it statewide, that we do something here locally. We would just simply hitch our wagon to whatever the state ordinance was. Since the state did not enact an ordinance, I felt compelled to come back and ask the attorney to begin to draft something to be presented to the Board. Now we knew, and again I'm going over some of these things I went over earlier, we knew when this ordinance was presented it wasn't perfect, but we wanted to hear it out and then to come back and refine the ordinance and then present it back to the board, and that is why we're here today. So that is the reason being.

MR. LIBERATORE: I appreciate that, and I just wanted it to also state that certainly at Macy's, and I'm sure all of our retail counterparts in the room here would agree, there is nothing more important to us than a safe environment for our customers and for our associates. Certainly if we didn't have that, if they didn't have that sense of that, we wouldn't have customers shopping in our stores, so we take this matter very seriously, and that is why we're here tonight. But you brought up a point, and I appreciate it, about the incidents that have occurred in retail lots. I live in the City of Plantation. It was but a couple of months ago that a young lady was murdered on her way to report a domestic violence incident in the City of Plantation, so we're sensitive to

it. That is why we're here, because we want to try to work through some of this with you but again, I'm trying to understand why the focus is solely on retail establishments, where perhaps there is a bigger opportunity here.

COMMISSIONER EGGELETION: And it could be, but I don't want to love this issue to death either. The net may get widened, but right now I want to take a pretty laser approach and the net maybe widened at the end of the day, but right now let's laser in and I'm not saying that I won't consider other things. I'm not saying that at all. I appreciate the question. It's a very good question. Again, I'm saying that when you walk in that parking garage back there, you are on camera. I don't know whether you realize it or not.

Please move to the microphone, sir, and give your name for the record. This again now -- let me say again, for order sake, if you would please pose your question to page 1, at this point, page 1.

SPEAKER: Well I want to address this gentlemen's question, as far as why your point go out retail. I think the Mayor of Hallandale could probably answer that question. Last year the City of Hallandale put in what, about 100 cameras in every one of their city parks, every one of their city facilities. They should be the ones to tell you has it helped their crime? I personally did the cameras at the City of West Park that you just mentioned. Those cameras are constantly being vandalized, and we have done everything we can to try to avoid the vandalism. That is something -- my concern is, I would like to hear from the Mayor of Hallandale and see how these 100 cameras have affected the activity, if it's deterred the problems they have had in the city parks and in the city government centers.

COMMISSIONER EGGELETION: I can appreciate your comments, sir, but right now I'm dealing with page 1. We're dealing with page 1. If you have a specific question on page 1, ask it. If not, we're going to move on. This is page 1, Mayor.

MAYOR COOPER: I know, but I wanted to follow-up.

COMMISSIONER EGGELETION: Page 1, what is the specific question.

MAYOR COOPER: I wanted to follow-up on a response, and thank you for that question. I just wanted to say in the end of this ordinance is the purpose, and I can agree with your concerns and your purpose. That is why Hallandale Beach methodically looked at what we could do to protect our residents as a municipality, and we started at home first. That is why we chose our parks. That is why we chose our municipal complexes. We have just enacted our camera system. The fine protocol is just being finalized by our police department, so I can't give those figures out yet, but with the concern I had with even trying to go through -- and I'm trying to put myself in your place, and I know as a Mayor, we need to react to our constituents. How can the county help us as municipalities enforce camera regulations and what we can do? Our city put it in the police department. I think this is a policing issue, and we have taken care of our own backyard first, and I don't mean any disrespect to you --

COMMISSIONER EGGELETION: Mayor, in all due respect, if you have -- Mayor, if --

MAYOR COOPER: If you --

COMMISSIONER EGGELETION: -- Mayor, with all due respect, if you have a specific question -- I have answered one of your questions --

MAYOR COOPER: I think you have to --

COMMISSIONER EGGELETION: -- I'm going to go through this. If you have comments, I will be more than happy to deal with that --

MAYOR COOPER: I didn't get the jurisdiction question answered yet.

COMMISSIONER EGGELETION: -- but we want to move forward. I'm not going to get bogged down.

MAYOR COOPER: -- but I certainly would like --

COMMISSIONER EGGELETION: -- page 1.

MAYOR COOPER: -- I would like to suggest that --

COMMISSIONER EGGELETION: Mayor, I'm going to move on.

MAYOR COOPER: -- you look at camera systems within --

COMMISSIONER EGGELETION: Do you have a specific question, ma'am?

MS. PADGETT: As to the findings --

COMMISSIONER EGGELETION: Yes.

MS. PADGETT: Subsequent to the filing of this proposed ordinance, I have been doing a lot of reading and research on camera ordinances in other cities, other towns and other countries, and what I'm reading consistently in all of them, prior to enacting any such ordinance, there should be extensive empirical study of how those resources should be best applied, and it should be not one answer, but part of an entire system, part of an overall system of public safety and law enforcement, and my question is, what study has been done in Broward County to demonstrate that this is necessary here or that this is necessary in the specified establishments?

COMMISSIONER EGGELETION: I don't think we have done any specific study to look at empirical data, but I can tell you that I think if you were to put this on a ballot, it would pass in a heartbeat, and I think the thing that you have to look at most importantly is at least what I look at, is what the residents that I represent serve -- that is who hire and fire me, the residents that I serve. They hire me and they fire me. So, you know, I can pick up the newspaper. I can get police studies for you if that is what you'd like to have. I'd be more than happy to try to get as much data as I can from local law enforcement on the number of robberies, the number of purse snatchings, murders, the like that have occurred in retail parking centers, so I will do that for you; all right?

MS. PADGETT: Further, in addition to just the empirical studies, that the studies that indicate what is being proposed here is actually going to answer those problems.

COMMISSIONER EGGELETION: If you are asking me to go back and do a study on this, I'm not going to do that. I'm going to answer your question now. What I will do is, I will go back and get the data from local law enforcement on the number of robberies, purse snatchings, vandalism, car break-ins, all those kind of things, from as many local law enforcement agencies as I possibly can. I don't think I have the time to have this back here in November to go and do a study on that sort of thing, and I think there are certain things that are just common sense. If we want to sit here and say that you don't have these things in parking lots, I think, come on, we all see the data. You see the data. I see the data. I'm not saying that you are more susceptible in a retail parking center as you are in a governmental parking center or as

you are on any street. That is not what I'm saying. What I'm saying is, we do know that it occurs there, and that is where we are with respect to the findings.

MS. PADGETT: And respectfully, Commissioner, I would disagree that this would be the answer to that data. A lot of the studies I have read show this isn't a deterrent. This doesn't help --

COMMISSIONER EGGELETION: I'm not putting this out there. I never said the purpose of this was to deter crime. Locks, windows and doors are only made to keep honest people out. What I said was, that I'm doing this -- what I said, the reason I'm doing this is a public safety issue. Now if it's in there, it may come out. Again, we're going to go through this page-by-page, line-by-line. Okay? It's a public safety issue for me. It may deter crime. It may not. One of the things I do know is locks, windows and doors are only made to keep honest people out. A criminal is going to commit a crime. The only thing I'm trying to do is give law enforcement a better tool to solve the crime. That is what I'm trying to do. And if I can give law enforcement a better tool to solve the crime, so be it. That is why you all have cameras inside your store, to catch criminals. It doesn't stop them from shoplifting. It doesn't stop them from vandalizing, but it gives you a better tool to help you know who is committing that crime. That is all I'm trying to do here. No more than what you are doing already in your retail establishments.

MR. SAIA: Excuse me, Commissioner. This is in regards to line 23 and 24.

SPEAKER: Wait a minute. Are we still on page 1?

COMMISSIONER EGGELETION: I'm recognizing -- yes, we're still on page 1, the findings.

MR. SAIA: Frank Saia with Bergeron Properties. Page number 1, 23 and 4, and it continues on to page 2, lines 1, 2 and 3.

COMMISSIONER EGGELLETON: Yes.

MR. SAIA: I'd like to know, in a continuation of Samantha's comments and yours as well, from the police departments, what percentage does these video surveillance systems actually help in catching these criminals, and the actual positive outlook that it ends up giving the community and the safety and welfare of the employees and the patrons. Bergeron Properties owns two self storage facilities that have miscellaneous retail attached to the business, and in the 10 years that we have owned it, we have plenty of closed circuit TV cameras recording it on a constant basis. We have a number of break-ins every year. Not once has the video surveillance that we have provided to the police department provided an arrest.

COMMISSIONER EGGELLETON: Okay.

SPEAKER: Excuse me.

COMMISSIONER EGGELLETON: Wait, just a minute. Yes, sir.

MR. RADONSKI: Brian Radonski, Festival Flea Market Mall. I would like to make a comment about which you said, if this were on the ballot it would pass in a heartbeat. I have some surveys from the US Department of Justice for video surveillance of public places. This is what they have recommended. I'd like to read it.

COMMISSIONER EGGELLETON: This is under the finding section, sir? Is that what you are addressing?

MR. RADONSKI: Yes, sir.

COMMISSIONER EGGELLETON: Go ahead.

MR. RADONSKI: Is CC TV the best option? In one survey when asked to rank --

SPEAKER: -- excuse me, would you use the --

MR. RADONSKI: This one doesn't work. Is CC TV the best option? In one survey when asked to rank desired crime prevention strategies, the public was offered CC TV, more police officers patrolling on foot, more or brighter street lights at night, or more private security patrols. Mean scores showed CC TV ranked third behind more police patrols and more or brighter street lights. Cameras can provide surveillance over an area, but they may not necessarily act as a replacement for police officers, as they cannot offer the same range of services an officer can provide. Furthermore, implication times can be significant. Not only does it take time to install cameras, but operating procedures, space allocation and staffing arrangements can be time consuming and costly. CC TV is not a short term fix, but an ongoing commitment to a long term. That is from the US Department of Justice.

COMMISSIONER EGGELLETON: Thank you, sir. Yes, sir.

MR. STROTHER: Commissioner, Bill Strother, Weingarten Realty. In reference to that study by Dr. Jerry Radcliffe at Temple University, that is also referencing a manned system as opposed to a static system.

COMMISSIONER EGGELLETON: Correct. And CC TV is old technology, by the way. Yes, ma'am.

MS. FRIEDMAN: Cynthia Friedman, Festival Flea Market Mall.

COMMISSIONER EGGELLETON: Why don't you get the microphone so we can record what you are saying?

MS. FRIEDMAN: Cynthia Friedman, Festival Flea Market Mall. I just have a comment. I'm back on the title section, because there are many places that already have surveillance cameras, and I would like to know how many in this room currently have their own systems, have gone out and put their systems in place, and this ordinance will be burdensome because of additional requirements? Could I have a show of hands how many have --

MS. BAKER: Are you talking about exterior or interior?

MS. FRIEDMAN: Well, let's do both because I have both.

COMMISSIONER EGGELETTION: No. Let's deal with exterior, because that is the only thing I'm dealing with is exterior. Okay. You will be fine, I think at the end of the day. Again, I'm going to say again, I understand some of you are down (inaudible) not to see this enacted. I understand that. Let's start off from that premise, that some of you don't want this at all. I understand that. Okay? And again, it's my purpose to enact something. The only thing I'm asking you to do is walk with me. You can fight me all you want. It doesn't bother me. People who know me will tell me that doesn't deter me, period. We're going to enact something. I don't know what it's going to be like. You can either be helpful in shaping it or you can just stand out there and hurl bombs, but something is coming forward. Believe me. Trust me. All right? I would suggest that you make as many good suggestions as you can to try to shape this in any way you want to see fit. That is why you are here. This is wide open for you to make as many suggestions as you want, and that is all I'm here to get, to get your suggestions in enacting something. Yes, ma'am.

MS. ROTOLO: Well, hopefully I might be doing that. Chris Rotolo, Stiles Corporation. We manage, own and operate many types of different commercial

properties, whether it be retail, industrial or commercial buildings. I personally won't say that there is an issue with retail parking areas, but if there is, and apparently you feel that, and I think I heard a few other people say that certainly that we have heard of that in the media, how about the county do something to the effect that if a particular ownership is not responsible in reacting to security issues at their property, I can tell you I have neighbor's adjacent to our properties, they don't have proper lighting, they don't have any type of other security, and possibly they are putting the public at risk, but for responsible ownership, we do put these things in place and we're not seeing the crime that you are talking about. I just think that that might be a fairer alternative, say you have so many -- instead of fines, somehow it's documented that they have issues and they need to put in some type of security, surveillance or increase what they are doing there.

COMMISSIONER EGGELETION: Let me make sure I understand what you are saying. Are you saying that if you have a security camera at your place, right, and the person next to you does not, and they have crimes being committed there, then the ordinance should read that they should be required to do something? I just want to be sure?

MS. ROTOLO: No. Actually I'm sorry I wasn't clear. I'm saying that the security cameras should not be instituted on properties that are not having crime issues, where they have the property lighting and the proper security already, I believe that -- I think it's a lot to ask, redundant to ask these property owners, to also install cameras.

COMMISSIONER EGGELETION: Okay. I see what you are saying. You are saying the ordinance should read in a way that you should only be required to

place a security camera in, if you have had some sort of crime committed on your premise; is that right?

MS. BAKER: Not some sort of crime.

COMMISSIONER EGGELETION: I'm asking her, please.

MS. ROTOLO: Minimal, a felony, and I'm not sure the first one, because that could happen at an apartment complex. I think it needs to show that there is some type of a -- what am I trying to say, help me out -- pattern.

COMMISSIONER EGGELETION: So I want to write this down. What you are saying is, in the ordinance under findings, and this is under findings, under the finding section, it should say that only if your property has shown that there has been one of -- let's say two or more crimes.

MS. ROTOLO: I'm not willing to throw a number out there, but I was thinking three or more.

COMMISSIONER EGGELETION: Well, let's suppose -- so you want three murders before you install a camera? Is that what you are saying?

MS. ROTOLO: I don't know that we would have to start with murder.

COMMISSIONER EGGELETION: Well, that is a crime.

MS. ROTOLO: Well, I don't know the answer to that.

COMMISSIONER EGGELETION: So, I mean, there needs to be some sort of criminal activity. Let's just settle on that word, and we can refine this later on in other meetings.

MS. ROTOLO: I'm just trying to throw out alternatives.

COMMISSIONER EGGELETTION: All right. I understand. But some criminal activity has been reported, and we will come back to it and refine it later on. Is that all right? Okay. Mr. Morgan.

MR. MORGAN: My name is George Morgan. I'm the President of Morgan Property Group, as well as a member of the ICSC. I agree strongly with what was said earlier by the Macy's people. When we have a definition here of retail establishment, parking security ordinance, I think we're talking about something, where you are talking about a false sense of security that you are giving to people. Example, a free standing bank building with ATM's would not fall under this ordinance. Most banks do have cameras fronting their ATM's, but they don't take pictures of their entire parking lot. If you have a free standing restaurant building, let's say as an example, and I shouldn't use a name, but just to pick anybody, say Chile's. It has a bar and it's a free standing building, its 6,000 square feet on less than an acre of land or an acre of land. They don't fall under this ordinance. I think that you could certainly show in crime statistics, that there is far more crimes committed in bars and in restaurants than there are in the general retail establishments of shopping centers. So in a way here, we're talking about a bandaid to a very big problem, crime in general, and somehow by calling in the retail establishment parking security ordinance, there is all kind of retail facilities, restaurants, banks, and others that wouldn't fall under this and wouldn't be providing this type of security. Whereas you could have all in retail shopping centers, many of which might be 25, 30 thousand feet. They don't even have a tenant open after 5 or 6:00 o'clock at night and somehow they are being required to light a parking lot sufficiently and surveil it with cameras, when the businesses may not even be open for business. So I think that there is a lot more intricacies to this than what this ordinance is

looking at, and I agree strongly with the Stiles people. Example, Walgreens, which, as you know, I build a lot of those stores. They have a way of ranking their stores A, B and C, or 1, 2 and 3, and there are certain security measures that go into a more high crime prone area, and we try to get past the municipality many times with much higher foot candles and other security measures that we put in, including rolling gates and other things that we install in those types of facilities, and in other areas, we don't have to do that. And this is all done, again, by the perception of the tenant and is driven by the market place and the safety that Macy's and others want. We don't want crime in our parking lots, whether we have a 6,000 foot restaurant or we're dealing with a 200,000 square foot shopping center. In fact, this ordinance would be a lot easier for the people to deal with; with the bigger developments because they have the funds to do it, where this ordinance gets into a lot of trouble is with the smaller establishments that don't have the funds to do this.

COMMISSIONER EGGELETTION: Well, let me just say, all that is not lost on me, and I don't want you to think that it is. Like I said, I consider Mr. Morgan one of my friends. I haven't talked it him, but I have talked to a lot of folks that own shopping centers. One of my best friends own a lot of them, and you have given me some ideas of how to make this better, and I'm going to take all those things under consideration, but I want to go page-by-page. I don't want to get caught up in these philosophical debates though. Let's go page-by-page. That is what we're doing.

MR. MORGAN: I'm just saying, retail establishments.

COMMISSIONER EGGELETTION: I got it. I got it. So what you are saying is, again, the argument that was made down here in terms of the definition, which is on the next page --

MS. BAKER: Which is also in your title.

COMMISSIONER EGGELETION: Yes, but that is what we need to get to right now, the definition. Let me just finish off on page 1 and I'm going to page 2.

MR. MORGAN: One of the most primary retail establishments we're talking about is gasoline stations. A gasoline station will not fall under this ordinance, the way it is written. That is where as many as these types of crimes are occurring as anywhere.

COMMISSIONER EGGELETION: So, you're looking at the size of the retail establishment; is that right?

SPEAKER: And type.

COMMISSIONER EGGELETION: Size and type, that is what you all want me to take a look at. I just want to be sure. Size and type. All right. Got it.

MAYOR COOPER: I can bring my ordinance to --

COMMISSIONER EGGELETION: Wait a minute. Ms. Baker.

MS. BAKER: I'm still on page 1, on 23, where it says the Board further finds that certain minimum security requirements are helpful. I have seven security guards at the mall. They chase people who are doing things. This camera will not chase them. So to me, this is erroneous statement. It not helpful in protecting. It's only helpful to the government or to the policing agency, to try to put them in jail. It does not help stop the crime. It doesn't stop the purse snatchings. It doesn't stop the car thieving. It doesn't stop any of that. It takes an actual physical person to do that.

COMMISSIONER EGGELETION: Well, that is a philosophy.

MS. BAKER: No, it's not.

COMMISSIONER EGGELLETON: Well, I don't think that you could say that to the people that bombed the tube in London, that the cameras didn't help the police find them and put them in jail.

MS. BAKER: No, but it didn't stop the bombing.

COMMISSIONER EGGELLETON: No, it didn't stop the bombing, but it protected citizens when they caught them and put them in jail. Mr. Friedman.

MR. FRIEDMAN: I think on the findings section, you should also put something in the findings recognizing the many security efforts that retail establishments and all the establishments are doing. I think you sort of went around the room and there were many, many, many different types of security that many of the retail establishments are doing, and one size clearly doesn't fit all, and the findings, basically, should indicate that there is significant security procedures that retail establishments are doing and maybe there is some credit that could be given to those retail establishments that are doing security, and that would be in the findings area.

COMMISSIONER EGGELLETON: Okay. Good. Yes, sir.

MR. EDELSTEIN: Commissioner, Josh Edelstein with Publix Supermarkets. The one thing I'd like to add to that is, I believe probably all of my retail counterparts here could provide some sort of data. I understand you don't want to go back and do a study which would take time, but could provide data that out of my 242 stores, 69 are here in Broward County, and we have more than 30 plus -- as you spoke earlier of areas having cameras that we don't talk about and we don't see. Well, I have more than 30 stores with exterior cameras, and crime is not reduced in the years I have had cameras. As a matter of fact, at the state level, increased over time, especially with

the economic situation we're in. I think that that data should be used, perhaps, within these findings, and I'm sure everybody would be happy to supply that to you.

COMMISSIONER EGGELETTION: Okay. That is good.

SPEAKER: And there are some studies in England and Australia, the UK has had extensive studies on.

COMMISSIONER EGGELETTION: Thanks. I appreciate that. Those are good comments. We're going to move to page 2 after this.

MR. PENNAVARIA: Tom Pennavaria. I all see would like to see if you would consider those of us who do hire police officers to patrol the parking lot as an alternative instead of putting in cameras.

COMMISSIONER EGGELETTION: Okay. That is under the -- we're dealing with the findings, but we will get to that.

MR. PENNAVARIA: Is there a reasonable expectation to the public -- let say we have cameras in --

COMMISSIONER EGGELETTION: I'm not getting into the lawsuit, Tom. I know where you are going with that. I'm not getting into the lawsuit issue. I'll address that. You know I have passed legislation before where I have addressed calls and effect things and I will deal with that. Let's go to page 2.

MAYOR COOPER: In our ordinance on findings, we did subject it to policing, and that goes back to who implemented it and who analyzed it, and it goes back to the regulation about what other security measures, what specific crimes and incidences are taking place, and I will tell you when we did this, and we just did it on first reading. It's not finalized yet. I'm going to go back to cost and implementation, and understanding how this is going to be policed and regulated throughout every

municipality, because it is very extensive analysis, and it's the police department. It's not code enforcement. It's not building. It's a policing analysis that each establishment has to go through, and we have staff people to do.

COMMISSIONER EGGELETION: All right. Thank you. We're on page 2. Let's go back to the specific -- yes, sir, you had an issue on page 2.

MR. MASON: Yes. Gilbert Mason, AIKI. It continues on from page 1 in the Findings Section. I would suggest that we basically request you get a full set of statistics showing where there has been death, serious injury or sexual battery over the last three years, perhaps, in Broward County, in establishments of this kind, and compare them with other kinds of establishments, to see whether or not the statistics would justify the kind of action you're looking to take.

COMMISSIONER EGGELETION: All right. Thank you. I already have written that down, by the way.

MS. BEERS: Commissioner.

COMMISSIONER EGGELETION: Yes, ma'am.

MS. BEERS: Staci Beers, President of Broward Victims Rights Coalition. All I would say is, how many is too much? That is all I'm going to say. Isn't one murder enough? One sexual battery enough? Where do you put your price on that?

MR. MASON: If I could, I have been in business 28 years in Plantation, and in 28 years, we haven't had a single occurrence of any of our clients being assaulted in any way, or any crimes being committed. That is just my personal experience.

COMMISSIONER EGGELETION: Well, that is you.

MR. MASON: I understand once is too much, but I'm not sure that this ordinance would address the issue that you are --

COMMISSIONER EGGELETION: -- let me -- I'm not saying that it will. I'm taking your comments very seriously, and I'm more than happy to address them. What you are going to see merge after this is each time we will do a new draft, and you start seeing this and we will comment and comment, and some of this will stay in and some of this will go out, and we will hopefully get to something. I don't know what it's going to be, based on what I'm facing now, but it will be something. It may be pretty watered down. It might be strengthened. I don't know, but we will get to something. Yes, sir. Page 2.

MR. FRONSTIN: I have a question about what you just said, actually.

COMMISSIONER EGGELETION: Give me your name for the record.

MR. FRONSTIN: I'm sorry, Cary Fronstin with building Owners and Managers Association. A question about what this task force was formed for in the first place. I was under the impression it was to take into account, public opinion here. When you're hearing people say we want to do a study, when we want to get information from Publix that has 69 stores in Broward County, I don't think they are sitting here telling you we just want to help draft this ordinance better. I think what you are hearing from a lot of people is we don't want this ordinance.

COMMISSIONER EGGELETION: That is right.

MR. FRONSTIN: And what is the purpose of this task force, because all we're doing, if the way you are structuring this meeting, as someone who championed this ordinance, is coming up with a way to write it so it's put forth in front of

the Commissioners for a vote, when I think you're going to hear from a lot of people here, we don't want that.

COMMISSIONER EGGELETION: Well, let me just say this. Your time to say that you don't want it is when it goes in front of the Board, and let them vote it up or down. Okay?

MR. FRONSTIN: Then what is this task force for?

COMMISSIONER EGGELETION: Well, sir, if you don't want to participate in the task force, you can leave. The only thing, the purpose of the task force, I stated that when you first came in, is to take the input from the stakeholders, and take your input and try to shape an ordinance and present it back to the Board for their vote up or down. You can offer, and I stated from the beginning, exactly what you said, I know there are a lot of you here that don't want this period, and I understand that, so I'm willing to take your comments despite that, but at the end of the day, the goal is to get something back in front of the Board, to let them vote it up or down. That is their decision. That is nine people that will make that decision, once we are done here. They can vote it up or they can vote it down.

MR. FRONSTIN: So no matter what, it will be called to, for a vote.

COMMISSIONER EGGELETION: Absolutely. Trust me. Yes, sir, go ahead.

MR. LYMAS-JOHNSON I think I can answer part of your question, anyway. When you asked what the purpose was, at the County Commission meeting where this was discussed, where this ordinance was discussed, and a number of you stood and expressed your position, opposition, really, with respect to the ordinance, part of the comments from the Commission was, let's get input from the retail operators, and

I think this task force was established to get that input, so I don't think we're here to say we're not going to go forward with it. I think we want to hear what you have to say. We want to improve the ordinance if we can, and go from there.

COMMISSIONER EGGELETION: Okay. All right. So we're on page 2, under the Definition Section, and we have already had some of your comments on the Definition Section already. Anybody else want to suggest some things that we may add and take out, alter, under the Definition Section? Yes, sir, the gentlemen from Target, if you could state your name for the record.

MR. MCMULLEN: Thad McMullen, Commissioner. I would say if we're going to move forward with this, that we include governmental activities or premises, whether they be owned or leased or utilized by the Broward County government.

COMMISSIONER EGGELETION: So under definition, you want definition of these establishments to include governmental entities.

MR. MCMULLEN: That is right.

COMMISSIONER EGGELETION: Okay. Anybody else, under the Definition Section? Yes, ma'am.

MS. FRIEDMAN: There should be something -- Cynthia Friedman, Festival Flee Market. This is the only place that I concede to put this in. We have, on line 17 and 18, convenience businesses, I did go to that statute and section 174 of 812 has training of employees. This is totally missing from this whole concept. Employees have to be -- we're going to have to train our employees to watch all these videos, which is going to mean, probably for most places, a whole room of cameras -- of monitors, and somebody sitting in there, which would be a definite increase to the cost of having

these, but there still needs to be training, and it needs to be training as to what you are looking for, because we're going to be penalized if cameras go down, if something happens, so we need to be able to train people properly.

COMMISSIONER EGGELETION: Well, you may not be penalized, so don't -- I mean, we're drafting an ordinance, and I'm not saying you're going to be penalized. I'm not saying that. Trust me, I'm not. I'm not trying to be arbitrary or capricious or trying to make it difficult for you. I'm here and I'm taking your input, so what you are saying is, the ordinance, under definition, does not say anything about the training of personnel.

MS. FRIEDMAN: Yes, and personnel would also include the police that are supposed to be monitoring this, because if there is a different person that -- you know, we don't know anything about this yet, but if someone different comes to your establishment every two months, he is not going to be familiar, or she will not be familiar with the area.

COMMISSIONER EGGELETION: So I guess that might come under -- should this come under applicability or definition of -- where does that fall?

MS. FRIEDMAN: I couldn't really find a place for it.

COMMISSIONER EGGELETION: So why don't we add that on? We will add that on later on; okay? I'm trying to deal with the Definition Section.

MAYOR COOPER: And actually, I'm glad you brought up convenience stores, because actually as a municipality, I find we have the most calls to service, the most disturbances, and I think if history would lend itself, understand that most of the crimes are taking place on these, and actually if the County Commission -- I don't know historically how they got excluded. I'm sure many of you retailers out there

said leave us alone and it works up in the state, but actually as one municipality, I certainly think, if anything, we should be able to regulate these more stringently. They are supposedly regulated by cameras internally now. There is no monitoring. There is no policing of them. I don't know what -- at this extent, we can't -- as legislative bodies, start implementing those in gas stations and those convenience stores, where most of the crime is happening, where most of it is occurring, and we have zero regulating policing powers because of state statute.

COMMISSIONER EGGELETTION: Mr. Johnson to respond.

MR. LYMAS-JOHNSON: Yes. We could not include convenience stores, because the state statutes and the ones that are cited here pre-empt local governments from regulating convenience stores, particularly with respect to cameras. There is a pre-emption by state law.

COMMISSIONER EGGELETTION: Okay. All right. Very good.
Mr. Morgan.

MR. MORGAN: I want to make one last point, and it further clarifies what I said earlier. Your definition paragraph is largely oriented towards square footage and size of property, and I really believe that you are definition needs to be much more oriented to the usage and the type of activities that are occurring on those properties, as opposed to necessarily the size. Example again, a restaurant serving alcoholic beverages in 5 or 6,000 square feet or even smaller, might pose a greater risk to the public than a bookstore that has 25,000 square feet, and I think no matter what definition you come up with, I think there has to be some identification of that area, as was talked about earlier. Is this a high crime area? And if it is -- when you get into low crime areas, and we try to develop in those municipalities, the things they beat us

up on more than anything, is the foot candles that we have got in our parking lots, and as soon as you start dropping the foot candles, it becomes almost impossible for the cameras to work properly, so it's a very difficult situation. I just think the definitions which are being used here, which basically are square footage and land area, and the one drugstore use, is not really where you are headed.

COMMISSIONER EGGELLETON: I got it. So what you are saying, it needs to be oriented to usage and not size, under the Definition Section. That should be something taken under consideration. I got it. I got it. Yes, sir, did you have your hand up? Ms. Baker.

MS. BAKER: When you were starting with this, did you at all consider apartment building complexes and condominium complexes, where a lot of crime is committed in the parking lot? To me, that is commercial. Its multi family, but it's commercial.

COMMISSIONER EGGELLETON: No, ma'am, I didn't.

MS. BAKER: Okay. I would like for you to consider that.

MR. LIBERATORE: Commissioner, Mike Liberatore with Macy's, and again, to restate I'm not an attorney, so bear with my ignorance here. My concern is, if the ordinance is defining a retail establishment, but because state law supersedes this ordinance and therefore certain retail establishments can't even be considered to be included, I don't understand how -- it's just a discrimination issue. How can you discriminate and identify certain retail establishments, but the state says you can't include this establishment, so we're going to put all our emphasis on the ones we can. It just seems the basis on which the definition is put together is concerning, without any legal definitions associated.

COMMISSIONER EGGELLETON: I understand your concern. Let me put on my former state legislator hat and just say this. What the legislature would tell you if you were there, the legislature can do as it please, sir. I don't control the Florida legislature, and one of the things I do know is a state can enact a law that is tougher than federal law, but they cannot enact a law that is less stringent, if the federal law requires them to do so. And the same thing at the local level. It's just the way our country is laid out. It's the way our legal system is laid out. That is the best answer I can give you to that. If the state says that these are off limits, they are off limits. There is nothing I can do about it. You need to go back to the legislature, the Retail Federation and hammer those guys across the head and say take convenience stores out of that. Yes, sir.

MR. OFTEDAL: Chris Oftedal, Weingarten Realty. Also when a crime does happen on a property, the person who perpetrated that crime doesn't stay on the property. They leave the property. Why wouldn't county roads be required to have more cameras? To me, that is a very obvious way of identifying vehicles. They are going to leave the property. I think there should be more onus on the county to provide cameras.

COMMISSIONER EGGELLETON: County roads?

MR. OFTEDAL: County roads.

COMMISSIONER EGGELLETON: I think you have seen a lot of cameras at some intersections; haven't you? That is all I'm going to say about that. That is all I'm going to say about that.

MR. OFTEDAL: Well in the Chris Reyka case, there was one camera that caught the car, and that was from a casino.

COMMISSIONER EGGELETON: Well, the camera that caught the gentlemen who killed the -- it was the camera from Wal-Mart. It was a Wal-Mart camera across the street that caught the crime and caught the perpetrator. That is a good thing, and I appreciate Wal-Mart stores for that. And by the way, I have gone to a lot of Wal-Mart stores and I see their cameras up. It doesn't cover the entire parking lot, which I tell you I try to park my car right near one of them all the time. Any other comments under the definition section? If not, we're going to move to the next section, and that is the Applicability. We had someone said that they had some questions on lines 23, 24 and it extended over to page 3, 1 and 2. Let me hear what your comments, your concerns are there. It says security devices and measures, the person or entity in control of retail establishment parking area or the owner of a retail establishment parking area shall provide, operate and maintain at each of its retail establishment parking area the following security device measures, and it lays it out. Let me just say right now, with respect to the 24-hour deal, you know, that is gone. It should not be there. I only want to see this only when the store is open. When you close a store, that is the end of the ballgame, as far as I'm concerned. So, this Commissioner will not vote for anything that has a camera going 24 hours a day. I just letting you know that, unless it's a 24 hour -- if it's open 24 hours, you have to run it 24 hours. Yes, sir.

MR. SCHILLER: Commissioner, Neil Schiller, Becker & Poliakoff, representing the Florida Retail Federation. I raise this issue because I think it sets up a he said she said. If you have one person who actually owns the parking lot and somebody else that is in control of the parking lot, who are you going to go after? Are you going to go after the owner or are you going to go after the person in control, and I think that needs to be tightened up to go after one entity instead of either or.

COMMISSIONER EGGELETION: How would you like it to read, sir, because this question has come up and again, like I said, I have friends that own and they said in instances, and I think you brought this to me or Macy's. You all may have a store in a mall, but you may also own the parking area as well, and the question is, should the requirement be placed on the owner of the entire mall or should it be placed on Macy's, and I know that is an issue, so I'm asking you how would you resolve the issue.

MR. SCHILLER: Respectfully, I think that is an issue for the task force to --

COMMISSIONER EGGELETION: Well, you are part of it. I'm asking you. You raised a question. How would you resolve the issue?

MR. SCHILLER: It's an interesting question.

COMMISSIONER EGGELETION: Bernie is laughing at you, Neil.

MR. SCHILLER: I think it's an important enough issue that my opinion, who doesn't own a retail establishment. I don't control a retail parking lot. Obviously our clients do, and I think that a number of people here do, and I think they -- they have their own opinions about who should be going after. I think from an enforcement perspective, you can't, and you know this, you can't, and you know this, you can't give two people the option. You have to go after --

COMMISSIONER EGGELETION: I understand that, and here's what I had like to do with this section, because I know that this is a real, legitimate issue. How many people would like to work on just this section so that we can nail this down to determine who is going to be responsible in this issue? I know that there are some of you that fall under this section, and I want to give you an opportunity to come

back to me at the next meeting with some language, because you know what you are leases read like better than I do, and if you were to come back to me with some language that you think that your legal team that represents your various establishments can come back with, can accept, I can appreciate that. So how many people want to work on this section? None? Okay, two, one, two. See, if you fall into -- the only thing I'm saying, I know you have lawyers that you answer to. I understand that. The only thing I'm saying is, I don't want to put some language here that will make your lawyers get real angry at you and bringing back bad information. But what I'm saying is, I'm giving you the opportunity to draft some language here that will protect you in these situations, because it is a real situation. I recognize that, and it's something that I didn't think about before, but it's something that we need to address, and I'm willing to address it and I'm giving you the opportunity to do just that and bring something back that will be helpful in that regard. Yes, sir.

SPEAKER: Can I also make a suggestion? Obviously there are a number of people that are interested in serving on the committee or the task force that couldn't be here tonight, so maybe in the follow-up to our next meeting, we can put that out and solicit more people.

COMMISSIONER EGELLETON: That is fine. I don't care who they are. If you just bring me back some language that we can tighten this up and, you know, I'm not trying to hurt anybody. I'm trying to help you and I'm asking you to give me the language that helps you here. That is all I'm saying. I don't know what it is, but you give it to me and I'm more than happy to consider it and try to put it in a way that protects you in those instances. Okay? I appreciate that concern. I know that is a

concern of a lot of people. I recognize that. Any other things on the Applicability? We're down now to line 3 through 9. Yes, sir, line 3 through 9, page 3. Yes, sir.

MR. RADONSKI: Yes. Brian Radonski, Festival Flea Market Mall. On line 4, where it says covering the entire retail establishment parking area. That is impossible.

COMMISSIONER EGGELETION: I know.

MR. RADONSKI: There is vegetation, trees, landscaping.

COMMISSIONER EGGELETION: I know. You're going to see that change. How would you like to see that change, sir?

MR. RADONSKI: Well, once again, like the other gentlemen brought up, I think it should be determined on what you have at your establishment, what is going on in your parking lot. Just say for instance, at the Festival Flea Market Mall, it's approximately 45 acres of land. You have approximately 10 acres of building space, so you are talking 35 acres of parking lot. So you are saying that 35 acres has to have full coverage with cameras.

COMMISSIONER EGGELETION: I'm asking you how would you like it to read, sir?

MR. RADONSKI: Like the other gentlemen said, I think it should -- for each establishment, determine what is going on at that establishment, what is happening in the parking lot for the public. How far the parking lot is to your building, the distance the people are going to be walking, the customers, the lighting factors come into it. There are several scenarios.

COMMISSIONER EGGELETION: So, you want it to be determined by the owner of the property, the property owner; right?

MR. RADONSKI: Yes, sir.

COMMISSIONER EGGELLETION: Okay. That is what you'd like to see. So video surveillance, coverage area by the property owner. Yes, sir.

SPEAKER: On this next section, I'd just like to preference it by saying this is my specialty. I have been designing and installing camera systems for 23 years here in south Florida. I have done everything from retail establishments all the way up to hardwood fence contractors. I'd like to address the young ladies concern about 24 hour day recording.

First of all, you have to understand that most camera systems, well over 90 percent are used for after the fact investigation. I believe, and correct me if I'm wrong, Commissioner, the gist of this ordinance is to help the police agencies into determining who was the person or to identify and arrest the persons involved. As you said, it's impossible to have staff monitoring these cameras all the time. Like you said, training is impossible, turnover of personnel. Again, this is going to be used after the fact investigation. Camera systems today are designed to operate 24 hours day. When you leave you turn your lights off. You don't turn your cameras off. They continue. Basically, a camera recording system today is a computer that is always continuously recording onto the hard drive, all the images. There are a lot of options available as far as how that is recorded, the quality that is recorded, etc. So to do what you are asking for, 24 hours a day, 7 days a week for a 30 day time frame is pretty much standard today in the industry, 30 days is minimum.

COMMISSIONER EGGELLETION: Just keep going, sir.

SPEAKER: Almost all the facilities I deal with want to keep the recordings for 30 days. And with the standard 640 gig hard drive today, you could do that.

COMMISSIONER EGGELLETON: What I have heard now, and trust me since this came out, I mean I can tell you a lot of people have installed these and I have gotten calls from everywhere, believe it or not. Even from people that have put it in for the US Defense Department. Everybody has called me. And what I'm hearing is the better systems today are wireless, that they are digital and that they record directly onto the hard drive and after the hard drive is full, they just record over that and it's pretty clean. Now, I understand, and you understand, you can buy a little JPEG that goes into a USB port that you can record off of. And it will store information and you can have tons of information on that little JPEG. Now I don't know how long this is going to be kept, whether it's one week, whether it's 30 days or whatever. I want you all to suggest to me what you all think is the appropriate time to keep the data, but you have to have some time frame in there but you guys are the retailers so you all tell me what is the appropriate time.

SPEAKER: If there was a serious incident, you would know about it almost immediately.

COMMISSIONER EGGELLETON: I know you would.

SPEAKER: And you would want to go back, so in that, I would recommend no more than 7 days requirement.

COMMISSIONER EGGELLETON: Yes, ma'am.

MS. RUSSELL: Judy Russell, Gateway shops. Since you were an installer and provider, can you tell me the cost per square foot? You have to be able to --

SPEAKER: Again, it depends on the number of cameras.

MS. RUSSELL: -- for 100 percent coverage.

SPEAKER: What you are looking for, for -- the features of a person, to be able to see the features of a person's face, it has to occupy a certain percentage of a screen, which means you're looking at a close-up view. So to get a close-up view, you're going to need more cameras to get more, and you're looking today -- everything is digital today.

MS. RUSSELL: As to this ordinance, what will it cost per square foot?

SPEAKER: That I can't answer per square foot.

COMMISSIONER EGGELLETON: Okay. Ma'am, I think you need to get with an installer to determine that. And let me tell you something. The other thing in here in terms of the time requirement to do it, I realize you have the big guy and you have the medium size guy and you have the small guy. I think the time for this installation needs to be adjusted accordingly. For instance, it could be one year for the small guy -- I mean one year for the big guy, two years for the medium guy, three years for the small guy, to have this done. I understand that. I'm not saying that I'm so rigid in what I want to do that I don't take into consideration the cost and all those things and to give you an opportunity to come up with that. That is all I'm saying. I'm looking for suggestions. And by the way, the time frame here, when we -- I'm being told when our staff checked with law enforcement, law enforcement actually wanted a longer time

period than 30 days. We felt that 30 days was long enough, but if you left it to law enforcement, they wanted a longer time period than 30 days. So I'm just throwing that out to you. I'm going to come here and then I will go to you sir, and then you ma'am, and then you, sir.

MR. LIBERATORE: Thank you, Commissioner. Mike Liberatore, Macy's. And the gentlemen from ADT, I believe, or (inaudible). What he stated is true. There is state-of-the-art equipment that has those type of capabilities. It's extremely expensive. We're one of the bigger players here, as Macy's. We have several of our stores with this newer technology. We have several stores with the older analogue technology, and my guess would be there are a lot of retailers here who also have that, so in terms of putting a price on that, and obviously he would be best equipped to share that with us. I can just tell you from the knowledge I have, and I have my subject matter expert with me here. One camera, wired to a digital recording, a DVR, could potentially run upwards of \$10,000. So I just want to make sure that everybody understands the significance of the impact relative to the cost here which would go back to some of the comments being made that I would concur with. At some point, we have to understand what the thought process is here regarding the funding.

COMMISSIONER EGGELLETION: Well that -- and I appreciate that. Like I said, I had a lot of folks call me and I have gone and seen several systems. I was in one location looking at something at a person's business that was miles away from where I was, and I have seen the top of the line. I have seen cameras cost as much as \$17,000 for a system to be put in, and I have seen them cost as much as \$3,000. So trust me, I have seen the difference. You can definitely tell the difference, so I understand what you are saying. I don't know where -- we haven't gotten to that section

yet, when it comes to that sort of thing, but those are the type comments that we need to take under consideration. And all this is going to go into an ordinance for the board to consider, and that is who you're going to lobby, those 9 members to either vote this up or down one way or the other. I'm just trying to get everything done. We had you sir, and then you ma'am, next. Go ahead.

MR. STROTHER: Commissioner, Bill Strother, Weingarten Realty, again. I posted this question to Kevin Korn (phonetic spelling) who is the President of Inner Bid (phonetic spelling) which is a camera company that manufactures and installs. He went out to his people that he buys products from, and in order to do things the way the ordinance is required, you know, forensic grade play back, he said that that would take the mega pixel cameras, which you know are 5 mega pixels, which are very high end. You lose, on the mega pixel cameras, it does not handle the back lighting as well, so any time you have bright lights, you lose your image. He said you would need one camera for every three parking spaces, to the tune of about \$8,500 a piece. So you multiply your parking spaces, divide them by three, and we could spend millions of dollars trying to put this ordinance in the way it is written today.

COMMISSIONER EGGELLETION: And I don't want that.

MR. STROTHER: I don't either.

COMMISSIONER EGGELLETION: Let me just tell you I don't want that. That is not what I'm trying to do here. Okay? Yes, ma'am.

MS. HAGGARD: Brianna Haggard, Equity One Inc. That leads into my comment. I just feel lines 7 through 9 would be best served if they were described in more particularity. It says be able to play back activity and physical features. Well, clear physical features? How well do you need to be able to see this person who has

committed this crime? How well do you need to be able to see the activity? I just think it opens up, certain liability. Yes, you could see a person, but he is wearing a blue shirt, a black shirt. How well do you need to be able to see physical features, facial features?

COMMISSIONER EGGELLETON: So, you want us to clarify that line to be a little more specific rather than leave it open like that?

MS. HAGGARD: Right. Am I going to turn my tape over and be told you can't really see facial features, you can't determine who is on this camera.

MR. LIBERATORE: Commissioner, Mike Liberatore again, Macy's. The longer you go in a recording -- if you go to 30 days, the compression, the quality of the picture, the image per section, IPS, is degraded. So that needs to be a consideration.

COMMISSIONER EGGELLETON: Okay.

MR. CUTHERELL: If I could just add. I'm Dave Cutherell with Macy's. We have a parking garage where we installed 48 cameras with three interlex DVR's, which is a DVR recording device. I was 30 cameras shy to do what this ordinance is requesting, and that is only a four level tier parking garage. In order to get the visibility that is necessary for investigations from a police perspective -- we have had incidences where they have come back and looked at the video, and again, with 48 cameras, they still were not able to get what they needed to.

COMMISSIONER EGGELLETON: Okay. Those are good comments. Let me go here and then we will come back to you, sir.

MR. MARTINEZ: Sergio Martinez with Beall's Inc. With regards to following up with his situation, a lot of our stores and department sights do have outside cameras and most of the cases when we do call the authorities out, when we do have

cases, I would say probably 99 percent of the time, they can't solve the case because the clarity of the camera -- mind you this is a high end resolution camera. We consider them PTZ's. We actually control them. You can zoom in and out. When the person is too far away, even when we try to zoom in, it gets blurry after a while, once it becomes digital analogue, so I'm not quite sure we actually can pull it off, what you are ordinance is asking. I don't think it's possible. I just don't think it's possible, and I have been dealing for 13, 15 years now, and again, even in the outlet aspect, we still have some still cameras outside, and we never -- they don't even want to deal with it when we call them out. They actually almost laugh at us when we show them the video. I understand the spirit of what you have going on here. I just don't understand how it's going to work.

COMMISSIONER EGGELLETON: Okay. So we have to tighten this section up real good here. Yes, sir.

MR. FRONSTIN: Commissioner, Cary Fronstin, Building Owners and Managers Association. Going back to line 4, you had asked for some suggested language with regards to the entire retail establishment parking area. I would suggest that it specifically mentions that it excludes both permanent and temporary items such as landscaping and motor vehicles, such as trucks and regular cars.

COMMISSIONER EGGELLETON: Exclude what now?

MR. FRONSTIN: Specifically exclude both permanent and temporary items, such as landscaping and motor vehicles, so areas that can be blocked by these two items.

COMMISSIONER EGGELLETON: Okay. All right. Anybody else, under that section, all the way down to line 9.

SPEAKER: Commissioner, Grant Center Group. Perhaps you need a break out session for just technical, so you can meet with the technical people, because as I said before, we just installed a \$20,000 system on a 75,000 foot shopping center to cover the common areas, the walkways, some of the parking areas, and perhaps if we had a meeting with the technical people to say you need a camera every 15 feet, going from the canopy areas to the parking lot, or you want them at the aprons, of what you are trying to accomplish, what is possible, what isn't possible --

COMMISSIONER EGGELETON: Well, I like that comment. See, that is the kind of stuff I like to hear. Let's work on solving the problem rather than trying to blow it up. We will likely set something like that up at one of our meetings, to have the technical people meet, work on some of this technical stuff, and that is what I suggested earlier, on the language on the space -- you know, who rents what and that sort of thing. It's going to come into play. Trust me. It will come right into focus.

All right. We're down now on page 3, on lines 13 through 16. Someone had some issues with that. It says lighting shall be installed and operated in conformance with any and all applicable zoning codes, regulations which would sufficiently enable proper functioning of security cameras and equipment. Let me tell you why I put this in. I clearly understood that the League of Cities and that various municipalities have ordinances with respect to lighting in their respective cities, and I didn't want to do anything to overrule what their ordinances were. That is why we made it. Whatever local municipality already requires you to do, that is what we're requiring here. That is all we're trying to do here. Neil, you had a point you wanted to make here?

MR. SCHILLER: I just wanted to recognize the fact that there may be some municipal limits in there lighting code that may even prevent the actual operation

of cameras in parking lots, specifically at night, and I just wanted to bring that up for discussion.

COMMISSIONER EGGELETION: I understand that, and it may require a different type camera. That may require some massaging of some sort, you know, but you have low light cameras and you have other cameras that function better, so it maybe for those individuals, they may have to get a different type of camera.

SPEAKER: That was my point.

COMMISSIONER EGGELETION: Yes, sir.

MR. MARTINEZ: Commissioner, Sergio again with Beall's. The other thing, at the last meeting we had, I had the pleasure of sitting next to an engineer that was here representing some other company. She didn't get up to speak, but she had a lot of issues that she brought up that I found interesting. I'm only speaking of them now because she is not here, and I have her business card if you want it. She mentioned a lot of engineering issues with candle lighting, and I don't even understand that aspect of it. It's too deep for me, with regards to having to drench up some of the parking lots to get those things changed and get some of the cables to run out to the parking lot for some of the cameras to go further out into the parking lot, and that cost is -- which she was explaining to me, was just going to be astronomical. In order to get what you are want, you actually want faces, and in order for someone to be arrested, in order for this to actually work, because that is the goal, to make this work. She just doesn't see how you can make it work without breaking the backs of a lot of people.

COMMISSIONER EGGELETION: Right. Well again, we want to try to make it work without breaking the backs of people if we can, and without making it

too expensive for you. Obviously we have a long ways to go, but we're going to hold hands and try to get there if we can. Yes, sir.

MR. OFTENAL: Chris Oftenal, Weingarten Realty. Yes, just going back to line 14, where it says the lighting, sufficiently enable the proper functioning, we have a -- I manage a shopping center in Parkland, and they just passed an ordinance in 10 years, that they are going to require solar power lighting or if a hurricane destroys the current lighting, whichever comes first, so I just think it would -- you know, the technology available now might definitely effect us in that regard. And then just to the compliance date, about -- there is three storms out there, hurricanes. Is there any language about addressing if a storm hit your shopping center or retail establishment?

COMMISSIONER EGGELLETON: Well, we're going to get to that, but look, I clearly understand. This is going to affect business that I own too. I want you all to understand that. You're not alone in this. All right? I'm going to have to put a camera in a facility that we own. Okay? It going to cost me some money. I'm not -- I feel your pain. The only thing I'm saying is, we want to try to do something to protect the health and safety of people that are here and I want you to help me do that in the least offensive way to your business. And if you can help me do that, we're going to be fine. It could be that you already have a system that is perfect. You won't have to do anything. You won't have to change anything. I don't know. But we're going to try to get to where we are trying to get to if we can. Yes, sir.

MR. LIMDBLADE: Commissioner, Dan Lindblade with the greater Fort Lauderdale Chamber of Commerce. I'm thinking out here about this section, and it occurred to me, Commissioner --

COMMISSIONER EGGELLETON: That is 13 through 16?

MR. LIMDBLADE: Yes. It occurred to me, but with the whole section, 21-174, that we're so focused on surveillance cameras, that perhaps there is a different way that we can put this ordinance together, that has layers to it instead of just saying you must have a camera. If we had a standard that said for retail establishments you must meet a certain criteria. I know you have thought about this, and I have thought about it too. You must have the proper lighting obviously. You need to consider previous crime history. If you have certain crime history, then you have to put in place a security guard that would be out in the parking lot, as a minimum, in that route, and the ultimate route to be you have to install surveillance cameras, and that way I'm thinking, to make it easier for the retail establishments in the business industry to comply, and also not to hit, get hit with this heavy dollar expense.

COMMISSIONER EGGELLETON: You make a very good point, and it's been brought up earlier as well. It's something that we will consider. It could be, for instance, I was talking to a very large retail shopping center that has some very high end stores in that establishment -- I'm not going to say which one it is, but they use different levels. They use cameras; they use very unique security measures. I'm not saying that we can't establish something like that in here or have a trigger that says okay, if you have x, y & z, you are here. If you don't, then it triggers something that says now you have to have cameras for these areas. I don't know, but again, I appreciate that because we're working on an ordinance and I'm suggesting to you to help me, to help you, to make it less onerous on you. Okay? Those are the kind of suggestions I like to hear, because it helps me to refine what we're doing, to make it less onerous. Some of you may have better security measures than any camera can ever provide. I'm not saying that is not what we're going to go with. But I need you to help me to get

there. Okay? There is going to be something coming to the Board, and you need to help me to get there without being so hard on yourselves. Yes ma'am,.

MS. PADGETT: Samantha Hunter Padgett, with the Florida Retail Federation. You mentioned earlier the state legislation that was offered during regular session by Representative Porterfield. We worked extensively with Representative Porterfield and with Senator Atwater, and that legislation took on several different forms, and the final form that came from Senator Atwater's office was one that we actually stood with the PBA in support of, and it happened at the very end of session and didn't have time to move, and what that was --

COMMISSIONER EGGELETON: Why don't you get it to me?

MS. PADGETT: I'd be happy to. It's a pilot program for three counties. They did find money in the law enforcement budget that they were going to offer a pilot program in three counties in south Florida, whereby small businesses who wouldn't normally be able to afford security systems would apply for grants that could be applied to security systems. It was something that businesses could proactively try to make themselves safer. It wasn't targeted at large businesses that had the ability to do the research and provide extensive security systems for themselves. It was aimed at small businesses that they could take it upon themselves, and with the support of the county and some financial assistance, could proactively establish a safer community for themselves. That was something like I said we stood up with the Police Benevolent Association and together we had some issues with liability, but by and large, we agreed to work with them and fortunately, it did pass the commerce committee in the senate and we just didn't have time -- we ran out of time at the end of session, but that was something we actively supported.

COMMISSIONER EGELLETON: As you well know, I'm very familiar with the legislature and I'm very familiar with the retail federation. You all have supported me in the past and I understand that, but I also understand the way the process works. By the way, Representative Porterfield wasn't even heard, so I know how to make legislature work up there. I know how to kill it also. So you know, I don't want to hitch my wagon to the legislature, appropriating money because that may never occur. So I just want you to understand that, unless you can guarantee that the legislature is going to appropriate the money and you have something from all members signed, saying they are going to do it, I -- this mule won't hitch up to that wagon.

MS. PADGETT: And you know I'm not in a position to guarantee that, sir. Perhaps a similarly minded piece of legislation can be adopted here where businesses could voluntarily enter into these grants and --

COMMISSIONER EGELLETON: That is fine. If you can find the grant money for me, I'm more than happy to do that. Yes ma'am.

MS. RUSSELL: Judy Russell of Gateway Shops. I'm thinking on the same line as she is. Perhaps the county would purchase the equipment that they want installed and discount it to establishments at a different rate, and maybe even offer a tax exemption for people that install their --

COMMISSIONER EGELLETON: Okay. I'm being told by the county attorney they have to look at that to see whether or not we can even do that, but we will look at it. That is a good idea. There is nothing wrong with that. You know, I tried to do that on some affordable housing issues and ran into some serious problems with state purchasing requirements, because I was trying to buy product that we needed for affordable housing cheaper than we could buy it, by buying in bulk, and we ran into all

kinds of problems with it, but we're more than happy to look at it. Okay? It's a good idea. Yes, ma'am. You had your hand up.

MS. BAKER: I just have a quick question, because that brought up another question for me. If this comes to pass and we all have to put up these cameras, it's going to increase the value of our property, which increases the tax base. So I'm wondering if there is going to be something in here that states they can't increase our tax base because we have had to spend so much money on these cameras.

COMMISSIONER EGGELETION: You want your taxes increased?

MS. BAKER: No, I don't. That is what I'm saying. I want to know that it's not going to come up and bite us in the booty again in some other way.

COMMISSIONER EGGELETION: Let Mr. Johnson answer that one.

MR. LYMAS-JOHNSON: The county doesn't have control over the assessments that the property appraiser makes, so there isn't anything that the county would be able to include in the ordinance to accomplish that.

MS. BAKER: So there is no discussion we can have with Lori Parrish's office?

MR. LYMAS-JOHNSON: You can do that. There is nothing the county can put in the ordinance to accomplish what you are suggesting.

COMMISSIONER EGGELETION: All right. First of all, let me ask this because we're getting down to the end of this page and it's already 8:30, and I want to end this meeting because we're going to have many more to go through this. Did everybody sign in? I want to make sure because that is what we're using as a means of notifying you and if you didn't sign in, I don't want to hear that you weren't noticed because if you did not sign in raise your hand. We have a sign-in form back here for

you to sign in. I'm going to take one more question and then we're going to call it a night and then we're going to come back and pick it up from the bottom of page 3. At the next meeting you will be noticed and we're going to try to move through as much of this -- I think everybody understands the format now, so I think at the next meeting we will probably be able to move through this a lot quicker and then come up with something by the third meeting, a draft for you to pick apart, to add something or to subtract something from.

SPEAKER: Can I ask a question, Commissioner?

COMMISSIONER EGGELLETON: Yes.

SPEAKER: I know several of my industry counterparts aren't here tonight, more than likely because of response to hurricane Gustav and other responsibilities that we have, and I wanted to be certain that if they are not here, present tonight, they are still invited.

COMMISSIONER EGGELLETON: Yes. They are invited. The meeting will be publicly noticed. We're publicly noticing these meetings in case another Commissioner may or may not want to attend. We don't want to violate the sunshine law. Yes ma'am.

MS. BELAIRE: It was actually a comment, not a question. Are you still taking comments on this page?

COMMISSIONER EGGELLETON: Absolutely, yes.

MS. BELAIRE: Michelle Belaire with Wal-Mart stores. With regards to the lighting, area lines 13 through 15, while I appreciate, Commissioner, the strike through that you -- and the new language presented, there are a couple of concerns that are additional unintended consequences, and while you have changed the

applicable zoning codes, I think several things need to be addressed. Additional lighting always requires additional permitting, and subsequent cost to that, but many of the retail establishments that abut adjacent neighborhoods or neighborhood associations, have significant lighting requirements for spills, and neighborhood associations, so additional lighting will absolutely directly impact constituents in those respective districts in these neighborhoods, and us as retailers.

COMMISSIONER EGGELETTION: I know what you are talking about. People don't want lighting shining in their window when they are trying to sleep. Trust me, I clearly understand that. Yes, sir, Bernie.

MR. FRIEDMAN: Just going back to the point on the pilot project, the county does have a redevelopment fund and some money in their redevelopment CDBG and other area --

COMMISSIONER EGGELETTION: No, Bernie.

MR. FRIEDMAN: That you could use -- seriously, as a pilot project for blighted properties or distressed properties that you want to enhance the security on, CDBG money and those kinds of monies could be used. It's under federal statutes as one of the eligible categories, so --

COMMISSIONER EGGELETTION: Here is what I'm going to do. I'm going to check with the League of Cities.

MR. FRIEDMAN: It's the county's ordinance.

MS. CALHOUN: No, Bernie. I heard you. No, Bernie.

COMMISSIONER EGGELETTION: I'm going to check with the League of Cities and find out whether or not in those areas where they have CRA's,

whether or not that CRA will use some of their funds, since therefore improvement of blighted areas --

MR. FRIEDMAN: You could require it.

COMMISSIONER EGGELLETON: They already have their CRA's now. Look, there are very unique ways we can resolve this issue. Let me just say, I want to thank everybody for coming tonight, and don't look at me as your enemy. I'm really not. Anybody that knows me will tell me throughout my career, I have been one of those that have been very much involved in the safety of the general public. I have strongly supported our law enforcement industry and will continue to do so, but I also feel the pain of an individual who loses a loved one or someone who is injured as a result of some crime being committed. I have been very, a strong proponent of some of the toughest sentencing guidelines of the state. So I just want you to understand that in -- understand that I'm not here to try to harm the retail establishment. The retail establishment has been my friend. We disagree on this. We have never become disagreeable. So let's just say that on some of these things, we disagree. We don't have to become disagreeable in the process. I just want you to work with me to try to draft something that the Board may consider, and then, you know, if you still don't want anything, what you need to do is you lobby those eight other members and ask them to kill it, when it comes to the Board, but there is going to be something to the Board. Trust me, it will come before the end of the year, and I just want you to work with me to make this as less painful than what you originally saw in the second draft of this. I have gotten some good ideas here today. I have given each one of you one of my cards. If you don't have one, I am more than happy to give you one. I am more than happy to answer your calls 24 hours a day, or at least during business hours, seriously, I mean, if

you want to call me, my aid Cynthia has been with me for 16 years. She is here. So I'm willing to sit with anybody and share your concerns and try to work out whatever we have to work out. That is all I'm saying to you. I'm not trying to be an obstacle to what you are trying to do. I'm trying to do something that will help persons who are being victimized by crime. That is the deal here, public safety. Yes, sir.

SPEAKER: I think everybody here -- we have loss prevention people here for stores. Everybody is doing everything in their power to prevent crime. I think we'd like you to be a little more open minded to some of our ideas and the cost that is associated with what you are trying to push through here.

COMMISSIONER EGGELETTION: I am. I'm going to be very open minded. Trust me. I have done this so many times; I have sat in a room with so many people in drafting legislation, all over the State of Florida. I really have. I have drafted some pretty good bills, and you know at the end of the day, we will get to yes, and don't think that the attitude I have today is one that permeates throughout. I'm taking all your comments. I took notes. I have two people here that are also taking notes. We're going to go back, compare these things and start to work on something that you can live with at the end of the day. And people that know me will tell you that. I'm not a hard person to get along with. I'm really not; am I Bernie?

MR. FRIEDMAN: Not at all.

COMMISSIONER EGGELETTION: I mean, I really work well with people and I take your considerations and we just try to come up with something. Understand this. Look, it's kind of like that lady that came up here, the last person to speak who lost her sister and her niece. And I hear your concerns about the money that it's costing you, but I want you to think about it. I want you to flip the script. Let's

put your family member out there that was killed. No amount of money that you have to spend can bring those persons back, but that doesn't mean that government should break your backs in trying to protect them. And I am not trying to break your back. I just want you to walk with me, and I realize if all of you do everything you can to prevent crime, you're victimized by crime. I have been victimized by crime, and we want to do everything we can to resolve crime and to stop it, but we know that crime is going to be committed. I'm just trying to give law enforcement a better tool at resolving some of these crimes. That is all I'm trying to do. And any suggestion that you will give me I'm willing to accept and take and try to massage and get to point, get to yes, rather. That is all I'm trying to do. So help me to get to where we need to be. You understand your problems better than I do, because you live with it on a daily basis. I don't. I have some problems with the little retail center that we have, probably much greater than yours. And you know we try to deal with it as best we can. And you're going to try to deal with yours as best you can. And I'm not trying to break anybody's back, but help me to be able to help Susan or John Q citizen, when they go to your establishment, that they can feel safe and know that if something happens to their loved ones, at least they can see a face or figure or a car, of someone who committed that crime, so we could try to help resolve it. And that is all we're trying to do. Okay? Thank you so very much for coming.

SPEAKER: Excuse me. Commissioner, may I request maybe at our next task force meeting that we start the meeting off with discussing the purpose of the ordinance, because I think everything relates back to the actual purpose of the ordinance. I think we can move forward from there on the meat and potatoes of it all, if we sit down and discuss and debate the actual purpose.

COMMISSIONER EGGELLETION: Why don't I write it out for you and give it to you. I thought I had done that, but I will write it out and give it to you. Thank you.

(The meeting was adjourned at 8:41 p.m.)

(A copy of the audio recording of this meeting is available upon request by calling Document Control located in Room 336U, at (954) 357-7297.)