

RETAIL SECURITY CAMERA TASK FORCE WORKSHOP

September 17, 2008

PRESENT: Broward County Commissioner Josephus Eggleton, Jr. (Chair)
Denise Sagerholm, Assistant Broward County Attorney
Kevin Cornes, Intervid, Inc.
Mary Lou Davis, Colonial Properties
Pat Hanrahan, Broward County Police Benevolent Association
Andrew Fische (phonetic) Segwood Development
Bernie Friedman, Florida Retail Federation
Gloria Gemayel, Ross Reality
Steve Levin, Southern Management and Development
Joe Lopez, Equity One
Dan Linblade, Fort Lauderdale Chamber of Commerce
Ron Mariano, Ram Reality Services
Robert Mason, AIKI
Freddie Miller, Wal-mart
Al Ortenzo, Broward County Crime Commission
Tim Osbourn, Beall's
Samantha Padgett, Florida Retail Federation
Bill Powell, Konover South
Brian Radonski, Festival Flea Market
Judy Russell, Gateway
Frank Saia, Bergeron Properties
Chris Taylor, Weingarten Reality
Jean Russo, Broward County Real-Time Reporter

A Retail Security Camera Task Force Workshop was held on Wednesday, September 17, 2008 at 1:00 p.m., in Room 430 of the Broward County Governmental Center, Fort Lauderdale, Florida.

(A sign-in sheet reflecting those present is attached to the transcript of this meeting.)

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

COMMISSIONER EGGELETION: Good afternoon. I see that we have some name placards for people who are not here, and those of you in the audience, if you want to join us at the table you're welcome. If those persons -- I mean I don't -- anybody could sit there as far as I'm concerned. I think these were just placards for individuals who were representing groups, and if those persons come and they want to join us at the table they're welcome. This is a democracy believe it or not. First of all, I thank everybody for coming. I appreciate you being here. We will try to do exactly what we did the last time and get through as much of the pages that we have remaining as possible. I think we're scheduled to go until -- I guess there's no scheduled time, but I know I have some things I have to do this afternoon. One, I have to pick up my grandson, so it doesn't mean I won't be here very long, but we will certainly try to get through the rest of this today. As you know -- how many people are here for the first time that was not here the last time? That's quite a few people.

(Audience indicating.)

That's quite a few people. Let me fill you in on the "rules of engagement." This is a "moving target," it's a work in progress. We are trying to derive at some ordinance that we can take to the county commission for their consideration at some time in November, or late October for their consideration to vote up or down. However way they want to vote, that's their business. And what we did was, we had an ordinance that was introduced, it certainly was not the ordinance that was going to pass obviously, but we had to start somewhere.

So what we did was we set up a task force, and that is what you are a part of. The meeting is advertised, so any commissioner can attend so there is no violation of the Sunshine Law.

Additionally what we ask people to do is -- we went through the entire ordinance, the redraft of the ordinance, the amended ordinance, and we went through it, and everyone expressed by line number that they had objections to that section. We have now gone through, and we're on the third page going through and letting people then state their specific problems with those sections of the ordinance. And we're getting those on the record. The intent is once we go through the entire ordinance, and we have the dialogue as to what your real problems are; those things will then be taken, we'll get with the County Attorney's Office and we will try to write a draft for your consideration. After we write the draft for your consideration, after taking under consideration all of your objections, we will then have you to give us your problems with the draft, and then we'll go back and try to rewrite that. I recognize that there are some of you that don't want an ordinance, period. I understand that. I understand you're going to raise philosophical objections to everything in the ordinance. I understand that. I don't have a problem with that. That is your right to do that. However, it's my intent to have something in front of the Board for their consideration. What I ask you to do is to sit and try to help in some way, craft an ordinance that will provide for public safety, and that's what this is about. This is not about trying to prevent a crime. I want to let you know up front. This is about public safety, meaning that if a crime is committed, at least we will have a video

of those persons that commit a crime, which will give law enforcement a better tool to resolving who committed the crime and put that person in jail, and that's the real intent here. Many of you have given us great ideas, and I really appreciate that. Some of those you will probably see in some sort of draft. I received quite a few phone calls from various companies, and or individuals that own property, that this ordinance will affect; and I've listen to them attentively, and I said to them the same thing that I'm saying to you. I'm not trying to "bust anybody's chops." My goal here is not to cause anybody to become bankrupt, or put anybody out of business, or any of those types of things. That is the scare tactic that you may all want to use with the general public, and you're all welcome to use that. This is a free county. My goal here is to put something in place that I believe -- and hopefully I can convince my eight other colleagues to believe -- that is good for the public welfare, and will in some way provide us with a mechanism to apprehend some of these individuals who are out preying on the citizens of Broward County and are committing crimes, and some of them heinous crimes on persons in this county. And that is my goal. And I think that most of you who own retail operating centers, whatever they might be, whatever size, I think that's your goal too; that you don't want crime, you want to do everything you can to prevent crime. And most of you as I pointed out, already have video surveillance inside of your stores. And so however we arrive at this, we will arrive at it. And I will strongly suggest to you that I think your best course of action is to work with us to come up with something that you feel may be amenable to you. You know your situations better than I do. I'm willing to take

whatever things that you suggest to us, and try to codify that in some sort of way for your consideration. We may have to rewrite this thing three or four times; I don't know, but the bottom line is there will be something. And you need to understand that. So you can make it as simple as possible or as difficult as possible. I'm very patient. 20 years in elected office; one of the things I've learned is this job will teach you patience. And I'm very patient. And I'm willing to do whatever I have to do to take care of what the citizens of this county -- an overwhelming majority have expressed is a concern. And I think you need to understand that too; the overwhelming majority of the residents of this county, I believe if you were to go out and ask them, would be in very strong support of surveillance cameras in parking lots. So there you have it.

So let's continue on page 3. And again, we stopped at page 3, line 7 through 9. And I think there were some people who had problems with that and you were explaining those problems to me. Yes, sir. And when we call on you, if you would please, for the record -- as you can see we have very good minutes and notes from the last meeting -- I don't know whether -- they didn't make this available out there, did they? I don't think they did. What we could do since this is rather lengthy, if you ask we could probably give this to you, give it to you in a disk. I would imagine that would be the easiest way. Give it to you in a disk so you can go out and print this out, or you can have it for yourself. But everything that is being said here is recorded, and they're very detailed. And so we can provide a disk to you under Florida Public Record Law. So for that reason, as you speak, if you would please, for the record, just state your name

and who you're representing or if you're representing yourself, or you're representing a company, or whatever, you need to state it for the record. Okay? With that, yes, sir.

MR. SAIA: Frank Saia with Bergeron.

COMMISSIONER EGELLETON: Please talk into the microphone so that they can pick you up. Thank you.

MR. SAIA: Frank Saia with Bergeron Properties. Going back to our previous meeting, and if we may, I would like to discuss the purpose which you have outlined on page 9 starting at line 13 first, before we go through the rest of this.

COMMISSIONER EGELLETON: I'm not going to do that. I'll answer your question now.

MR. SAIA: Because I think it would be more beneficial for the people who haven't been here before, as well as myself, and other members of the task force, to discuss and debate the purpose of this ordinance before we go through the details.

COMMISSIONER EGELLETON: Frank, I appreciate your concern, but I'm telling you now, that is a philosophical issue, and I'm not going to do that. Okay? I thought I made very clear what the purpose of the ordinance was just a few minutes ago. And I'm not going to get into a debate back and forth, because we can be here for six years discussing the purpose of this. And I'm not going to "fall into that trap." What we're going to do, and I will say it again. We're going to go through the ordinance. If you have a problem, state your

problem so that we can deal with those things and rewrite this and get it back to you. I'm not trying to be rude, but I'm just telling you, I'm not going to do that. That's your answer. The answer is no.

MR. SAIA: I understand that. I did hear what you said a few minutes ago, but I think as a group we may be able to come up with ideas and better serve this time to come up with a new proposed ordinance, versus trying to pick apart the one that is here in front of us. And that's all I ask. I think a vast majority of the people agree with me. There is a concern.

COMMISSIONER EGGELETION: Sir, I'm not going to do that. I'm just telling you, I'm not doing that, period. So that's not going to work. I laid out what the work plan is. If you want to follow the work plan you're welcome to do so, if you don't you're welcome to leave. That's just the way I am. I want to get to yes -- and let me just tell you, I have used this method many of times and it works; and so I'm going with what I know works and not what philosophically you may think or whatever. So I'm sticking with what I know. This I know works. You had a problem with what we have, you're stating for the record what your problem is, and we're writing notes down, and then we're going to come back and take your problem, and try to take your problem out of the ordinance, let you look at it again; and we're going to keep refining, refining, refining, until we can all get to yes. And that's what we're going to try to do. So we left off on page 3 --

UNIDENTIFIED SPEAKER: Could I just clarify --

COMMISSIONER EGGELETION: -- we're going to clarify line 7 through 9. So persons who have problems with lines 7 through 9 on page 3, if

you could state -- if you raise your hand, if you want to talk about what those problems are, we will record those problems for the record and then we're going to try to finish with the document. Yes, sir.

MR. FISCHER: (Phonetic.) I just want to be clear -- Andrew Fischer with Segwood (phonetic) Development. You had said a few minutes ago what the purpose of the ordinance was, but it states here the purpose is to defer persons from committing crimes at retail establishments. But it's my understanding -- is it to deter people from committing crimes or --

COMMISSIONER EGGETT: Next question. I'm not going to debate -- I'm going to say this for the last time. I'm getting a little perturbed about it, sir. I'm not going to debate with you today the purpose of this ordinance. Don't ask. So if anybody wants to ask the question, don't ask, because I won't call on you again. I'm just telling you, I'm not going to debate the purpose of the ordinance. Okay? And I'm not trying to be rude, but I'm not going to fall into that, where I get sidelined from what we're trying to do. And that is exactly what's going on. I'm not going to debate the purpose of ordinances. Period. Let's go. 7 through 9 page 3; anybody with a problem? Yes, ma'am. State your problem, your name, and where you are from, for the record. And let's state what your problem is for the record.

MS. GEMAYEL: Gloria Gemayel. Ross Reality. We're a mid-sized developer based in Broward County. I have a question really on line 7 through 9. Is there any type of standard that you intend to require? I mean, has that been developed? My thought is when we go to vendors, there is going to be a menu

of choices. And what is the standard that Broward County is going to be looking for?

COMMISSIONER EGGELETION: I don't have a standard as of yet. Maybe you can help us define what standard we should have. I really don't have a standard. I'm being very honest with you. We put some things in this ordinance because we wanted to get some things out to the general public. We want to refine that. I've had several companies call me that actually do video surveillance, and they manufacturer cameras, and they talked to me about all types of cameras, what is available, digital cameras, CCTV cameras. They talked to me about all types of cameras that are available. I'm listening to those individuals, but I want to listen to you because you're the affected party. So if you have a suggestion as to the type camera that we may or may not have that is the sort of thing that I would like to have so that we can have you -- or if you have a problem with a particular type of camera, or a particular type of set up, if you would state it for the record then we will know exactly, you know, what some objections may be to the type of cameras that may or may not be required.

MS. GEMAYEL: I don't have one at this point without further research, but I didn't know if Broward County had a standard at a minimum, so that was the question.

COMMISSIONER EGGELETION: We don't have a standard.
Yes, sir.

MR. TAYLOR: (Phonetic.) Chris Taylor. Weingarten Reality. I want to have Kevin -- he was kind enough to fly in from Maryland to talk about some of the issues we see with line 7 through 9. Kevin with Intervid.

MR. CORNES: Sure. My name is Kevin Cornes. I'm president of Intervid, Inc. We're a manufacturer of cameras and individual recording equipment. I'm from Baltimore, Maryland. I'm very involved in the ordinance that they passed in Baltimore County, and have some direct insight into what worked, and what didn't work with that ordinance. And with line 7 through 9, not that it's right or wrong, but what I would just point out, having played back to identify the physical features of a person is where there is going to be a lot of debate from vendors as to what that means, and there is going to be a very wide application of technology that can be -- some might -- physical identification -- could be multi-megapixel cameras that cost thousands of dollars, others will put in the less expensive cameras, hoping to step it through, and you won't get the intended benefit of what you're trying to legislate. One of the suggestions that I would make; one was moving away from trying to legislate system design, would be to try and qualify or define the qualifications of companies that are going to be able to fulfill this ordinance. People that have five or ten years experience doing video systems, people that have done video systems for parking lots; every parking lot is going to require a different response. And the responsible companies will provide responsible systems. The company -- in Baltimore "people came out of the woodwork," that had never done a video system, and put -- charged expensive fees to shopping center owners and developers, and didn't get the

intended purpose, and the police didn't get the video they wanted. And it's a challenge. So that would be one of things that I would certainly recommend that you try to define, who can fulfill an ordinance like this. If you're going to -- my experience has been the best controls are mismanagement, and -- but you -- if you legislate only the video it might remove officers to pay for the video. It's going to be a challenge. But I would suggest maybe not saying, identify physical features, and I would recommend that you try to qualify who can fulfill an ordinance like this with some matrix of size of company, length in business, specific experience doing parking lots.

COMMISSIONER EGGELETION: Okay. So what you are saying is, if I understand you correctly, you're saying through -- you are saying that trying to define -- that we should in some way define what physical -- what we mean by physical features; correct?

MR. CORNES: Correct. And I don't know how you do that honestly.

COMMISSIONER EGGELETION: I understand. So we need to design physical features. The second thing is you're suggesting that all companies that do video surveillance may not be capable of fulfilling what may finally work out as what we're looking for; is that correct?

MR. CORNES: I'm suggesting that you're going to get an extremely wide range of applications to fulfill this ordinance, and companies don't have the proper experience and are not going to be able to properly fulfill the ordinance.

MS. RUSSELL: Judy Russell with Gateway. I would recommend that this gentleman maybe put together something that goes with what you are looking for and have pictures of actually what type of physical features, at what length, distance, that would be provided, so therefore if it is required something -- to get the physical features at a range of 25 feet, then we would have to have it oh, every 25 feet, if you want these particular features. And then we can establish exactly what quality of camera that would be needed.

COMMISSIONER EGGELETION: Yes. Probably what is going to happen is --

MS. RUSSELL: Can we ask him as a task force to do that, to put something together?

COMMISSIONER EGGELETION: Well, what I don't want to do, is I don't want to write an ordinance that favors one company or the other. I don't want to do that. I think that may put some vendors at a disadvantage. What I will do however; is I think at some point in the process, we're going to have our technical people in our attorney's office to sit and we will probably call in as many companies as we possibly can to literally demonstrate to them, what are the limitations of cameras, what are the -- to deal with the technical aspects of these cameras so we can pair that down, and then we will probably bring that back to you and share that information.

MS. RUSSELL: Until you can really, really, visually see this distance, that distance, and so on.

COMMISSIONER EGGELETION: I have seen some of those, and I seen them in low and bright light, I've seen them under rain conditions, and I seen them in a number of ways. And you're right; certain cameras will give you different results. The aim of the camera, whether or not a camera is focused for a short or long distance is going to give you different results. It's like if you take a picture and you have a telephoto lens on, and I'm trying to take a picture of this gentleman right here, it's not going to come out right. If I were to take a picture of someone back here, it's going to be very clear.

MS. RUSSELL: Well, these videos have the capacity to zoom in, but as soon as you start zooming in, you start losing physical features even more so.

COMMISSIONER EGGELETION: I hear what he is saying. We will take that under consideration, and then we will come back to write this section. Hopefully he will be here. And you're right, perhaps we'll set up a task force of technical people, and I don't mind doing that, but what I want to do now is get through this. And I'll put a flag by this, and your comments that perhaps we need to have a technical committee put together to actually work that out. So I think that is a good suggestion that we probably might absolutely do that. What I don't want to do however is wind up writing an ordinance that is geared towards a particular company. I think that is wrong. That is like if I were to come up with a construction plan here at the county that only one construction company could do, all the other contractors are going to raise all kind of --

MR. CORNES: I wouldn't want to do that.

COMMISSIONER EGGELETION: He's absolutely right. I would imagine everybody is going to "come out of the woodwork," and you're going to have people who have never done this before to make a quick buck, you know they're going to get into this business --

MS. RUSSELL: Well, you can have the minimum pixels and so on and so forth, which would not dictate the manufacturer.

COMMISSIONER EGGELETION: When you start saying, pixels, see you already automatically have relegated it to a digital camera. So again, I'm very careful about the language that we use, and how we go about doing it. What we're doing here today is getting the objections out, and then we will come back on the next draft, and then we're going to start to set up some of these subcommittees, and let you all go ahead and craft something and bring it back to me, and our staff will craft something as well. But I take your suggestion. I think that is a good suggestion, set up a technical review committee. I think that is a good, smart, thing to do. I really do. Yes, sir.

MR. LINBLADE: Dan Linblade, president of the Chamber of Commerce in Fort Lauderdale. I just want to make sure that we still retain the dialogue we had at the last meeting that suggested that it wouldn't be necessary for a 24-hour surveillance. We were talking about open hours, hours of operation; also we also discussed other types of kind of tiered surveillance systems. And I think that in this particular section, a security camera video system, or other mitigating systems -- or however you want to fashion that -- and you would have to define what that is -- but we talked about having a ramped up

tiered system that said if you're in a low crime area, and you haven't had any instances of crime, you wouldn't have to have necessarily, camera surveillance system. So I just wanted to make sure that we didn't lose that, and that we put it back on the record at this meeting.

COMMISSIONER EGGELETION: Thank you. I talked to several persons that have called about that exact same thing, and several of them have suggested that we don't know where we're going to go with it, but I'm taking it to heart. I'm leaning more towards that, to be very honest with you. I think that, you know, persons for instance that have video cameras already, I don't think we need to require you to have a particular type. There may be some "grandfathering," here, we don't know. Again, as long as it meets public safety needs, that's the real thing. Just public safety needs. Yes, sir.

MR. SAIA: Frank Saia with Bergeron Properties. I would like to suggest if and when you come up with this technical committee, that a member of Broward County Sheriff's Office, deputy or detective, would be on this committee so we can get their input to best serve the purpose of the ordinance.

COMMISSIONER EGGELETION: If they would like to serve, I have no qualms with that.

MR. SAIA: If possible I would like you to suggest it to Sheriff Lamberti that he assign somebody.

COMMISSIONER EGGELETION: They have been invited, so that's their call.

MR. SAIA: But they haven't shown up at the two task force meetings that we have had so far.

COMMISSIONER EGGELETION: -- "I can't put a gun to Sheriff's Lamberti's head, and say, hey, this is a public safety issue, get here." I mean it's his choice. I can't do that.

MR. SAIA: I wonder how much of a concern it actually is to the Sheriff's Department.

COMMISSIONER EGGELETION: You know, that's a good question. Maybe that might come up in the election. Interesting question. Anyone else on these lines; lines 7 through 9? Anybody else, problem with 7 through 9? Yes, sir.

MR. TAYLOR: I guess my big concern is why are we making an ordinance that is "one size fits all," you know -- our company and I know other companies, we have -- take public safety very seriously. We have safeguards in place at centers, you know, we monitor crime stats, we look at each center individually. Why such an ordinance for "one size fits all"?

COMMISSIONER EGGELETION: I don't think we're doing that. But do you have a problem with lines 7 through 9, sir? Is that the problem? You think lines through 7 through 9 is a "one size fits all section"?

MR. TAYLOR: I would just like to state that for the record.

COMMISSIONER EGGELETION: Okay. Thank you. Any other questions on line 7 through 9? Yes, sir.

MR. MILLER: I'm Freddie Miller with Wal-mart. We currently have video cameras in our parking lots, but I will tell you, to meet these particular lines, I fall short. One of the reasons; lighting as mentioned later. I'm aware -- each city has different ordinances. With that, we have homes that are around our stores; many times it's disturbing to them, there's traffic ordinances. I have had issues trying to get better lighting on some of my stores just for my purposes. The other thing is landscaping; another big issue is some stores have very specific ordinances requiring x-amount of landscaping, whether it's 72 trees -- if you put it down low -- and I tried to do this before -- put the cameras down low, a van blocks everything -- if you put them up high the trees block everything. To get this kind of definition would require very nice cameras, and very good landscaping that would be conducive to it as well as good lighting.

COMMISSIONER EGGELETON: Let me repeat that what I think you're saying your problems are. Problems with the lighting in the general area required by codes of various cities, homes; making sure that the lighting is not so bright that it disturbs residents that are near your properties, city codes landscaping requirement, and height of lighting; correct?

MR. MILLER: All that would be necessary to get that definition along with good cameras.

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

MR. LEVIN: Steve Levin. Southern Management Development; mid-size developers and owners. We were wondering -- I apologize for not being at the previous session -- but has Broward County Commission have engineers

to give specifications on these qualifications -- as the Wal-mart representative is suggesting on -- so we can get an idea? And is there going to be tax credits to us, and how are we going to pay for this? That's our big problem.

COMMISSIONER EGGELETON: I don't know how you're going to pay it. Whether or not we have engineers that are expert, I can't answer that right now. I don't know. But it would be my intent, when our attorneys get ready to draft the technical aspect of it, and if we set up this technical task force that has been suggested, perhaps someone would be sitting in on those meetings. Okay? Anything else lines 7 through 9? Yes, sir.

MR. ORTENZO: Yes, commissioner. I'm Al Ortenzo. I'm vice president on the Broward County Crime Commission, and I served for 30 years with Fort Lauderdale Police Department, retired as assistant chief. We discussed this at our last Crime Commission Board of Directors Meeting in which there were Broward Sheriff's officials at our meeting. We got some input from them. I would also say that I serve as a security expert in liability cases, and I either represented several businesses here, or plaintiffs that have sued you; so from all that standpoint, on those lines that you mentioned specifically, I would say they are very specific for an area that would encompass something as wide-ranging as a property or a parking facility. Usually you see language that says we will delineate physical characteristics when the cameras are intended to identify somebody at a point of sale in a convenience store at the counter, or at a bank at a teller's counter. More typically the industry standard for a parking facility is a system that is reasonable and that does a reasonable job of

identifying activity; person's vehicles and so forth, and has a reasonable level of coverage. And I would say, Wal-mart's system -- I just was an expert in a case defending Wal-mart -- has one of the best at their new facility, but yet, you will never get 100 percent coverage with that language -- even in a parking lot where you have vehicles, you can't get coverage between vehicles. So you would need for parking facility language that would be more appropriate I would think.

COMMISSIONER EGGELETTION: So your concern is that whatever language we use in this section should take under consideration the physical limitations of the cameras, one. Two, that the system that you install will probably never get 100 percent of coverage.

MR. ORTENZO: Nor would be expected to at any kind of case you have.

COMMISSIONER EGGELETTION: Appreciate that. Thank you, yes, sir.

UNIDENTIFIED SPEAKER: Brief collaboration on what he said, and to follow-up. I concur. It's just a very high level discussion about resolution and identifying features on a person. It would almost be with a high resolution analog camera at 480 or 540 lines, it would almost be a one to one camera for parking space. If you want -- which is just not commonsense feasibly possible, even multi-megapixel cameras, if you didn't have obstructions you probably have -- cover three or four, maybe five parking spaces with a camera to be able to get head and shoulders. And we have all seen the 11:00 o'clock news of a convenience store camera six feet away, and you have a hard time identifying.

So in a controlled environment -- they stated it better than I did initially, about my concern with physical feature aspects of that line.

COMMISSIONER EGGELETION: I understand. I really do. And your comments are well taken. Because it's those types comments that is going to help us shape something that everybody can live with. Yes, sir. Did you have your hand up? Okay. Anybody else on just these lines, page 3 through 9, before we continue down this page? Anyone? Yes, sir.

MR. HANRAHAN: I apologize. It's not 7 through 9, but I do want to answer that gentleman's question. I'm Pat Hanrahan. I represent the Broward County Police Benevolent Association. Myself and Debbie Reggio are here for the Police Benevolent Association; however we are both deputy sheriffs. And I'm a former co-worker of Chris Reyka so that's why we're here.

COMMISSIONER EGGELETION: I know. I appreciate that. And the Chris Reyka murder was one of the real reasons why I'm a doing this, to be very honest with you. And let me just say -- and I think I told you all this in the first meeting -- I'm a strong supporter of law enforcement. I just believe in public safety. And I think all of you all believe in public safety. And I'm just trying to give law enforcement a better tool to help put these individuals that are committing these crimes behind bars, that's all I'm a trying to do. Period. Okay. Lines 13 through 16. Persons who have problems. Yes, ma'am. And then you, sir. Anybody else, 13 through 16?

MS. GEMAYEL: My concern with this language is if you're a developer and you're building a shopping center from the ground up you have an

opportunity to design lighting that might meet the ordinance. If you have an older shopping center and you need to upgrade the lighting, there might be some concerns with perhaps electrical capacity, some construction issues. You might end up having to dig your parking lot in certain cases. So the security camera issue could morph into a much more expensive issue for shopping center owners. So I think that needs to be given some consideration.

MR. MARIANO: My comment -- it's more of a question than anything else. I'm Ron Mariano from Ram Development. In thinking about (inaudible) and as the author of the ordinance; how did you envision instances where the local lighting ordinance is going to prohibit any kind of effective camera use on the property? What did you envision for the process?

COMMISSIONER EGGELETION: Let me just say, as you well know, when you do these things you never get what you want. I will never get what I want out of this. And you won't get what you want. And hopefully we get a compromise somewhere in between. One of the things I realized early on is that if I try to come in and say, okay, I'm county government, and I'm going to require a certain level of lighting for security cameras throughout the county, the cities are going to "come out of the woodwork," as some of them already have. So what we tried to do was to say that the lighting -- where your stores are, every city that gave you a building permit to permit your stores -- a certain amount of lighting in your parking areas -- what we wanted to do was to make sure that we don't "step on any of those cities toes." And that's what we're trying to do here, is

compromise with the cities. I don't know if there are representatives here today. Anybody here from the League of Cities?

UNIDENTIFIED SPEAKER: I am.

COMMISSIONER EGGELETTION: See, the League of Cities have their own requirements when it comes to city codes. And I don't want to "step on their toes," I'm very careful about that. I want to make sure that we take under consideration whatever the city's concerns are. Certain cities have different light requirements. Some don't even like lights. I've gone to certain cities that have very dim lights. And that is something that we have to really consider because some of these cameras will not function in very, very low light, and it will require you to have a more expensive camera if that be the case. So I'm trying to take everybody's concern that we have and not "step on anybody's toes," but still craft something. So it's a quite difficult job for what we have over here. Does that answer your question?

UNIDENTIFIED SPEAKER: Well, I'm too much an engineer sometimes. But I'm more interested in the vision of the process that you see as to how that would work out. Deerfield Beach (inaudible) a lighting limit at the property line of zero. We have to have a camera there. It's just not going to work. I would think as part of this ordinance, even though it's not a land use ordinance, it's going to function in a lot of ways as one, how do you resolve that? How do you get past the conflict between the county ordinance and the local ordinance?

COMMISSIONER EGGELETTION: Well, you know, by working with the League of Cities and their city representatives to try to come up with something at the end of the day that we think will resolve the problems of surveillance, and at the same time take under consideration what the city lighting requirements are, and at the same time not cause the retailer or the property owner to "break the bank," to put a camera in. That's the task. It's not an easy one. And I hope you can appreciate what I'm trying to do. And as an engineer, you know --

UNIDENTIFIED SPEAKER: My father wasted a lot of money being an engineer. I became a developer.

MR. LOPEZ: (Phonetic) Joe Lopez with Equity One. I just wanted to reiterate kind of what they said, is that most of the shopping centers that are in Broward County are infill shopping centers that were built years and years ago. And to bring those centers up to code, or up to the code that you're trying to put in place, would just be very prohibitive based on the current systems. (Inaudible.) I mean, the infrastructure in these buildings are just -- you basically -- like Gloria said, tear your parking lots apart, rip out all electrical, and reinstall (inaudible) code. So it would be very cost prohibitive.

COMMISSIONER EGGELETTION: Let me make sure that I restate the two of your concerns, or the three of your concerns that I heard so far. You had a concern, ma'am, about electrical capacity and whether or not that would be the case. You also had a concern about whether or not in an existing property it would require you to dig up your parking lot literally, and therefore create another

expense beyond what is already obvious with the camera and its installation. And you, sir, had a problem with city codes and you echoed the same problem that she had with having to do this, having to bring the property then back up to a different standard.

MR. LOPEZ: And issues with the infrastructure that is already in place. (Inaudible.)

COMMISSIONER EGGELETTION: Ad you, sir, had a problem with certain cities and their lighting requirements versus what we felt was going to be adequate to meet the needs; is that right?

UNIDENTIFIED SPEAKER: Correct.

COMMISSIONER EGGELETTION: Yes, sir.

UNIDENTIFIED SPEAKER: That is basically what I was going to say in the last part. But this is another area, commissioner, where you're probably going to need to consider some type of "grandfathering," because the enormity of existing retail establishments out there, just based on the cursory glance that I had looking at some of the plats, it's just going to be a mammoth task. And then the monitoring and the enforcement of it will create some significant law enforcement issues for you. I would consider "grandfathering."

COMMISSIONER EGGELETTION: Thank you. I really appreciate that. Any other concerns on these lines 13 to 16? Yes, sir.

MR. ORTENZO: Yes. Al Ortenzo. Broward Crime Commissioner. I would just say, as a crime commission, we represent both citizens and businesses. So as we discuss these issues we're taking business owner's heart

to task as well. I think some of these issues may resolve themselves, if as you stated commissioner, you take serious consideration of limitations of looking at the types of businesses that would generate the most crime, the hours of the day that they generate their crime, and even perhaps consideration of the model of the Florida Convenience Store Act, which does require (inaudible) to trigger the requirement, but the key problem that we have viewed in Broward County is the 24-hour late night retail establishment. And it may very well be that, without stating any position, it may very well be that shopping centers that are closed for business after 6 o'clock at night have no such need, or requirement, or duty, as one might say, and to perhaps focus on some of the real problems might resolve some of these issues.

COMMISSIONER EGGELLETION: I would tell you, if I had to write an ordinance today, it would only require cameras to be operative during business hours. When you close, technically there's not supposed to be anybody there when you're not operating. But we will see what we come up with at the end of the day.

MR. ORTENZO: Just one other point of observation for those of you that have large shopping centers, for example, 25,000 square foot requirement that you have; it may very well be that a small shopping center -- not to pick on anybody -- a late night or all night sub shop is of a greater risk of a 4 or 5 or 8,000 foot square shopping center, than a 30 or a 100,000 square foot shopping center that is closed that doesn't have any businesses generating

victim targets. So those are the kinds of things that I think may make this more reasonable for a lot of the people concerned.

COMMISSIONER EGGELETION: That is why when we talked last week about a tiered approach -- may be applicable at the end of the day when we finally start getting into writing a real draft in the ordinance. Yes, ma'am.

MS. DAVIS: Yes. I'm Mary Lou Davis with Colonial Properties. I just wanted to restate in hopes that there will be some consideration of "grandfathering," a project of this magnitude for properties. We oversee the management of Deerfield Mall, for example, which is a 400,000 square foot center, and it would be a tough property to have to upgrade the lighting. And I can see the parking lot, tearing up the lot, new conduits, new electrical runs, just a huge, huge, expense to meet this and I sincerely wanted to affirm that I hope there is some consideration for "grandfathering," some of these older properties.

COMMISSIONER EGGELETION: Thank you. Those are very good comments, and I appreciate them. Let's move down to lines 22 through 24. There were persons who expressed some concerns on those lines. If you have concerns with those lines please express them. Yes, ma'am.

MS. GEMAYEL: I would like to address the 180 day period, which on the surface might seem like it's ample, but certain cities take a while to process permits, and that should be looked at on a case by case basis. The developer -- the shopping center owner should not be penalized if the city takes longer to issue a permit.

COMMISSIONER EGELLETON: Yes. That moves over to actually page 4, lines 1 through 5. Let's take lines 22 through 24, as well as lines 1 through 5 on page 4. So if you have concerns in those -- and she just noted -- and I understand that. We will probably -- if I had to go to this today, this would be phased in, and it would probably take us about three years to get it all phased in, and it would be based on size of property and that sort of thing. So you know, that is the sort of thing I'm looking at. I know there is a capacity issue. If this was a (inaudible) and we would require you to do 180 -- you don't have enough businesses here to provide that. So the bottom line is what we're looking at is what I'm thinking may be more applicable is to phase this in by size of centers, dealing with some of the things that you mentioned; high crime areas, that sort of thing, and doing it probably over a three-year period of time. But we'll see what happens at the end of the day when we start to draft all of this. Those are good comments, and I take them to heart, and that is the sort of thing that I'm looking at when you say, problems, to try to get these on the record and then write a draft and get you back to it, where we can really start to write a real ordinance. Any other comments on pages 3, 22 through 24, page 4, lines 1 through 5? Any problems? Anybody have problems. Okay. That's it. So that is stated for the record. That's pages 4 -- let me write this down. I know staff is doing it as well, but I like to keep my own notes. Any other concerns or problems on that page? Okay. Let's go to page 4, lines 6 through 13. Persons expressed some concerns. Yes, ma'am. Okay. You, the gentleman from Bergeron Properties. Who else? Pages 4, lines 6 through 16. Yes, ma'am.

MS. GEMAYEL: I don't quite understand the comments here in the document regarding access to the media; is that a typo perhaps?

COMMISSIONER EGGELETTION: I don't understand it either to be very honest with you. But here is -- let me just say, one of the things -- my own personal thing is I think that is left up to you as a private business owner. It would be my intent to make sure that this is strictly in the purview of law enforcement and your own company security, whatever that may be. It's clearly my intent here, not to write an ordinance that creates any causal effect lawsuit, period. And I want to make sure that we place language in there that maybe says something like, these video surveillance cameras, or footage rather, is only available for use of law enforcement to resolve crimes; they cannot be used, for instance if a person gets injured in your parking lot, and the attorney comes and says, I want to see your video because X, Y, Z, got injured in your parking lot and we want to see your video surveillance, and then they look at it and realize, oh, well, they had a pothole there, and they never repaired it, and that sort of thing. That is not my intent, it really isn't. It's not my intent to have the video surveillance camera utilize that. You can get hit with some sort of lawsuit. Now, I'm not a lawyer, and I don't know whether the lawyers have a right to go in and demand through some court order, the records of your video surveillance. I don't know that. Before this process is over, I know there's enough lawyers in the room, Bernie, that will certainly advise us on that, and how do we deal with that problem. I do know that many of retail companies, that is the first thing that they express to me. All you're doing is creating a trial lawyers "Bail Out Act." And

that's not my intent, it really isn't. I don't have a problem with trial lawyers, I don't have a problem with retailers, but it's not my intent to put you in harm's way of -- merely because you're trying to do something to protect the public, that the unintended consequences is you wind up in lawsuits every time you look around, for unintended consequences. That's not my intent. With respect to the media, I can almost tell you that that would probably not be in there at the end of the day. Yes, ma'am. Let me hear from our attorney. Pull the microphone close to you so they can also hear you.

MS. SAGERHOLM: Denise Sagerholm with the County Attorney's Office. The title of that section was Access to Media. Media, not being -- my understanding was media was the footage. Not media, the press. That is what that is.

COMMISSIONER EGGELETION: Mr. Bergeron. I'm going to learn your name.

MR. SAIA: Frank Saia with Bergeron. In regards to this section, I'm actually concerned with the cost to the Sheriff's Department and municipalities, to staff enough people to do these random inspections on all the shopping centers in Broward County required to perform with this ordinance. And personally I would probably rather see the cost for these additional staff members or officers put more police officers on the road because I think that's going to deter crime better than any video surveillance system.

COMMISSIONER EGGELETION: You might have a point there. I don't know whether the sheriff would even want this. And secondly, I don't

know whether or not the county has the authority to direct the Sheriff to do this under Florida Statute. I have no idea. I will tell you what the deal was, or what I was thinking about there, if you just want to know; I was thinking that if we were to allow the -- two things. One, I wanted to reduce the cost, because what staff had suggested first is that in order to do this we would have to have people to do it, which means that you have to pay for those persons. In order to pay for them, they wanted to charge you a licensing fee. I have never been a proponent -- and anyone that knows me -- I have never been a proponent of government regulation, so my deal was, I don't want to charge retailers a license fee for this. It's ludicrous; why do I want to do that? So the second thought was well who is going to ensure that these cameras are actually working. Well, I thought well let law enforcement do it, and you know, any fines that come as a result of them not working, that it go to a law enforcement trust fund maybe to pay for helping out the family of an officer who has been killed, or something like that, in the line of duty, or let it go into some law enforcement trust fund in the various municipalities. That was my thought. Now, whether that works, I don't know. It could be that we may have to wind up creating a licensing fee in order to pay for this. That's not my intent. But I think you all well know that at some point for your own safety, and your own protection against those various lawyers that we just talked about, there needs to be some sort of inspection of these cameras, or you need to be able to ensure to us in some way that the cameras work. I know when I was in the legislature and I was doing -- I was writing an Environmental Bill, and one of things I put in the Environment Bill was what we call, "Self-

inspection.” Meaning that if a company could certify to the state that they think did their environmental assessment themselves and can certify that to the state then they were exempt from certain types of regulations -- that was very controversial particularly among environmentalists who just didn’t trust companies, but nevertheless I wound up prevailing on the Bill at the end of the day. And the point I'm a trying to make here is, I have never been a pro-bureaucracy kind of person, and that is not what I want to create, is a lengthy bureaucracy. So that is sort of why I gave this to law enforcement and let them do the inspection. Let me hear from the attorney.

MS. SAGERHOLM: With reference to whether or not the county has authority to enforce Broward County to -- enforce this ordinance, they don't. They do have a provision in the Administrative Code that says that Broward County Sheriff, the Broward County Sheriff Deputies, and all other enforcement officers and persons shall have such powers to enforce County Ordinances. So it's the opposite. We could enter into a contract with them, and if they agreed to enforce this ordinance, or any of our ordinances, they have that authority. There is also a provision in the statute under the Sheriff's that states about the fact that they can execute all the orders of the County Commissioners towards the services they shall receive such compensation. So there's some other provisions there too. But we don't have the authority. It would have to be mutually agreed upon.

UNIDENTIFIED SPEAKER: You would have to pay them I guess. There would have to be an agreement.

MS. SAGERHOLM: There would still have to be some type of an agreement.

UNIDENTIFIED SPEAKER: Right. Have to pay the Sheriff or the cities to enforce this ordinance.

MS. SAGERHOLM: They would have to agree to it.

UNIDENTIFIED SPEAKER: So that's going to be important.

COMMISSIONER EGGELLETON: Yes. You know, if you do something it has to be -- did you have your hand up? Yes, ma'am Florida Retail Federation. State your name.

MS. PADGETT: Samantha Padgett with the Florida Retail Federation. You were speaking about the liability issue, and if I may address the Assistant County Attorney; is there existing precedent that would empower the county to provide this sort of needed protection that the commissioner referred to? Is there any sort of legal precedent that empowers the county to provide this sort of immunity or protection against liability that the commissioner was referring to?

MS. SAGERHOLM: I don't know. I would have to research that.

COMMISSIONER EGGELLETON: Yes, sir.

MR. LINBLADE: Dan Linblade from the Greater Fort Lauderdale Chamber. On this one, commissioner, I'm thinking that for newly developed properties, retail properties, probably before the CO is given or whatever, that code enforcement would be the mechanism to review it. So it may not be the

Sheriff. It may be county staff that goes out in the normal practice but just incorporate that into the Code.

COMMISSIONER EGGELETTION: This is on a going forward -- on a prospective basis?

MR. LINBLADE: Or the city, whatever, the city code enforcement group that goes to review the property.

UNIDENTIFIED SPEAKER: Who would pay the city to do that if it's not the city's code?

COMMISSIONER EGGELETTION: You're saying you want it on a prospective basis, meaning on new things that are coming in, not existing; is that right?

MR. LINBLADE: That would be an idea of how you would handle it on the newly constructed arena, perhaps. Just as an idea.

COMMISSIONER EGGELETTION: Any other concerns? Yes, sir.

MR. MILLER: Again, Freddie Miller with Wal-mart. Looking at this also, as you talked about, primarily you're looking for criminal type activity is what you're wanting to get off these videos, but we use our cameras not also in civil situations. That "pothole" isn't always there. I can't imagine -- I'm not a lawyer, but I deal with a lot of them, let me promise you. I can't imagine it being written in -- "it's okay for me to use it, but you don't get it." It would be very hard to imagine. The other concern I have, since I do have these cameras; those outdoor cameras go out frequently. Even today where not everybody has them, it takes me a while many times to get them. I have cameras out for three weeks, not

because I haven't done all that I can do. I'm not able to prepare them myself. With everybody having this camera system going, I hope we get a whole lot of new camera repair people in South Florida, because it really can be forever. And again, that can be a legal issue, because I'm not meeting Code. And when my camera is out and something happened in that parking lot, how can I determine that I did all I can do? I can see litigation out of that. It's very hard.

COMMISSIONER EGGELETION: Right. Again, that is repair time. And it could be that we might put in here, self-reporting mechanism where you just document, send a report for it, you have in your records somewhere that "camera x," went out on "x" day, and you send a repair order, and you're waiting on your repair people to come repair it. So if someone comes in and inspects your camera during that time, here it is in the record.

MR. FREIDMAN: Bernie Freidman with the Florida Retail Federation. But that doesn't really address the liability issue that you talked about. That only addresses the fact that the county can't cite you, and it goes back to what I think Samantha said. Is there any precedent -- which I believe there's not -- for the county to basically absolve people of liability, which I know is another whole issue that you don't want to get into --

COMMISSIONER EGGELETION: No. We're going to have to get into that.

MR. FRIEDMAN: I believe it creates a "Pandora's Box," not only for us, but quite honestly the county will be sued. In every one of these lawsuits I guarantee you, that the trial lawyers will definitely sue the county too, because it's

the County Ordinance, and it's county settings and standards, that you'll get hundreds of potential lawsuits also.

COMMISSIONER EGGELETION: And that is not my intent, and you know that.

MR. FRIEDMAN: I agree. It's definitely not your intent. It's the unintended consequence of something like that. And that is why maybe there is alternatives to cameras, and there's alternatives that we can talk about as we go forward.

COMMISSIONER EGGELETION: Right. And those are the types of things that we're going to discuss as we move forward to draft some ordinance. Yes, sir.

MR. ORTENZO: Al Ortenzo, Broward County Crime Commission. There is really no practical way to keep those videos out of the hands of the attorneys. Just simply from the standpoint of it being a public record; once you have a crime, you have a criminal investigation. So it's going to get there. The other point is the majority of the time the business is going to want it in, because the cameras are a legitimate security measure that you want to include in your defense. So you're going to necessarily want them to know that you have video and cameras, and that it worked. Even though it may not be a perfect system, capture every little detail, the fact that you have the cameras and the system is definitely in favor of the business. In my view it would go a long way to help protect the businesses from liability more so than the opposite.

MS. PADGETT: I would respectfully disagree.

COMMISSIONER EGGELETTION: Just wait a minute.

MR. ORTENZO: The other thing on the inspections that it probably would be a Code thing. But I will tell you from a practical standpoint on the Florida Convenience Store Act as it relates to the cameras in the convenience stores; most of the time it's law enforcement after there has been a robbery or an incident that notes whether there is a video in place. whether it's working, whether it meets the criteria of the point of sale and so forth. So a lot of that is done on ad hoc basis in reality. And that doesn't work bad, because those are usually the places that need the attention.

COMMISSIONER EGGELETTION: Well, let me ask you this. On that Act was there -- I probably have to go back and review the statute on this, and I have to admit, I have not -- on that Act is there a requirement in the Act to have the cameras inspected?

MR. ORTENZO: No. It just -- there are State Attorney General guidelines, training guidelines that actually deal with inspection, but there is nothing in the statute itself that dictates inspections. It just dictates point of sale, must be able to identify the individual.

MS. SAGERHOLM: Has a definition of the businesses, who operates them, and so forth.

COMMISSIONER EGGELETTION: That might go away then. You had a comment.

MS. PADGETT: I was going to respectfully disagree that that doesn't necessarily bring a business comfort, that having the camera absolves

them of liability. A lot of times it sets a baseline for liability that if you don't achieve that, or for some reason that you don't get notice of a camera being broken in a timely fashion, and yet it is still broken, it can actually be much more vulnerable.

MR. ORTENZO: I didn't mean to say it absolved. I wouldn't say that. I would just say that by and large from my experience having video surveillance cameras is a security measure in place to whatever degree helps more than hinders.

COMMISSIONER EGGELLETION: That is kind of what the gentleman from Wal-mart said. He said you want to use those cameras sometimes. And look, I'm very sensitive to that aspect. And I have expressed that throughout, that I'm very sensitive to that. How we resolve it, I don't know. But I'm quite sure we will get enough attorneys that will help us in some way mitigate any adverse harm that may result. Will it be 100 percent "bullet proof," I don't know. Would you all like me to call my very, very, good friend, and sometimes golfing partner, Lorenzo Williams, up at Willie Gary's (phonetic) firm; perhaps he can help. I don't think you want me to call him, because he's the guy that usually goes after you guys, so -- but he's a very good lawyer. Yes, sir.

MR. FISCHER: I was just going to comment. Andrew Fischer, Segwood Development. I think there is a "disconnect," between an unrealistic expectation of the general public when they see cameras, a sense of security from TV movies where they feel, you know, that these cameras will protect them, that anybody that is walking anywhere near a camera can be identified, and you

plug it into the computer and the satellite is watching, and they can show up at the criminal's house 20 minutes later. But for the criminal who doesn't watch CSI Miami, they do not take notice of the cameras, and if they're going to commit a crime -- I mean we have spoken -- a lot of people have found that they are not really a deterrent for the criminals. So it's perceived completely differently from the criminal's prospective and the consumer's prospective.

COMMISSIONER EGELLETON: I don't disagree that the criminal is going to commit crime. I don't care what you put there. I stated earlier; "locks, windows, and doors are only made to keep honest people out." A criminal is going to do what he has to do. With respect to creating a false sense of security, I don't have any empirical data that says that that isn't indeed a fact. It may be anecdotal, but I don't have any empirical data to suggest that that is indeed a fact. But I'm more than happy to take that under consideration, you know, in terms of a causal effect, you know, a lawsuit that may ensue. I can't imagine anything that we do, period, with almost any law in Florida. And I have sat in the legislature for a number of years and have written quite a few Bills in my day; some that became national models, but I can't view anything that we do that would totally absorb any business of any liability. It's very difficult to do, extremely difficult to do, but I will do my best with your help. We'll get to yes on this too.

MR. MASON: AIKI. I'm a private company. On this topic I saw something on a movie actually about Wal-mart last time on television, and Wal-Mart has a huge amount of data because they have so many stores. So they

obviously have had crimes because the number of stores is bound to happen. It seems to indicate where they have a lot of video surveillance at a lot of their stores, what seemed to be the factor that deterred criminal activity the most, was when they had a security officer driving around the parking lot in a golf cart, they got, in many cases, 100 percent effectiveness in terms of dropping the crime. And Wal-Mart has statistics on this. So this is scientific rather than hearsay. So I would suggest looking at that sort of evidence, and when you're looking at security issues it's quite possible that the security officer in a golf cart, or a police officer off duty patrolling (inaudible) -- which I know one of my student's used to do -- this is the kind of thing that has often had extremely excellent results. Another thing they mentioned on the program is they did catch the guy on security cameras. The family was very upset, but because nobody in the Wal-mart store was actually watching the cameras at the time, they don't stop the girl from being abducted and killed, and they were very upset about that, because Wal-mart had it on tape, on video. But they were still mad at Wal-mart because the girl got murdered. Where Wal-mart had put instead, put a security officer in a cart going around the premises during the hours when crimes were likely to be committed, they got in many cases 100 percent effectiveness in cutting the crime.

COMMISSIONER EGGELETTION: "Mr. Wal-mart," do you have that data? Good. I need to come and get that data.

MR. MILLER: If I may, yes, the security cart -- I vary that in South Florida according to where I'm at. Lauderdale Lakes I have undercover -- I have

police officers, two, just about all the time. Meanwhile in some other cities I may have just evening carts driving around, a security guy. You have to vary that, I believe, according to the community that you're in. And that is one of the concerns that I think I have with some of this is that in some places security cameras just isn't enough. In some places I don't know that I need to tear down the trees, put on brighter lighting, have the high megapixels, according to where I am. It kind of varies a little bit. The security guard does do well. Probably -- well a much better deterrent for crime -- is it better or worse for the apprehension, I don't have that information.

COMMISSIONER EGGELETION: I think you make a case for a tiered system, you know, if you have security -- a private security company, if you have sworn police officers, then you know, what other things do you need to go along with that? We don't know how the whole thing is going to come out, but we know we're going to come out with something. But you know, this is the kind of information we need to help us write something that we think that everybody here could live with. And it's good information.

MR. MILLER: One last thing, Commissioner Eggeletion, one issue on the litigation, which really concerns me.

COMMISSIONER EGGELETION: Really concerns me too.

MR. MILLER: Because neither one of us wants this to turn into litigation. What can be proven in court is only a secondary issue. What can be taken to court is what concerns me, is I have to hire attorneys also. That expense is getting outrageous. Even in what you might call frivolous cases, I still have to

pay these lawyers, and so do a lot of small businesses out there, which I can't even imagine how they afford that piece of it. Looking at it now that I'm concerned with, once you put it into ordinance that becomes, I believe, what most attorneys would tell me, is the minimum requirements. And if I'm missing a part of that I will go to court. I might win. I might win and say, those trees had to be there, that is why you didn't see it. I might win, but after I pay that law firm I don't feel like I won. The litigation part -- and certainly I'm not capable of helping you with how to draw that up -- but it's a big concern.

COMMISSIONER EGGELETION: You have a lot lawyers. I see Mr. McKey (phonetic) over there, he's one of your attorney's.

MR. MILLER: I have them all over the place.

COMMISSIONER EGGELETION: I know you do. We have a lot of lawyers here, and I have a lot of friends that are lawyers, who will come up with something. I understand about the frivolous lawsuits. I have had to pay a lot of money on frivolous lawsuits personally, so I understand exactly how that works, and they are not cheap 3, 4, \$500.00 an hour. They don't come cheap. Anyone else on these lines? Because I want to try get through the rest of this today. That was line 7 through 13 on page 4. I don't think anybody had anything on page 5, because everything was crossed out. We're going to go to page 6 and that will leave us with one other page. Page 6. I think persons on page 6 had some concerns with lines 8 through to 24. Yes, sir.

MR. MARIANO: Again, sort of a process kind of observation, and curiosity more than anything else. Ron Mariano. The ordinance is in place,

we're going to go install cameras at our shopping centers; how do we stay in compliance more than dealing with the issues of non-compliance, who do we make application to, who approves design, what is your vision for how that process carries through from the day the ordinance is in place to the day the cameras are installed and we're executing the intent of the ordinance? Who does all this? Are there licenses design professionals required? It sounds like there is going to be a performance specification issued. What's the vision?

COMMISSIONER EGGELETION: That is a very good question. And it's something that I've been thinking about, and that is where I need your help on this part. In fact the entire ordinance, I'm going to need your help. But those are good questions. To be very honest with you, as I pointed out, it's very clear to me after having checked to see what is the capacity of the industry to supply these, that this may take a while to implement. That's number one. Number two, once you get it installed and get it up and running who comes back to re-inspect -- I think we just had some dialogue here today about that. So it's something that I think we have to think about, particularly given the fact that I just heard data or information from the statutes on the Convenience Store Act; there is no requirement of inspection. So you know, the question comes to my mind, should there be a requirement here. I mean, there is a whole lot in here that has to be flushed out and perhaps maybe this and the legal things, we may have to get a subcommittee as the lady pointed out, a legal committee to deal with the legal aspect, and then this portion to deal with the actual implementation. I think that is the "meat," of your question. You know, once you get it implemented who

does the inspection, what are going to be the requirements for the type, size, and that sort of thing of cameras in place.

MR. MARIANO: It's sort of the spider web that it creates; are you going for site plan modifications? Because now you have to increase your lighting, you have to have poles for cameras. It goes on and on.

COMMISSIONER EGGELETION: It really does. And I hear you. And it's an area that I think we really have to work on for sure. Because that's really the "nuts and bolts," I think of what a lot of this -- a lot of what your real unreadiness is in terms of what will you have to do to come into compliance, how costly will it be, is there anything that now would require you to bring your entire property into -- particularly existing properties -- into a new type of code that a city may have passed, that you would not have had to do had this not been there. All these things I'm thinking about. I really am. And I'm going to work with the League of Cities and others to try to mitigate your concerns, and to also take under consideration what they may or may not be requiring in this area. I don't have any answers for you right now, but I'm "wide open" for suggestions. I really am. I just don't have any answers. Yes, sir.

MR. LINBLADE: Dan Linblade with the Chamber of Commerce. Ten days I think is a little tight.

COMMISSIONER EGGELETION: It is.

MR. LINBLADE: I would like to see 30, 60, 90, whatever the number is. I think ten days is ridiculous. The other thing is, is there any thought for language in here, commissioner, for acts of God so that if a hurricane comes

through and everything is “thrown to hell in a hand basket,” that we’re not going to cite businesses for non-compliance?

COMMISSIONER EGGELETION: Okay. Those are the types of suggestions I'm looking for. Yes, sir.

MR. MILLER: One last thing, commissioner, also. I think any amount of days is very difficult to put a day on this thing. Again, depending on what is wrong, why it went wrong, electrical strike, it can mean electricians, you can get into permitting again; because any time you do electrical work in most of the cities it requires like that. I think the timeline piece -- I couldn't say 90 days, because there are cases now I can't get (inaudible) in 90days. Not usually. It's the exception. I can't even get down to 90 days today. Maybe a timely manner. I don't know how to say that, but I would be very concerned with getting \$500 fine and looking as though I'm not in compliance for what I'm not capable of fixing.

COMMISSIONER EGGELETION: I hear what you are saying, but I think you have to have some sort of data.

MS. SAGERHOLM: Your suggestion of making reasonable efforts to be in compliance. Something to that effect.

COMMISSIONER EGGELETION: Right. See, there is a whole lot of things that may go into that. For instance, you have a hurricane like they just had in Texas, and let's say one store comes back online long before others because they had a lot of -- their building was more hurricane tolerant than others, but yet and still because there is so much work in that area you can't get their -- these cameras going -- do you hold that business and start sticking fines

to them because of that. So yeah, you have to take those things under consideration. And then in those instances, you know, you go in and you say, well, what did you do to come into compliance, did you call a company to fix it, did you have a maintenance agreement with any company, did you -- all these other sorts of things. You have to look at that. So what we will do there, probably in the definition section on the ordinance, we'll probably define some of that stuff in there. But believe me, I believe in an end date. It's just like a child, if you don't set up, if you don't tell them the consequences of the action, they have no limit, so there has to be some consequences of non-action here, and I think it's yet to be defined, but I think you all will help me based on the experience that all of you have had. And I know a lot of you large shopping centers -- you're not going to admit it, but a lot of you all have cameras in your parking lots already. That I do know, because I ride by and I see them. Do you want further intrusion by government, most of you don't. Some of you don't care one way or the other, you just don't want to be hit with a big expense. But the fact is what we're trying to do is provide for some means of public safety and that is the overall thing here; how do we provide for some means of public safety without being so intrusive, without it be so costly, without it leading to unintended consequences; how do we do that, and I know you all will get to us yes on that. Period.

MS. SAGERHOLM: I would just like to add in that section there is a provision, and that the second sentence, the intent there was it willfully and deliberately violates. So we do have that provision in the ordinance right now as it's drafted. So it needs to be further defined, but there is that provision in there.

COMMISSIONER EGGELETTION: Yeah. Because we have to define "willfully." You know, how do you define "willfully and deliberately"?

MS. SAGERHOLM: Well, there's that case law.

COMMISSIONER EGGELETTION: I understand. Lawyers are going to help me get there. See what I'm saying, they already are coming to my rescue on that. Whatever the civil penalty will be, we don't even know yet, it might not be \$500.00, it might be \$10.00, \$5.00, I don't know. It might be \$1,000.00, I don't know what it's going to be. What I'm a trying to do is not get into a lot of regulation, and the reason why you see \$500.00 here, because if you hit a person real hard "out the gate," then you don't have to worry about a lot of regulation, because they know, wow, if I don't do this I will get hit with this big fine. And so they are more apt to respond. It's kind of like your kid. I used to tell me son or daughter they had to be home by 11 o'clock. I didn't want their hands on the doorknob, but I wanted them in the house at 11 o'clock. And if that didn't happen, you know, they would go into the den and they would see this consequence sheet on the wall. So they knew what the consequences were; and that they were strict and they were very severe for those violations; so therefore, I never had them. You know, they complied, because they didn't want -- the consequences were so severe on the first one, they really didn't want to get to the second one. Try it. It works with your kids. I'm trying it on a new dog now, and I don't know how that is going to work. That was the intent of putting \$500.00 there, because I don't want a lot of regulation. I don't. If people know me, they will tell you, I don't favor a lot regulation. That is not my style. But we

have to have some way of ensuring that you do comply. And we felt -- at least I felt, well, if you put a steep number up there most people comply right at the "gate," because they don't want to pay that steep number. And I don't have to have compliant folk out there, that then we have to charge you in some way that you have to then charge your tenants in some way, or you have to pay in some way, or something that I don't think we need. Because we're all adults, and I think you're responsible companies. I think everybody here is a responsible business owner, and we just want you to behave responsibly. That's all. It's real simple. It's not anything -- anybody, any questions? If there are no questions, and this is the end, we can get down to some actual language drafting. Yes, sir.

MR. POWELL: Bill Powell with Konover South. Commissioner, nowhere in the ordinance did I read a situation that we're going to be coming up with in 2009, and that is a shared parking lot with a governmental entity; and we will have a recorded cross easement; we know for a fact that probably the people coming to the government building are going to fill up our parking lot first, it's most convenient, it's in the front, government parking is in the back. At what point do we have to almost video surveillance their parking lot too? Because if our parking lot is full and we have our customers parking in the lot that is not under video surveillance, and something happens over there, you know where the attorneys are coming. It's just not something I see anywhere, and I would like it on record.

COMMISSIONER EGGELLETION: You're going to have a parking lot with us?

MR. POWELL: City of Lauderhill.

COMMISSIONER EGGELETION: City of Lauderhill. That is different. That is local municipal government.

MR. POWELL: That's Broward County.

COMMISSIONER EGGELETION: That is municipal government. That is something I'm going to sit and work with the League of Cities on. We have -- or we were contemplating on having a garage shared at one point. I think we "nicked" the idea, but we do have parking garages. And I notice if you were to go to a lot of our parks now you're starting to see video surveillance cameras, not just in West Hollywood, but everywhere, and around our government buildings there. I can't tell you. They are popping up, they really are.

MR. POWELL: As of yesterday the city told me there is no plans to put any video surveillance in the parking garage. So that is why I wanted to bring it up to you.

COMMISSIONER EGGELETION: You may have a new city commission over there soon pretty soon, so -- if I have anything to do with it, you will certainly have one different one. But that is an interesting question. You know, on these public, private partnerships, how do you deal with the public part of it? And I don't think that government should be exempt from anything, personally, including Broward County.

MR. POWELL: Then let's include them in this too.

COMMISSIONER EGGELETION: Right. Including Broward County.

MR. POWELL: Thank you.

COMMISSIONER EGGELETION: I think we should play by the same rules, personally. That is my own personal view. My colleagues may feel differently. It will be written that way, probably, Bernie. Yes.

UNIDENTIFIED SPEAKER: Commissioner, thank you. Speaking -- I just wanted to add, before you guys start working on your comments, I am a Broward County resident, and I own three shopping centers. And when I purchased those shopping centers I did so responsibly by pulling up the crime reports to see the markets in the neighborhoods that I was buying shopping centers in; one is in Pembroke Pines, one is in Weston, and one is in Davie. Additionally, as I rent to tenants, they continually ask me what kind of -- has there be any crimes or any problems in the shopping centers before they come and rent from me. And I invite them to pull the crime reports. So speaking from a responsible Broward County resident who purchased three shopping centers, I'm not like the larger firms here. I'm a small Broward County resident. This type of cost will "kill not only me," these frivolous lawsuits will put me under and it will affect my small tenants who are -- small businesses that are already being severely affected by everything else that is going on in our economy today. And I just -- the "grandfathering" in part of this, is so important to us, because again, these are shopping centers that have been around forever. And I just wanted you guys to be thinking about this as far as the small owner of properties, and the small tenants. Thank you.

COMMISSIONER EGGELETTION: Thank you. Those comments are well taken. If this passes, by the way, this is going to affect a property that my family owns. So I just want you to know that. So I have them "in my ear," too. Any other comment on page 6, lines 8 through to 24; before we go to page 7? Okay. Let's move to page 7, lines 1 through 12. A person said that they had some problems with that. This is the enforcement of the ordinance. Yes, ma'am.

MS. PADGETT: Samantha Hunter (phonetic) Padgett with Florida Retail Federation. I would assert to the commissioner that this is possibly not the best use of our law enforcement time, and resources. That as other people have commented, that our law enforcement officers are best used not as camera inspectors, but as law enforcement officers, and that they need to be out in communities, and that is where people need to see them, and that is where they are most effective. And to relegate them to a regulatory role is not using them for the good that they can do in the community

COMMISSIONER EGGELETTION: I hear you. Let me just remind you that inside of BSO they have a code enforcement section, and certain contracts with certain cities, they have code enforcement officers that go out and do inspect and do code enforcement for municipalities, under contract with those municipalities. So it's possible. City of Lauderdale Lakes has one, as you well know, so it's possible, but we will see. And I don't disagree. But we have to start somewhere. It could be that this comes out of there. Okay. Yes, sir.

MR. OSBOURN: Tim Osbourn with Beall's. One of the problems that I have with this subsection is in the enforcement; what would qualify someone to inspect the systems? Just an example -- I don't know for sure -- but there are hundreds of platforms that these systems operate on, the digital systems, anyway, and they are all very different. Some are like operating a VCR, and some are very complex to operate and to inspect, and that would be a concern of mine. How would you establish the qualifications for an inspector?

COMMISSIONER EGGELETION: Okay. That's a good question. I don't know. That's a good, good, solid question, and something that we have to think about it, how do we write it. Let me just repeat your concern. Your concern is, what would be the qualifications for the inspector of the systems; is that right? Okay. I just want to get that. Yes, sir.

MR. CORNES: Just to add feedback on what happened in Baltimore County. The exact issue came up. The law enforcement community used (inaudible) couldn't touch it with a "ten-foot pole," because their thought was, we are not the experts that can determine whether this meets the ordinance or not, so the solution they came up with up there wasn't ideal either. They had architects and civil engineers have to inspect and stamp drawings, but that didn't really work very well either.

COMMISSIONER EGGELETION: What finally wound up working?

MR. CORNES: Nothing. They had architects and engineers with no security experience, go out and survey. They draw up plans. The ordinance

in Baltimore had a 75 percent coverage requirement. So what ended up being the (inaudible) that was a work (inaudible) to see if the system was -- had cameras on the screen -- and they took protractors, and drew angles on drawings, and said (inaudible) that is what they did there. But I don't think that was the intended purpose of the ordinance.

COMMISSIONER EGGELLETON: But it's working there, because they have them.

UNIDENTIFIED SPEAKE: Baltimore is paying for it.

MR. CORNES: Baltimore had a grant for it. Baltimore had a grant program. Baltimore County had a grant program subsidized up to I think \$50,000 worth of cost per site.

MR. FISCHER: For the inspection, where something should be considered, where would the inspectors go; in our case it's done -- the actual shopping center is not -- maybe where the DVR is -- but it's not where it would be viewed to be inspected, so I don't know where the inspector would know. I guess they would have to look for the home offices and coordinate if the person happened to be there to show them how to do DVR play back. I mean, I think there has to be consideration, that they know where to go to inspect the system, because in -- I don't know how much cases it would be, that it's not the actual shopping center.

COMMISSIONER EGGELLETON: That is correct I had one vendor that came to me that does video surveillance for retailers, and it's not in the retail center, the actual playback is not there, it's located at a particular site,

actually in another town. And they have people there that's monitoring that, or it has an alarm on the system that when something happens -- I forgot the terminology that he used -- I think it's a physical -- what is it called?

MR. ORTENZO: Interactive. It's where they audibly talk to the people out in the parking lot through the system.

COMMISSIONER EGGELETION: Not only that, the system was trained for certain actions of a person. I don't know the terminology that they use. That if the cameras sees it, it automatically sounds an alarm on the other end, and the person that is sitting there automatically clues in on that screen. I know the U.S. Defense Department uses some of those as well.

MR. ORTENZO: There is two things; monitoring and there is the recording. Actually it's recommended that you record off site, and we always recommend that you actually put that -- if you have a sign, which is important for deterrents -- if you're going to use it as a deterrent, have it very visible, have signs, put people on notice their image has been captured. But to put off there, off site, so that they don't feel like they go into a business and destroy the video or forget the video. But a monitor, where someone can see what is going on, you really don't want to have a business without a monitor, because you -- if somebody is working in the business, and they have trouble in the parking lot, and people hanging out; they can be able to see that and call the police. So the monitoring -- it's always important to have a monitor somewhere available, not necessarily have somebody sit there and watch it all the time, but the recording is another issue and that should be off site.

COMMISSIONER EGGELETON: That's a good point. But we don't know how that is going to work. Let's go to page 8, lines 3 through 16. This is the last page. We have 9. I'm sorry. But 9 is – these were the penalties. We talked a little bit about that earlier. Anybody have any concerns about these penalties? Then let's go to page 9, which is the last page, the effective date. We don't know when that is going to be, but it will be. If that is it --

MS. RUSSELL: There is one thing that I found very interesting in your opening statement. "Overwhelming majority." Where did you get your overwhelming majority; was it through a petition? Ad Hoc Committee?

COMMISSIONER EGGELETON: What I said is I believed that an overwhelming majority of the residents of this county will support this.

MS. RUSSELL: And don't we need to put it to the vote, or take a vote?

COMMISSIONER EGGELETON: I don't think that the county has a habit of putting every ordinance to a vote of its citizens. It would just actually slow government to a "snail's pace," and you would never get anything done if the voters had to vote up every single ordinance that we do. We do ordinances all of the time. So I think that if you were to do a poll, the Retail Federation were to do a poll, since they represent most of you, I think the poll would come back with an overwhelming majority of the voters supporting this.

UNIDENTIFIED SPEAKER: You think they would still overwhelmingly support it if they found out that the small business owner has to ultimately pay for this? Pass it on to the consumers?

COMMISSIONER EGGELETION: I think they would. I think that question may have even been polled, believe it or not. Would you believe that that question may have already been polled?

MS. GEMAYEL: We're in a very difficulty economy. These small businesses are having trouble paying for their rent. I think most shopping owners here can attest to that. It's terrible timing. It really is.

COMMISSIONER EGGELETION: I understand that. As I pointed out, it could be that some parts of this that need to become effective, depending on the size of your business for two to three years. Could be, you know. But we don't know. And again, I hear what you are saying, but I also realize that there are some of you that don't want this period. But I'm just telling you, you're going to get something; whether or not the county votes it up or down is a different story. So your fight really isn't with me. I'm just telling you, I'm going to try to write something for the Board to consider. The Board has a choice of voting that up or down.

COMMISSIONER EGGELETION: Yes, ma'am.

MS. RUSSELL: I would like to give you my prospective. I'm at 1010 through 1031 North Federal Highway where Wolf Camera is.

COMMISSIONER EGGELETION: I know where that is.

MS. RUSSELL: It's considered to be in the U.S.1 Urban Design Plan.

COMMISSIONER EGGELETION: Yes, ma'am.

MS. RUSSELL: It will take 110 feet from the frontage of my property, which my property is pie-shaped.

COMMISSIONER EGGELLETON: I know. You are kind of on that corner where it turns.

MS. RUSSELL: I will be the -- mass square footage -- I will reduce from the existing zoning now to the zoning that would prevail through this Urban Design Plan, is from -- reduces my mass from 637,000 to 300 and twenty-something some odd thousand. Reduce it ridiculous. And then now you're going to propose something like this, the county. I mean it's overwhelming. And when I'm looking for an overwhelming vote of the public because of how we're neglecting the public because of our facility, it is only a consideration that should be well looked at when my mass has been reduced; therefore, buying it in the -- '03 is when I bought it, which is high market. 4 million something cash has reduced my property value significantly, the loss of mass.

COMMISSIONER EGGELLETON: Let me ask you a question. You said in the urban what now?

MS. RUSSELL: The U.S.1 Urban Design Plan where they're changing the criteria of the zoning. The city.

COMMISSIONER EGGELLETON: City of Fort Lauderdale?

MS. RUSSELL: City of Fort Lauderdale.

COMMISSIONER EGGELLETON: Did they take that to a vote?

MS. RUSSELL: It's been approved.

COMMISSIONER EGGELLETON: I mean of the residents.

MS. RUSSELL: No, they have not.

COMMISSIONER EGGELETION: I think you make my point.

MS. RUSSELL: The change of the ULDR's. You're absolutely right. That is why it's very upsetting that we don't have some of these things that are approved, and we have petitions that get 70 percent of the majority of surrounding them, the area. It's overwhelming.

COMMISSIONER EGGELETION: Let's me say this. If I understand your concern, your concern is, will the ordinance then take under consideration any comprehensive plans that are proposed, or have been passed by local government with respect to size of property, et cetera, et cetera; is that correct?

MR. FRIEDMAN: She's talking about a hardship.

COMMISSIONER EGGELETION: I understand what she's talking about. But the hardship is created not by the county, but by the City of Fort Lauderdale by taking a part of her property.

MR. FRIEDMAN: It's a general economic hardship due to the economy over the next three to five years.

COMMISSIONER EGGELETION: Bernie, I understand that. The point I'm trying to make, at least what I hear her saying, and that is why I'm asking her, you know, so I know what she's saying. If I understand you correctly your concern that the --

MS. RUSSELL: Added hardship.

COMMISSIONER EGGELETION: -- that the property that is being taken by the City of Fort Lauderdale in this Urban U.S. 1 zone, reduces the size of your property, and therefore creates a hardship financially on yourself, correct?

MS. RUSSELL: An additional hardship.

COMMISSIONER EGGELETION: An additional hardship on yourself. And therefore if I were now to require cameras because the city took a part of your property, it would just be an added burden to you; is that correct?

MS. RUSSELL: That is -- one could consider it that way if you want to go like this.

COMMISSIONER EGGELETION: I'm just asking you.

MS. RUSSELL: Yes. It is the other guy, and the other guy will say, it's the other guy.

COMMISSIONER EGGELETION: I'm not saying anybody. I'm just trying to understand you, ma'am, so I can take your concern --

MS. RUSSELL: Yes. The city in this particular instance is taking -- putting a hardship on small business, and then it's an additional burden with the county if this ordinance is approved and goes through.

COMMISSIONER EGGELETION: Got it. Now I understand your concern. Okay. Let me just tell you -- yes, sir.

MR. MASON: Sorry, commissioner. I was going to go on to stress something on Page 9.

COMMISSIONER EGGELETION: Yes, sir.

MR. MASON: I was looking at lines 13 to 15, the purpose. And I was really going to in some ways come back to you, but also go onto – the lady that has the three -- my name is Robert Mason by the way. AIKI, private business. The lady that has the three shopping centers that came up and spoke previously, she mentioned crime statistics that she looked at in relation to her shopping centers. We know that -- we talked about earlier -- that Wal-mart has evidence and statistics from their shopping centers, and we discussed at the previous meeting the idea of looking at statistics for incidents of crime at shopping centers. And my suggestion; therefore, in relation to lines 13 to 15 is that in looking at this entire idea, we look for actual statistics to support evidence that there is actual crime in particular places before mandating -- they put in specific equipment that would be, maybe very expensive. In other words, why bother putting in thousands of dollars worth of equipment and taking all of these additional security measures at a shopping center where there has never been any crime at all, and it's quite possible, as pointed out earlier, some shopping centers where crimes occur quite frequently, won't be covered by this particular law anyway, because they don't fall under the criteria, the shopping center, under the definition. So I wanted to address that, and also the findings at the very beginning, that many retail establishment parking areas that are at risk for robberies and other crimes. Again, I would really like to know statistically what information you can give us that would support that statement, because I would rather hear statistics than hearsay.

COMMISSIONER EGGELETION: Okay. You got it. That gets back to your point. Now we can discuss your point. Yes, sir.

MR. LINBLDADE: Dan Linblade from the Chamber. Commissioner, one of the areas that I think isn't in here that you need to address, although you probably wouldn't want to, deals with incentives. And this, as you know, is an unfunded mandate, and you know how I feel about unfunded mandates, and I heard you talk about unfunded mandates for years; so I think their needs -- if you want this thing to not have the full weight of the business community to come down on you, or to come out and really raise hell, I would say you need to offer some incentives in it, whether it's for occupational licenses, or property taxes, or whatever, put a carat out there to get them to implement this, and learn from what happened up in Baltimore, and for some of the other places that have instituted this. The only way to make it really successful and have "ramp up time," much shorter, is when they incentivize it. Now, where you come up with the money, I don't know. We know we're looking at really tough budgets coming up for the next couple of cycles.

COMMISSIONER EGGELETION: Yeah. Good point. Let me get to the two gentlemen here that wanted to discuss their purpose. Yes, sir. Now is the time to do that.

MR. SAIA: Thank you. Fran Saia with Bergeron Properties. I really just wanted to hear from the task force, and the many members and experts that we have here, to discuss the purpose that you have in mind for this, and what goals you want to achieve by having this ordinance passed. I'm not

sure it's going to work based on the way your purpose is written. I still personally feel that putting more officers on the road will deter more crime than any video camera will ever do. We own a number of facilities; some have cameras, and in the last ten years every time we have had a break-in where we caught the person, description of the car, description of the person, handed the videotape over to the police department, it's never resulted in an arrest.

COMMISSIONER EGELLETON: Yes, sir. The gentleman next to you wants to talk about the same thing.

MR. FISCHER: Well, it just -- and I didn't mean to speak out of turn in the beginning. Andrew Fischer. Because the purpose that is listed here says -- lists it as a deterrent. And I think you're -- correct me if I'm wrong -- your goal is really to provide an additional tool for law enforcement, which are two different things. So I would like to clarify what is the real purpose and if it is the latter, which is simply providing a tool for law enforcement, I want to go on record saying that I don't think this is the right tool. I think there are other tools that could be explored, and I find an hourly security guard patrolling the same property would be more effective than a camera system, which from some expert testimony that we have heard and previously, would be so expensive to achieve the goal and the tool that you're looking for. That kind of results would be cost prohibitive, that would take a center -- the woman who spoke before that is just getting by, and turning what is already a safe center, but a struggling center, into a dark center where tenants can't survive. And now you've created a situation

where that is a breeding ground for criminal activity where there wasn't even a problem before.

MS. RUSSELL: By blight.

COMMISSIONER EGGELETION: Those are good comments.

Let me ask you something. You're with?

MR. FISCHER: Segwood Development.

COMMISSIONER EGGELETION: And you all build?

MR. FISCHER: Retail shopping centers. Manage them.

COMMISSIONER EGGELETION: You manage them as well?

MR. FISCHER: Yes.

COMMISSIONER EGGELETION: Do you all have security guards?

MR. FISCHER: We have security guards, and at some properties security cameras, but not all. And the ones that we do have, certainly would not meet this ordinance as its written criteria. So where we have centers in locations that crime is an issue, we have cameras; and I assume it would be "grandfathered," in because replacing them would be practically impossible. So it wouldn't affect those and then where the centers where we don't have them we don't necessarily need them. There has never been any crime there for 20 years or more.

COMMISSIONER EGGELETION: I wondered if the young lady who lost her life and her daughter's life in Boca Raton at that mall feels the same way.

MR. FISCHER: Well, I mean everybody is sympathetic to that. Everybody is sympathetic, and everyone is pro-public safety. I just think the issue is mandating a tool like this is not the best solution. I mean, you know.

COMMISSIONER EGGELETTION: It may or may not, and I think the Board will vote this up or down one way or the other. The only thing I'm saying is, when that lady's relative came into my office, and I saw the hurt on her face and the tears streaming down her face, when I look at Chris Reyka's widow, and I look at his children, I see something different.

MR. FISCHER: No. I agree.

COMMISSIONER EGGELETTION: There was no crime in those areas either, but these are people that lost their lives'. How much did that cost them, and their families?

MR. FISCHER: I agree. And I'm not equating somebody's life with a dollar figure.

COMMISSIONER EGGELETTION: I understand.

MR. FISCHER: I'm just saying the "knee-jerk" reaction is if there had been a camera would it have stopped the crime?

COMMISSIONER EGGELETTION: I don't think it would have, but it at least would have given the family the opportunity to see who committed the crime, and it would have given law enforcement a tool to resolve it. And I think that is what families look for, is closure. And that is all I'm a looking for is a public safety tool. And I think when you are a victim, and your family is a victim, you look for every tool possible to help you know who committed this crime and why.

And that is the pain that I feel. I had a good friend of mine who was a member of the House, recently elected two years ago in Jacksonville, and yesterday he just got robbed at gun point in a place he never thought he would be robbed. At gun point. A person pulled a gun on him and robbed he and his finance' literally. I mean, crime can happen anywhere. And like I said, locks, windows, and doors, and whatnot, are only made to keep honest people out. Crime can occur anywhere. I'm not saying that -- and I've bent over backwards to try to let you know that I'm not here to "break the bank." That's not my goal. And it could very well be a tiered approach at the end of the day if you help me write this in a way that helps satisfies some of the concerns that you have. I will tell you -- I didn't write this language -- but I will tell you that my concern is giving law enforcement a tool to help them resolve some of the crimes that occur. Will these surveillance cameras stop crime, I don't think they will, but I don't think that Wal-mart will tell you that, and I go to their stores and I shop at several of their stores in several locations. I was recently at the one off of -- what is it -- Hillsboro Boulevard, beautiful store, but you see in their parking lot a big sign in red, with red and black letters, red, white, and black letters all over it; these premises are under video surveillance. I mean, it's there where everybody can see it. I see it when I drive in the parking lot. But that is not going to stop the person from committing crimes. You can have 30 law enforcement officers around and sometimes people will commit crime. What I'm interested in here is, when they commit it, let's catch them and put them in jail. Let's give our law enforcement officials an opportunity and a tool to put these bad persons in jail and get them off the street.

They're committing heinous crimes against innocent people. I will tell you, and I'm dead serious about it; it shook my foundation, literally, to know how Officer Reyka was murdered, and I will do everything I can to make sure that in the future that that occurs, that we can find who committed his murder. I will do everything I can. You may not like it, you may hate my guts for it, you may do anything you want to do, but I want to make sure that in the future, that if that sort of thing happened again that I have some knowledge, or will have his family, or whomever's family, will have some knowledge of who committed that crime, and we can go and lock that person up. Same thing happened for the woman and her daughter who was raped and murdered in a parking lot in an area where people never thought a crime would occur. Who would of thought a crime would occur? Who would of thought a crime would occur in that mall? But it can occur anywhere. I hear what you are saying. What I'm asking you to do is to work with me, and let's create something to make our neighborhoods a better place to live where people can feel a little safer, and people will know if a crime is being committed here -- perhaps, not all the time, because if we create a tiered system, it may not always be on video tape, but at least they will know that they're going to a place where they will feel a little more secure and safe.

MR. FISCHER: For the record, I just suggesting that this tool would satisfy the victim, or the victim's family, is simply not practical. And if you said to them -- you know -- if this was in place would you be able to identify a person that committed a crime and the answer is no. Unless they're in exactly the right spot, at exactly the right angle.

COMMISSIONER EGGELLETION: Could be. And you may be right. And I respect your opinion, I really do. But I will tell you, that border patrol officer who lost his life, thank God that Wal-mart had video surveillance cameras up that gave law enforcement the tools necessary to catch that guy and arrest him. At least his family will have closure. The young lady, and her daughter, and her family, won't have that closure. And right. We don't have that with Chris Reyka's family. We don't.

MS. PADGETT: Commissioner, if I may?

COMMISSIONER EGGELLETION: Yes.

MS. PADGETT: I don't think anybody would ever hate your guts for trying to provide a stable community for your constituents in Broward County. I think we want the same thing for our customers. We had the pleasure of speaking with and Inspector Nevel (phonetic) from the United Kingdom, who has a great deal of experience; they have one of the most extensive closed circuit television systems. And they started out with what this proposal started out with, was doing just broad based cameras all over, 24 hours a day, all the time. And they found there was not one bit of difference. It didn't reduce crime, it didn't help them to solve the crimes, because they weren't going at it strategically. When they developed systems, and when all the local police departments had teams dedicated to reviewing those images, calling out the usable images, and developing a strategic system to communicate between those departments, and also to the media, even social networking sites, and developed a way to use those images extensively; then they started to see a 20 percent increase in

catching and convicting those who committed rapes and robberies. But they had a strategic system in place. I think what we would advocate is a careful consideration, a crime analysis program that looks at the crime, looks at how we use these, how we can have public and private partnerships. So many of the businesses -- I think everybody here is proud of the relationships that they have with law enforcement. They want to cooperate, they want to see the communities, but they want to make sure that that money isn't just being "thrown to the wind," or "thrown in the garbage," that it is being used to develop a system that is needed, that is necessary, that is consistent, and it makes good use of the limited resources that we all have in these economic times. I don't think -- as I said, no one would ever hate your guts for wanting to make your constituents safer. I think that is what we all want. We want to make sure that the systems that we're putting in place are actually going to do that, so that we can look at those citizens, both as corporate citizens and as commissioners, and as individuals, and say we're doing something that will make an appreciable difference, that will actually make Broward safer. If we don't take a broad based consideration, and comprehensive consideration of what the situation is in Broward County, in both public and private spaces, we're doing a disservice to Broward County.

COMMISSIONER EGGELETON: Good point. Go ahead, sir.

MR. RADONSKI: Brian Radonksi, the Festival Flea Market Mall. I would like to add what this lady said. I had a conference call with Cynthia Friedman (phonetic) with the deputy chief inspector; his name is Nick Nevel from

Scotland Yard. They have 4,000,200 cameras, and that's one camera for every 14 people. Their crime rate, which was solved by these cameras, is three percent. Just like the lady said, if you don't have the proper training from the law enforcement working with the individual businesses it's a total fiasco, it's a total waste of money.

COMMISSIONER EGGELETTION: Good point. Yes, ma'am.

MS. GEMAYEL: Commissioner, I agree with you, crime can happen anywhere. We all want to make Broward County safe. I have been in Broward County for many years; I have children that I've raised in this county; so I obviously have a stake in my community. If public safety is a concern, why are we just imposing the ordinance on retail establishments? Why isn't this a consideration for every private, public school in the county, government buildings, office buildings, structured parking garages? Why just retail establishments? Crime does happen everywhere. And perhaps we need to target those areas where crimes occur more frequently, not just a "blanket," security ordinance applying only to retail establishments.

COMMISSIONER EGGELETTION: Good point. Did you have your hand up?

UNIDENTIFIED SPEAKER: I think everything I intended to say has been said.

COMMISSIONER EGGELETTION: Yes, ma'am.

MS. RUSSELL: I sent to you an analysis on victims in public places.

COMMISSIONER EGGELETTION: I got it.

MS. RUSSELL: And you got it.

COMMISSIONER EGGELETTION: Yes, ma'am.

MS. RUSSELL: And it showed seven percent for parking lots, and it went to schools at 11 to 15 percent, and then other areas up to -- the home was the highest, the home area was the highest. But it seemed like your public parking lots was not one of the highest areas. Schools was one of the highest.

UNIDENTIFIED SPEAKER: Commissioner, I want to offer this article from the mail. I don't know if you saw it. Basically, this is Scotland -- head of security surveillance for Scotland Yard saying that it was a waste of money, and they should have spent the money on officers.

COMMISSIONER EGGELETTION: I don't think they were saying that when they caught those bombers by use of video surveillance though, that blew up the "tube," over there.

UNIDENTIFIED SPEAKER: Well, he said it right there in the article. They have 10,000 in London and it was a waste of money.

COMMISSIONER EGGELETTION: Got it. Thank you, sir. Yes, sir.

MR. ORTENZO: I will tell you there is a lot of legitimate concerns here, and I do think there needs to be a lot of refinement and a lot consideration for all these issues, however, just very quickly on the issue of parking lots; they are the most dangerous commercial place in America. The Department of Justice's master study on parking facilities in lots, in 1996 established that, and that has been reinforced in every study since. All night retail establishments just

between the hours of midnight and 6:00 a.m., represent 26 percent of robberies in 2005. So there are a couple of very hot, hot, spots to focus on without getting too broad, without going overboard. The only other thing I would say, commissioner, if you would allow me, on the deterrent prevention thing, if we were sitting here as a county, as county organizations that represent Broward County as a whole, and the safety of the public, we would not exactly have the same interest as we would if we were identifying with each individual property or business in trying to deter a specific criminal, or a specific criminal act. But for every criminal act that occurs on one of these properties that law enforcement had the opportunity to identify and apprehend that individual at a prior crime, that could have prevented that crime. Had the individuals been murdered at the Boca Mall, had that violator been identified, apprehended from a previous incident there, or somewhere else, that may have prevented that crime. And everybody is correct, crime occurs everywhere. But there are places and areas that are hot spots, that are very problematic. And you don't prevent every home burglary when you lock your door when you go to work, you don't prevent every auto theft when you take the keys out of your car's ignition, but there's reasons that everybody in this room did those two things today. So we have to keep that in mind.

COMMISSIONER EGGELETON: The other thing -- and let me just say -- you brought up some very good points, and some things that I think that as a county we need to look forward to in the future; and one of the things I want to look forward to is working with the League of Cities and local municipal

law enforcement, the Sheriff's Office, all law enforcement agencies. And perhaps maybe they need to put together a task force to share this data that they get from these video surveillance cameras to help identify. For instance, "John Doe," commits a crime let's say in Miramar, he now goes up to Pompano Beach and commits the same crime; you have him on video surveillance in Miramar, and Miramar Police has it, now he goes to Pompano and does the same thing, but Miramar and Pompano have not shared the data. Had they shared it, when he came to Pompano, Miramar can say, hey, yeah, we know that guy he committed "x" number of crimes here, here's where he lives, and you just go and arrest the guy. So what you bring up are very good points, and some things that we may want to work with local law enforcement in the future to do, and that is to begin to share some of the data that they're getting from these video surveillance cameras and get some of these bad folk off the street. I'm not begrudging of anyone here for defending what you believe is your right as a property owner to keep you from having to wastefully spend your money, okay, if you want to view it that way. Okay? I tend to look at it a different way, but at the end of the day, please, if you don't mind, I would elicit your support in writing something that you can live with and that we can present to the Board of County Commissioners for their consideration. And they can then determine whether or not what we have come up with is going to be appropriate to put into law in this county. And they -- and it's left totally up to my colleagues. Our job is to get something back to them, and it's my job to take all your concerns under consideration as we do that, and try to mitigate those concerns as much as we possibly can. Let me just tell you

what we're going to go do the next time we're here. We're going to take all these concerns, the county attorney will begin drafting an ordinance that takes your concerns under consideration, and we're going to try to get the draft to you -- everybody, when you signed in, did you leave an email address? Did anyone not leave an email address? So Mona, we have email addresses from everybody, right? Okay. So what we will try to do is when we come up with this, we will try to email it to you so that you can have it in advance of your coming here. So you can start to have your legal people to start to look at it, to sift through it, and that will hopefully be the first draft of what we're going to come up with. All right? And then you can tear it apart, do whatever you want with it, you can cut and paste, you can have your comments then written out of how you may want to see these things change, or look differently, or whatever you think may be the case. With that timeline in mind, hopefully we can still meet in November, if we have to move this, we have to move it. But I'm going to give the county attorney an opportunity to get this drafted, and we may have to go through two or three drafts before we have something back in front of the County Commission. But that would be the plan is to continue to refine, refine, refine, draft this thing down, get it really "lazed" down. I don't want to take a "shotgun approach," to this. I want to take a very "lazed" approach, a measured approach, but one that hopefully, one that at the end of the day will give law enforcement an opportunity to help us get some of these persons that committed these crimes, and some of these heinous crimes, off the street, and hopefully make yourself safe. It could be at the end of the day, and this is something you may want to consider, if we all have

something that we all can live with, and the Board passes it, and we're all happy with it, or not happy with it, but we can all live with it, maybe this is something where the Board can be helpful, and the Chamber of Commerce and the TDC here in Broward County, it could be something that we can then go out and market as feeling safe -- maybe that is the wrong word -- maybe we better not do that. Because that brings your liability question into play, right? But I always look for ways when people cooperate and do things -- that brings out the incentive idea -- how you then reward them for that behavior. Thank you so very much. I really appreciate all your comments and your patience here today. And if I've offended anybody, got a little rough, I apologize. Understand I'm trying to get a job done. Thank you.

(This workshop concluded at 3:17 p.m.)