

AGENDA
LIVING WAGE ADVISORY BOARD MEETING
June 5, 2019 - 11:00 a.m.
Room 302

- I. Call to Order and roll call.
- II. Introductions as necessary.
- III. Approval of April 3, 2019 minutes.
- IV. Staff updates to report.
- V. Updates from Board members on meetings with Commissioners regarding the Living Wage.
- VI. Discuss Roles and Responsibilities of the Advisory Board
- VII. Discussion and instruction to staff.
- VIII. Adjourn.

MINUTES
LIVING WAGE ADVISORY BOARD MEETING
Wednesday, April 3, 2019 - 11:00 a.m.

Living Wage Advisory Board Members Present:

James Ryan, Vice Chair
Mark Klein, Board Member
Frank De Risi, Board Member
Mike D. Payne, Board Member
Chester Just, Board Member

Living Wage Advisory Board Members Absent:

Zac Cassidy, Chair

County Staff Present:

Connie Mangan, Purchasing Manager, Purchasing Division
Alexa Francis, Administrative Officer, Purchasing Division
Lucy Garcia, Minutes Coordinator, Purchasing Division

- I. The Minutes Coordinator, Lucy Garcia called the meeting to order at 11:06 a.m. Roll call was conducted by Lucy Garcia and it was noted a quorum was present.
- II. No Introductions were necessary for this meeting.
- III. **A motion was made by Mark Klein, seconded by Frank De Risi and unanimously passed to accept the February 6, 2019 minutes.**
- IV. Staff Updates:
 - A. Connie Mangan briefly discussed the Living Wage Contracts Report for the February– March 2019 reporting period. There was one living wage contract awarded during this period. The Advisory Board members did not have any questions regarding the contract report.
 - B. The report provided by Human Resources, will be addressed at the next meeting, if applicable.
- V. Updates from Board members on meetings with Commissioners regarding the Living Wage:
 - A. There were no updates provided at this time.
- VI. Discussion:
 - A. The Advisory Board members had a discussion regarding the Advisory Board's future, since their concerns in regards to the living wage rate, healthcare differentials and amending the Living Wage Ordinance have been recently addressed and passed by the Board of County Commissioners ("the Board").
 - B. The Advisory Board members and staff discussed employee declination of health care benefits for contracts impacted by the Living Wage rate increase. Connie Mangan noted that employers are required to submit their payroll documentation, on a six month basis, to the Contract Administrator for those contracts. She also informed the Advisory Board that staff has, in the past, conducted surveys of the declination numbers of larger companies with Living Wage contracts and provided that information to the Advisory Board.
 - C. Mark Klein asked for an update on the outcome of the Board's approval to increase the living wage rate. Connie Mangan stated that the Board has had multiple workshops and agenda items on this subject which includes:
 1. December 11, 2019 - ordinance was modified to \$13.27 per hour with qualifying health benefits amounting to at least \$1.63 per hour and \$14.90 per hour without health benefits.
 2. February 26, 2019 – ordinance modified that effective January 1, 2021 employers will have to offer \$3.44 for the health care differential.

Staff has already been taking steps to address the rate change and health care differential requirement in any new contracts that will be affected by the new living wage rate. Staff reported that of 100 vendors, 70 were already meeting the new living wage rate and 30 plus vendors received amendments to meet the living wage rate.

D. Frank De Risi asked if there will be a way of tracking the impact of the new living wage rate and participation. Mark Klein replied that the Advisory Board's role is not to monitor this type of information as there would be too many factors involved. He added that the Living Wage Advisory Board, the Board of County Commissioners and Staff have done a great job in getting the ordinance amended and the new Living Wage Rate passed. Connie Mangan also added that this subject was discussed in various Commission workshops.

E. The following motion was made by Mike Payne to be included in the next meeting agenda; seconded by Mark Klein:

Discuss the Duties and Responsibilities of the Advisory Board.

All present Board members were in favor. The motion was passed unanimously; there were no objections.

F. Chester Just asked if a composite comparison of the living wage rates had been done before between Broward County, Miami-Dade County and other counties in the state. Connie Mangan replied that with the recent living wage rate adjustment, Broward County is now closer to the Miami-Dade Living Wage rate and also indicated that a survey was done a few years ago regarding the living wage rate in other counties.

Instruction to Staff:

A. The Advisory Board members requested that copies of the Living Wage Ordinance and Living Wage Advisory Board Bylaws be provided at the next meeting.

VII. There being no further business before the Board, the meeting adjourned at 11:31 a.m.

This meeting was recorded on CD 19-SC-26 (Sony IC Recorder).

Hand-Outs at the 4/3/19 Meeting:

1. Updated Living Wage Contracts Report.
2. Attendance Record.
3. Schedule of Living Wage Advisory Board Meetings for 2019.



Broward County Living Wage Ordinance: New Living Wage Contracts (Effective for the Period April to May 2019)

Item:	Bid/RLI/ RFP No.:	Description/ Title:	Vendor/ Contractor Name:	Award Date:	Effective Date:	New Estimated Contract Value (Annual):	Previous Estimated Contract Value (Annual):	Comments:	Reporting Exemption:	Contract increases attributable to: (for N/A See Comments)	
										Living Wage	Scope Changes
1	2018-06-05-0-AV-02	Shuttle Bus & Services at FLL	KEOLIS TRANSIT SERVICES LLC	3/28/2019*	6/12/2019	\$ 32,202,509.40	\$ 49,114,495.00	Shuttle Bus and Other Transportation Services at Broward County's Fort Lauderdale-Hollywood International Airport, RFP No. 2018-06-05-0-AV-02, with a commencement date of June 12, 2019, for a five-year term, with five optional one-year extensions to be executed by the Director of Aviation, with an estimated contract value of \$161,012,547. Incumbent: Keolis Transit America, Inc.; Contract No.R1122905P1; Contract Term: June 11, 2014 through June 10, 2019; Expenditures to date: \$63,259,660.73.	N	N/A	N/A
2	BLD2116647B1_1	Airport Grounds Maintenance Services	PRESTIGE PROPERTY MAINTENANCE INC	4/8/2019	4/8/2019	\$417,314.00	\$ 405,939.00	Airport Grounds Maintenance Services, Bid No. BLD2116647B1, for the Aviation Division, in the annual estimated amount of \$417,314; authorize the Director of Purchasing to renew the contract for two, one-year periods, for a three-year potential estimated amount of \$1,251,942. The initial contract period shall begin on date of award and will terminate one year from that date. Incumbent: Prestige Property Maintenance, Inc.; Contract No. Z1301710B1; Contract Term: August 11, 2015 through August 11, 2018 with a 90 day extension ending 11/8/2018; Expenditures to date: \$1,312,102.00.	N	Y	N
3	BLD2116250B2_1	Test, Balance and Inspection Services	MECHANICAL AIR CONCEPTS CLIMAX INC	4/10/2019	4/10/2019	\$ 116,943.50	\$ 54,725.00	Test, Balance and Inspection of heating, ventilating, and air-conditioning units for the Facilities Management Division (FMD), Aviation Department and various Broward County agencies in the annual estimated amount of \$116,943.50; authorize the Director of Purchasing to renew the contract for two, one-year periods, for a three-year potential estimated amount of \$350,830.50. The initial contract period shall begin on April 10, 2019 and will terminate one year from that date. Incumbents: Certified Test & Balance, Inc.; Contract Title: Test, Balance and Inspection Services (T2111810Q1); Contract Term: August 10, 2016 through August 9, 2018 with a 90-day extension through November 9, 2018; Expenditures through expiration \$43,628.50. Richard Flanders Enterprises; Contract Title: Air Systems Test and Balance (Z1354803B1_1; Contract Term: September 27, 2015 through September 26, 2018; Expenditures through expiration \$3,569.50.	N	N	N
4	BLD2116981B1_1	Canal and Associated Facilities Maintenance	PRESTIGE PROPERTY MAINTENANCE INC	4/11/2019	4/11/2019	\$ 1,016,070.00	\$ 692,100.00	Canal and Associated Facilities Maintenance, Bid No. BLD2116981B1, for the Water and Wastewater Services Water Management Division, in the annual estimated amount of \$1,016,070, which includes allowances in the amount of \$45,000 per year; authorize the Director of Purchasing to renew the contract for two, one-year periods, for a three-year potential estimated amount of \$3,048,210. The initial contract period shall begin on April 11, 2019 and will terminate one year from that date. Increase due to additional locations and living wage increase. Incumbent: Prestige Property Maintenance, Inc.; Contract No. Y1372201B1; Contract Title: Canal Bank Maintenance; Contract Term: October 27, 2015- January 24, 2019, Expenditures through expiration: \$1,758,195.00.	N	Y	Y

Item:	Bid/RLI/ RFP No.:	Description/ Title:	Vendor/ Contractor Name:	Award Date:	Effective Date:	New Estimated Contract Value (Annual):	Previous Estimated Contract Value (Annual):	Comments:	Reporting Exemption:	Contract increases attributable to: (for N/A See Comments)	
										Living Wage	Scope Changes
5	BLD2115965B2_1	Maintenance of Greenways and Miscellaneous Landscaping	PRESTIGE PROPERTY MAINTENANCE INC	4/16/2019	4/16/2019	\$ 1,945,358.00	\$ 1,075,047.00	Maintenance of Greenways and Miscellaneous Landscaping, Bid No. BLD2115965B2, for the Highway and Bridge Maintenance Division, in the annual estimated amount of \$1,945,358, which includes allowances in the total amount of \$104,000; authorize the Director of Purchasing to renew the contract for two, one-year periods, for a three-year potential estimated amount of \$5,836,073. The initial contract period shall begin on May 1, 2019 and will terminate one year from that date. Incumbent: Prestige Property Maintenance, Inc.; Contract No. G1298502B1, Maintenance of Greenways and Miscellaneous Landscaping; Contract Term: June 15, 2015 - June 14, 2018 with a 90-day extension through September 14, 2018. Expenditures to date: \$2,789,791. The Director of Purchasing approved Interim Contract No. G1298502BX through March 14, 2019. Expenditures to date: \$398,495.	N	Y	N
6	BLD2117382B1_1	US-1 Landscape Maintenance	AR MAINTENANCE SOLUTIONS INC.	4/23/2019	4/23/2019	\$ 438,917.00	\$ 405,610.00	US-1 Landscape Maintenance, Bid No. BLD2117382B1, for the Aviation Department/Aviation Maintenance Division, in the annual estimated amount of \$438,917; authorize the Director of Purchasing to renew the contract for two, one-year periods, for a three-year potential estimated amount of \$1,316,751. The initial contract period shall begin on April 23, 2019 and will terminate one year from that date. Incumbent: Prestige Property Maintenance, Inc.; Contract No. Z1356108B1, US-1 Landscape Maintenance; Contract Term: February 1, 2016 - February 1, 2019; Expenditures to date: \$1,177,373.53.	N	N	N
7	OPN2116332B1_1	Lift Preventive Maintenance & Repair Services	NATIONAL LIFT TRUCK SERVICE INC	5/17/2019	5/17/2019	\$ 187,110.00	N/A	Lift Preventive Maintenance & Repair Services, Bid No. OPN2116332B1, for the Port Everglades and Aviation Departments, in the annual estimated amount of \$187,110, which includes allowances in the total amount of \$20,000; authorize the Director of Purchasing to renew the contract for an additional, one-year period, for a two-year potential estimated amount of \$374,220. The initial contract period shall begin on May 17, 2019 and will terminate on December 31, 2019. Incumbent: N/A	N	N	N/A
8	BLD2118194B1_1	Pest Control - Buses and Cars	X TERMINATOR INC	5/23/2019	5/23/2019	\$ 378,825.00	\$ 21,686.25	Pest Control - Transit Buses and Cars, Bid No. BLD2118194B1, for the Transit Division, in the annual estimated amount of \$378,825; authorize the Director of Purchasing to renew the contract for two, one-year periods, for a three-year potential estimated amount of \$1,203,975. The initial contract period shall begin on May 23, 2019 and will terminate on May 22, 2020. Incumbents: Pest Logic.; Contract No. P2113600B1_2, Pest Control Svc Buses; Contract Term: February 15, 2017 - February 14, 2020; Expenditures to date: \$73,370.00. Orange Pest Control & Services, Inc.; Contract No. P2113600B1_1, Pest Control Service Building; Contract Term: February 15, 2017 - February 14, 2020; Expenditures to date: \$183,512.98.	Y	N	Y

*Contract was approved after report provided at last LW Advisory Meeting.

Garcia, Lucy

From: Garcia, Lucy
Sent: Friday, May 24, 2019 5:50 PM
To: 'zaccassidy'; 'miked1526@hotmail.com'; 'frankderisi@hotmail.com'; 'ryan0727@comcast.net'; 'LegalMr@aol.com'; 'Mark Klein'; 'eddie@thecei.com'
Cc: Kelleher, Kevin; Billingsley, Brenda; Marcos, Glenn; Mangan, Constance; Pitts-Howard, Shelia; Francis, Alexa; McDonald, Mary; Amuchastegui, Fernando; Cuervo, Mary; Louis, Obed; Garrick, Antonia; McClain, Takai; Johnson, Rose; Fleury, Teresa; Brannon, Harambie
Subject: Living Wage Advisory Board Meeting - June 5, 2019
Attachments: Minutes - Living Wage - 040319.pdf; Agenda - LWAB - 6-5-19.pdf; Living Wage Ordinance.pdf; Adopted Living Wage Advisory Board By-Laws.pdf; Living Wage Ordinance Timeline.pdf; Living Wage Rate Comparison.pdf; Examples of Sunset Review Questions.pdf; Agenda Item No. 26 - Dec 11 2018.pdf; Agenda Item No. 43 - Feb 26 2019.pdf; LWAB Member List.pdf; LWAB Categorical Draw Results - 08-14-18.pdf; 2019 Budget Workshop Schedule - May thru December.pdf

Attached are the subject minutes and agenda for your information.

As requested at the April 3rd meeting, attached is:

1. Living Wage Ordinance - **Responsibility of LWAB** – Section 26-105. (page 18) - Living wage advisory board created; composition, terms; duties; and organization.
(d) The Living Wage Advisory Board shall review the implementation and effectiveness of this article and advise the Board of County Commissioners of the same, together with any recommendations for amendments hereto.
2. LWAB By-Laws

In addition, the following documents are also being provided for your review and consideration:

1. Living Wage Ordinance Timeline
2. Living Wage Rate Comparison
3. Examples of LWAB Sunset Review Form Questions
4. Agenda No. 26 (12/11/18) & No.43 (2/26/19); last actions taken by the Board of County Commissioners regarding Living Wage Ordinance.
5. Board Commission meeting videos on the most recent changes are available at <http://www.broward.org/Commission/Meetings/Pages/AgendasAndMinutes.aspx>; the links have been provided below as follows:
 - **12/11/18 Commission Meeting:** 11:16am – 1:13pm (this is the video time the Living Wage was discussed)
 - **1/8/19 County Commission Meeting and Board Workshop – Living Wage & Health Care:** 1:03pm – 2:48pm (this is the video time the Living Wage was discussed)
 - **2/12/19 Commission Meeting:** 10:56am – 11:13am (this is the video time the Living Wage was discussed)
6. List of LWAB Members
7. LWAB Categorical Draw Result (8/14/18)
8. 2019 Budget Workshop Schedule – May thru December, 2019

Copies of these documents will be included in your meeting agenda package. Please note additional information regarding the Living Wage is available on the Purchasing Division website at: <http://www.broward.org/Purchasing/pages/livingwageordinance.aspx>.

A reminder - the next Living Wage Advisory Board Meeting is Wednesday, June 5, 2019 at 11:00 a.m. in Room 302 of the Governmental Center. ***Please notify me via email within three business days, prior to the scheduled meeting, as to whether you will or will not be attending the meeting. If you anticipate not being able to attend on the day of the meeting, due to an unexpected emergency, please call me as early as possible at (954) 357-6071, so we can determine if we have a quorum for the meeting.***

Thank you,



Lucy Garcia
Administrative Coordinator
Broward County Purchasing Division
115 S. Andrews Avenue, Fort Lauderdale, FL 33301
(954) 357-6071 Fax: (954) 357-8535
www.broward.org/purchasing



Customer care is my priority. How am I doing? Please contact my Director, Brenda J. Billingsley, at bbillingsley@broward.org with feedback.

ARTICLE VII. - LIVING WAGE

Sec. 26-100. - Title and legislative findings.

- (a) *Title.* Sections 26-100 through 26-105 of Article VII of Chapter 26, Broward County Code, may be cited as the "Broward County Living Wage Ordinance" or the "Living Wage Ordinance."
- (b) *Legislative findings.* The County awards contracts and leases County property to private companies to provide services to the County and the public. The County has a proprietary interest in the work performed by employees of County service contractors, airline service providers, subcontractors, and County lessees. The wages paid to these employees are often not enough for them to support and care for their families, thereby inhibiting employee retention and negatively impacting the quantity and quality of services rendered by these employees to the County and the public.

(Ord. No. 2018-46, § 1, 12-11-18)

Editor's note— Ord. No. 2018-46, § 1, adopted Dec. 11, 2018, repealed the former § 26-100 and enacted a new § 26-100 as set out herein. The former § 26-100 pertained to title and derived from Ord. No. 2002-45, § 1, adopted Oct. 8, 2002 and Ord. No. 2008-45, § 1, adopted Oct. 7, 2008.

Sec. 26-101. - Definitions.

As used in the Living Wage Ordinance, reference to one gender shall include the other; use of the plural shall include the singular; and use of the singular shall include the plural. The following definitions apply unless the context in which the word or phrase is used requires a different meaning:

- (a) *Airport* means the Fort Lauderdale-Hollywood International Airport.
- (b) *Airport Terminal Complex* means all passenger terminal buildings located at the Airport, whether now existing or developed in the future.
- (c) *Air Carrier* means a certificated commercial air carrier that has authority from the appropriate regulatory department of the United States of America, or any other competent authority, to operate in and out of the Airport.
- (d)

Airline service provider means any for profit individual, corporation, partnership, limited liability company, joint venture, or similar entity that provides covered airport services as authorized by an airline service provider agreement, and any subcontractor of any such individual or entity regarding the subcontractor's provision of covered airport services.

- (e) *Car Rental Center* means the facility located within the Airport terminal roadway system designated for rental car concession operations and for pick-up and delivery of customers by nonconcessionaire rental car companies and by Airport users, including any future modifications to this facility.
- (f) *Concessionaire* means a service contractor awarded a County contract at the Airport Terminal Complex or Car Rental Center for the Duty Free Shop, Food and Beverage, News-General Merchandise-Book Store, and Specialty Retail Shops.
- (g) *County* means Broward County, a political subdivision of the State of Florida.
- (h) *Covered employee* means:
 - (1) Each individual employed by a service contractor for a minimum of twenty (20) hours per week who, during the employment, is or was involved in providing services pursuant to the service contractor's contract with the County, except where the individual's primary compensation is composed of gratuities;
 - (2) Each individual employed by an airline service provider who, during the employment, is or was involved in providing covered airport services pursuant to Section 26-101(l). Individuals employed by an airline service provider whose primary compensation is composed of gratuities are not covered employees, except for wheelchair attendants as described in Section 26-101(l)(6); and
 - (3) Each County employee who is in a part-time benefit eligible or full-time benefit-eligible position, as determined by the County.
- (i) *Covered employer* means all service contractors and all airline service providers.
- (j) *County service contracts* or *service contracts* means:
 - (1)

Contracts awarded by the County pursuant to the County's Procurement Code or entered into after a waiver of the Procurement Code that are for covered services and where the average annual contract amount exceeds One Hundred Thousand Dollars (\$100,000.00) based on the applicable procurement solicitation document;

- (2) Contracts, regardless of value, at the Airport Terminal Complex or Car Rental Center, awarded to concessionaires, pursuant to Chapter 26, "Operational Policy, Aviation," Parts I and II, of the Broward County Administrative Code, or pursuant to a waiver of the Operational Policy; and
 - (3) Contracts entered into by airline service providers to perform covered airport services.
- (k) *Covered services* means the following services purchased by the County:
- (1) Food preparation or distribution;
 - (2) Security services;
 - (3) Routine maintenance services, such as janitorial, cleaning, refuse removal, recycling collections, and other similar services that are needed or that are anticipated to be needed for normal upkeep of facilities during the term of the service contract. Construction and roofing services shall not be considered routine maintenance services;
 - (4) Repair or refinishing services for furniture, fixtures, vehicles, machinery, or equipment, including preventative maintenance replacement of parts, and other activities needed to preserve the asset. Construction and roofing services shall not be considered repair or refinishing services;
 - (5) Clerical or other nonsupervisory office work, whether by temporary or permanent personnel. Such work includes secretarial, typing, data entry, filing, transcription, specialized billing, sorting or completion of forms, and word, data, and information processing;
 - (6) Passenger transportation and automobile parking services. Such services, when provided by or through government entities other than the County, shall not be included in this category;
 - (7) Printing and reproduction services; and

- (8) Landscaping, lawn, or agricultural services.
- (l) *Covered airport services* means the following services:
- (1) *Ground Handling or Ramp Services for Air Carrier.* To guide aircraft to a parking position for purposes of loading and unloading passengers, baggage, mail, or cargo from aircraft with required equipment to designated locations on the Airport; accept and process inbound and outbound shipments at designated cargo handling building; and provide lavatory waste services and provisioning of water service for aircraft;
 - (2) *Ground Equipment Provisioning and Maintenance for Air Carrier.* To repair, maintain, and refuel all ground equipment whether owned or leased that is used by an airline service provider or Air Carrier, including, but not limited to, tugs, carts, belt-loaders, aircraft starters, aircraft loading stairs, and air-conditioning units. Such ground equipment shall not include automobiles, trucks, or other vehicles designed for use on public streets, either on or off of the Airport;
 - (3) *Maintenance for Air Carrier.* To provide maintenance to an Air Carrier on the aircraft parking aprons located at the terminal buildings;
 - (4) *In-To-Plane Fuel Service for Air Carrier.* To transfer fuel from the Airport's fuel farm to an Air Carrier, and to uplift fuel into the proper locations on the aircraft;
 - (5) *Passenger Service for Air Carrier.* To provide all documents for Air Carrier passengers, cargo, and baggage as may be required by applicable governmental agencies; to provide and handle passenger ticketing and baggage check-in; to furnish linguists for the assistance of passengers speaking a foreign language; to provide assistance for mishandled luggage; and to provide passenger assistance functions in concourses and customs facilities, including, but not limited to, unaccompanied minor services;
 - (6) *Porter Service for Air Carrier.* To handle and transport passenger baggage and other articles of personal property through the terminal buildings and areas, including the United States Federal Inspections areas and Transportation Security Administration areas. Such service includes, but is not limited to, skycaps, wheelchair attendants, luggage

runners, and electric cart drivers. An airline service provider is not required to pay a living wage to a skycap who handles luggage, performs curbside check-in, and works primarily for gratuities;

- (7) *Janitorial Service for Air Carrier.* To provide personnel, equipment, and material to clean the interior areas of the terminal buildings;
 - (8) *Security Service for Air Carrier.* Security service includes document checkers at security check points, aircraft security, catering security, and private screening of goods and passengers. Security service does not include service provided by the federal government or pursuant to a federal government contract;
 - (9) *Baggage Delivery Service for Air Carrier.* To handle and transport from the Airport misplaced or misrouted baggage or other articles belonging to passengers;
 - (10) *Aircraft Cleaning For Air Carrier.* To clean aircraft interiors and exteriors; and
 - (11) *Operating Private Club for Air Carrier.* To operate a private club in a terminal building exclusively for an Air Carrier's passengers which may serve snacks and beverages and provide other related services.
- (m) *Health care benefits* means health insurance coverage.
 - (n) *Living wage* means the hourly rate of pay required by this Ordinance.
 - (o) *Service contractor* means any for profit individual, corporation, partnership, limited liability company, joint venture, or similar entity that:
 - (1) Is paid, whether directly or indirectly, from one (1) or more of the County's general fund, enterprise funds, capital project funds, or any other funds to provide covered services to the County pursuant to a service contract;
 - (2) Contracts with a service contractor as described in Section 26-101(o)(1) to provide some of the covered services included in the service contract between that service contractor and the County; or
 - (3) Is a concessionaire.

(Ord. No. 2002-45, § 2, 10-8-02; Ord. No. 2008-45, § 1, 10-7-08; Ord. No. 2015-41, § 1, 10-13-15; Ord. No. 2018-46, § 1, 12-11-18)

Sec. 26-102. - Living wage.

(a) *Living wage requirement.*

- (1) *Living Wage Obligation through December 31, 2018.* Through December 31, 2018, each covered employer shall pay each of its covered employees the amount listed in paragraph a. or b. immediately below:
 - a. *Living wage rate with health care benefits.* A living wage of no less than Twelve Dollars and Thirty-eight Cents (\$12.38) per hour, in addition to health care benefits as described in Section 26-102(d) below.
 - b. *Living wage rate without health care benefits.* If a covered employer does not offer a covered employee health care benefits, a living wage of no less than Twelve Dollars and Thirty-eight Cents (\$12.38) per hour, plus an additional wage rate of One Dollar and Sixty-one Cents (\$1.61) per hour.
- (2) *Living Wage Obligation Effective January 1, 2019, for New Contracts Entered Into on or after January 1, 2019.* Each covered employer entering into a new service contract on or after January 1, 2019, shall pay each of its covered employees the amount listed in paragraph a. or b. immediately below:
 - a. *Living wage rate with health care benefits.* A living wage of no less than Thirteen Dollars and Twenty-seven Cents (\$13.27) per hour, adjusted as provided below, in addition to health care benefits as described in Section 26-102(d) below.
 - b. *Living wage rate without health care benefits.* If a covered employer does not offer a covered employee health care benefits, a living wage of no less than Thirteen Dollars and Twenty-seven Cents (\$13.27) per hour, plus the health care benefit amount, as defined below in Section 26-102(d)(1), adjusted as provided below.
- (3) *Living Wage Obligation Effective January 1, 2019, for Contracts Entered Into Prior to January 1, 2019, Including Renewals, Amendments, and Extensions Thereof.* Commencing January 1, 2019, each covered employer with a service contract entered into prior to January 1, 2019, shall pay each of its covered employees the amount listed in paragraph a. or b. immediately below, subject to the conditions precedent stated in paragraph c. immediately below:
 - a.

Living wage rate with health care benefits. A living wage of no less than Thirteen Dollars and Twenty-seven Cents (\$13.27) per hour, adjusted as provided below, in addition to health care benefits as described in Section 26-102(d) below.

- b. *Living wage rate without health care benefits.* If a covered employer does not offer a covered employee health care benefits, a living wage of no less than Thirteen Dollars and Twenty-seven Cents (\$13.27) per hour, plus the health care benefit amount, as defined below in Section 26-102(d)(1), adjusted as provided below.
- c. *Conditions Precedent.* Notwithstanding anything to the contrary stated in Section 26-102, each covered employer shall continue to pay the living wage rate with health care benefits or the living wage rate without health care benefits, as applicable, that would otherwise be in effect prior to the adoption of this amendment to the Living Wage Ordinance, adjusted as provided in Section 26-102(e), unless and until the condition established in either paragraph 1 or paragraph 2 immediately below occurs:
 1. The County and the covered employer enter into a written amendment expressly applying to the underlying service contract the higher living wage and health care benefit amount established by this amendment to the Living Wage Ordinance. The amendment may provide funding by the County to reasonably mitigate increased costs, if any, resulting from this amendment to the Living Wage Ordinance provided (i) the covered employer certifies in writing that any such funding provided by the County equals or is less than the amount of such increased costs; (ii) the County's contract administrator certifies in writing that, after diligent review of applicable documentation, the contract administrator concurs with the covered employer's certification; and (iii) the County's payment of any such mitigation costs is funded through the same funding source used for payments under the underlying contract (e.g., general fund dollars may only be used to pay mitigation costs in connection with those contracts funded through general fund dollars); or

County employees. Commencing with the first full pay period after January 1, 2019, for part-time benefit-eligible or full-time benefit-eligible County employees under the County pay plan, the County will pay a living wage of no less than Thirteen Dollars and Twenty-seven Cents (\$13.27) per hour, adjusted as provided below, in addition to health care benefits as hereinafter described.

(d) *Health care benefits.*

- (1) *Health care benefit amount.* The health care benefit amount required by the Living Wage Ordinance shall consist of payment by a covered employer, or by the County for its employees, of an amount ("health care benefit amount") toward the provision of health care benefits for a covered employee and dependents, as follows:
 - a. Effective January 1, 2019, a health care benefit amount of at least One Dollar and Sixty-three Cents (\$1.63) per hour, adjusted as provided below on January 1, 2020.
 - b. Effective January 1, 2021, a health care benefit amount of at least Three Dollars and Forty-four Cents (\$3.44) per hour, adjusted as provided below beginning on January 1, 2022.
- (2) *Proof of health care benefits.* A covered employer must submit a notarized affidavit of compliance as proof of the provision of health care benefits to qualify to pay the living wage rate for covered employees with health care benefits.
- (3) The minimum contribution by a covered employer (or the County for its employees) for health care benefits on a per-hour basis shall be calculated based on a forty (40) hour work week. Hours worked by a covered employee in excess of forty (40) hours per week shall not require additional payments towards the provision of health care benefits.
- (4) If a covered employer or the County, as applicable, contributes less than the required amount for its covered employee's health care benefits, the difference shall be paid to the covered employee as an additional hourly wage amount.
- (5) If the health care benefits plan provided requires an initial period of employment before a new covered employee becomes eligible for the health care benefits ("eligibility period"), the covered employer or the County, as applicable, shall pay the living wage amount and the additional health care

benefit amount during a new covered employee's eligibility period. When the new covered employee is provided health care benefits, the covered employer may qualify to pay the living wage rate applicable for covered employees that are provided health care benefits.

- (6) If a covered employee declines health care benefits, the covered employer may pay to the employee the living wage rate with health care benefits, as described in Section 26-102(a)(2)a, provided the covered employer provides to the County written proof of the covered employee's declination.
- (e) *Adjusting the living wage and health care benefit amount.* Beginning on January 1, 2020 (or beginning on January 1, 2019, for those service contracts entered into prior to January 1, 2019, as to which the new, higher living wage rate established by this amendment to the Living Wage Ordinance is not in effect as of January 1, 2019), and thereafter on January 1 of each year, the living wage and health care benefit amount shall be adjusted annually by the lowest of the following three (3) percentages:
 - (1) The percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), All Items, Miami-Ft. Lauderdale-West Palm Beach, FL, calculated by the United States Department of Labor, for the immediately preceding period of November 1 through October 31;
 - (2) Three percent (3%); or
 - (3) The percentage across-the-board compensation increase provided by the County to unrepresented County employees.
- (f) *Certification required before payment.* Any and all contracts for covered services shall be void, and no funds may be released unless, prior to entering any contract with the County for a service contract, the covered employer certifies to the County that it will pay each of its covered employees no less than the living wage described in the applicable section above. The certificate, at a minimum, must include the following:
 - (1) The name, address, and telephone number of the covered employer, a local contact person, and the specific project for which the service contract is sought;
 - (2) The amount of the contract and the applicable County department the contract will serve;

- (3) A brief description of the project or service provided;
 - (4) A statement of the wage levels for all covered employees; and
 - (5) A commitment to pay all covered employees a living wage, as described in subsection (a).
- (g) *Observance of other laws.* Every covered employee shall be paid at least biweekly, and without subsequent deduction or rebate of any amount (except for such payroll deductions as are directed or permitted by law or a collective bargaining agreement). The covered employer shall, at a minimum, pay covered employees the living wage rates required by the Living Wage Ordinance and shall also comply with federal and all other applicable laws and ordinances, such as overtime and other wage laws and ordinances.
- (h) *Posting.* A copy of the living wage rate shall be posted by the covered employer at the workplace in a prominent place where it can easily be seen by covered employees and shall be furnished to a covered employee within a reasonable time after a request to do so. A copy of the living wage rate shall be posted by the covered employer's subcontractors in a prominent place at the subcontractor's premises where paychecks are distributed and shall also be furnished to a covered employee upon request within a reasonable time after the request is made. Additionally, service contractors shall forward a copy of the requirements of the Living Wage Ordinance to any individual and any entity submitting a bid for a subcontract on any County service contract covered by this article. A covered employer shall also provide the following statement to each covered employee with the employee's first paycheck and every six (6) months thereafter: "You are required by Broward County ordinance to be paid at least [insert applicable rate pursuant to the Living Wage Ordinance] dollars an hour. If you are not paid this hourly rate, contact your supervisor or a lawyer." All notices required by this paragraph shall be printed in English, Spanish, and Creole. The statements shall be provided in the manner set forth below:
- (1) By printing or stamping the statements on the front of the covered employee's first paycheck or, if the covered employee has direct deposit of his or her pay, the covered employer may print or stamp the statements on the inside or outside of the covered employee's first direct deposit receipt; or
 - (2)

By attaching or endorsing the printed or stamped statements with the covered employee's first paycheck or direct deposit receipt and subsequently providing a notarized compliance affidavit from the covered employer to the County acknowledging that the statements were provided to the covered employee with his or her first paycheck.

- (i) *Inconsistency with Applicable Law or Collective Bargaining Agreement.* The provisions of the Living Wage Ordinance shall not be applicable to the extent they conflict with federal or state law. Additionally, nothing in the Living Wage Ordinance shall require the payment of any wage where the applicable covered employee is a member of a collective bargaining unit that has collectively bargained for a higher wage.

(Ord. No. 2002-45, § 3, 10-8-02; Ord. No. 2008-45, § 1, 10-7-08; Ord. No. 2014-35, § 1, 10-14-14; Ord. No. 2015-41, § 2, 10-13-15; Ord. No. 2018-46, § 1, 12-11-2018; Ord. No. 2019-10, § 1, 2-26-19)

Sec. 26-103. - Implementation.

- (a) *Procurement specifications .*

- (1) Payment of the living wage shall be required by the procurement specifications for all County service contracts for covered services on which bids or proposals shall be solicited on or after the effective date of this article. Such procurement specifications shall also require each firm that utilizes a subcontractor to inform each subcontractor, prior to the time the subcontractor offers its price to such firm, of its obligation to pay a living wage to its covered employees. The procurement specifications for applicable contracts shall include a requirement that service contractors agree to produce all documents and records relating to payroll and that service contractors agree to comply with the obligation to maintain payroll records for covered employees for at least three (3) years from the date of termination of the service contract and to produce such records for inspection and copying upon request from the applicable contract administrator ("contract administrator" shall have the same meaning as set forth in the Broward County Procurement Code) or the County Administrator.

- (2)

By submitting a bid or proposal in response to a County Procurement solicitation and accepting a contract that requires compliance with this article, each service contractor agrees to and shall be bound by the determinations made in accordance with the rules and procedures established pursuant to Section 26-104 hereof if a person or subcontractor submits a dispute for determination in accordance with such section. Each such service contractor expressly agrees to be bound by the provisions and procedures set forth and by any sanctions and remedies imposed pursuant to this article.

(b) *Airline service provider agreements* .

- (1) Airline service provider agreements authorize airline service providers to perform covered airport services. These agreements shall contain provisions requiring the airline service providers to agree to the following:
 - a. To pay a living wage;
 - b. To inform each subcontractor of its obligation to pay a living wage to its covered employees, and ensure that each applicable subcontract contains language requiring that this obligation be met;
 - c. To produce all documents and records relating to payroll and agree to comply with the obligation to maintain payroll records for covered employees for at least three (3) years from the date of termination of the service contract; and
 - d. To produce such records for inspection and copying upon request from the Aviation Department, County Administrator, or the Office of the Broward County Auditor.
- (2) By entering into a contract to provide covered airport services, an airline service provider agrees to and shall be bound by the provisions and procedures set forth and by any sanctions and remedies imposed pursuant to this article, including determinations pursuant to Section 26-104 if a dispute for determination in accordance with such section is submitted.
- (3) All airline service providers performing covered airport services at the Airport on or after January 1, 2016, must enter into an airline service provider agreement pursuant to this Ordinance.

(c)

Information distributed. All requests for bids, requests for proposals, or requests for letters of interest for service contracts, whether advertised or informally solicited, shall include appropriate information about the requirements of this article and a form which vendors may request an exemption from reporting requirements pursuant to Section 26-103(e).

- (d) *Maintenance of payroll records*. Each covered employer shall maintain payroll records for all covered employees and shall preserve them for a period of three (3) years from the date of termination of any County service contract. The records shall contain:
- (1) The name and address of each covered employee;
 - (2) The job title and classification;
 - (3) The number of hours worked each day;
 - (4) The gross wages earned and deductions made;
 - (5) Annual wages paid;
 - (6) A copy of the covered employer's social security returns and evidence of payment thereof;
 - (7) A record of fringe benefit payments, including covered employee and covered employer contributions to employer-approved plans; and
 - (8) Any other data or information the County Administrator may require from time to time.
- (e) *Reporting payroll*. Every six (6) months, the covered employer shall file with the contract administrator a complete payroll showing the covered employer's payroll records for each covered employee working on the contract(s) for covered services and for covered airport services for at least one (1) payroll period. Upon request, the covered employer shall produce for inspection and copying its payroll records for any or all of its covered employees for the prior three (3) year period. A covered employer is exempt from this reporting requirement if the term of the contract for covered services or for covered airport services is six (6) months or less.
- (f) *Exemption*. A covered employer who routinely pays the living wage to all of its covered employees that work a minimum of twenty (20) hours per week in a covered services category or for covered airport services may obtain an exemption from the requirement under Section 26-103(d) to report and file payroll records every six (6) months in the manner set forth below. If requested by a covered

employer on a form available from the County's Purchasing Division and if the covered employer provides a notarized compliance affidavit attesting that its wages for covered employees are at least equal to the amount of the living wage, the County's Purchasing Division Director is authorized to grant, in writing, a whole or partial exemption from the requirement to report and file payroll records every six (6) months with the contract administrator as follows:

- (1) An exemption shall be granted where the covered employer demonstrates that its covered employees have been continuously paid the applicable living wage or a higher wage for at least one (1) year prior to entering into the service contract. The covered employer may demonstrate that its covered employees have been paid the applicable living wage by submitting payroll records or pay scale records (by job classification); or
- (2) An exemption shall be granted where the covered employer demonstrates to the satisfaction of the County's Purchasing Division Director that the amounts paid to its covered employees are required by law or are required pursuant to a contractual obligation, such as a collective bargaining agreement.
- (3) When granted, the covered employer shall not acquire a property right or property interest in continuing the exception, and the County shall have the absolute right to cancel the exemption at any time upon notice to the covered employer. An exemption may be canceled at any time by the County's Purchasing Division Director by giving the covered employer written notice of such cancellation.
- (4) If an exemption is granted under this subsection, the exemption shall not affect the covered employer's obligation to produce its payroll records for any or all of its covered employees for inspection and copying for any three-year period permitted by Section 26-103(d) when requested by the County's authorized employees, agents, and representatives.
- (5) By requesting and receiving an exemption, a covered employer acknowledges and agrees that its failure to pay its covered employees the living wage or its failure to otherwise comply with any remaining nonexempt obligation to its service contract or this article shall constitute a default under, and a breach of, the service contract for which the exemption was granted.

(Ord. No. 2002-45, § 4, 10-8-02; Ord. No. 2008-45, § 1, 10-7-08; Ord. No. 2015-41, § 3, 10-13-15)

Sec. 26-104. - Compliance and enforcement.

- (a) *Service contractor to cooperate.* A service contractor shall permit County employees, agents, or representatives to observe work being performed at, in, or on the project or matter for which the service contractor has a contract. The County employees, agents, or representatives may examine the books and records of the service contractor relating to employment and payroll to determine whether the service contractor is in compliance with the provisions of this article.
- (b) *Complaint procedures and sanctions.* A covered employee or subcontractor of a service contractor who believes that this article applies or applied to him, her, or it, and who also believes the responsible service contractor is not or was not complying with requirements of this article that would benefit him, her, or it, has a right to complain by filing a written complaint. The County Administrator shall establish by Administrative Rule the procedures and requirements for filing a complaint and for the processing and resolution of complaints under this section, including the sanctions to be imposed for violations of this section.
- (c) *Private right of action against service contractors.* Any covered employee or subcontractor of a service contractor, or any person or subcontractor who was formerly a covered employee or subcontractor of a service contractor, may, instead of the County procedure set forth in subsection (b), but not in addition to such procedure, bring an action by filing suit against the covered employer in a court of competent jurisdiction to enforce the provisions of this article, and may be awarded back pay, benefits, attorney's fees, and costs. The applicable statute of limitations for such a claim will be two (2) years as provided in Subsection 95.11(4) (c), Florida Statutes, as may be amended from time to time, in an action for payment of wages. The court may also impose sanctions on the covered employer, including those persons or entities aiding or abetting the covered employer, to include wage restitution to the affected employee and damages payable to the affected employee in the sum of up to Five Hundred Dollars (\$500.00) a day but not to exceed One Thousand Dollars (\$1,000.00) for each week each covered employer is found to have violated this article.
- (d)

Sanctions against service contractors. For violations of this article as determined by the procedures set forth by Administrative Rule, the County may sanction a service contractor by requiring the service contractor to pay wage restitution to the affected employee or subcontractor. The County may also sanction the service contractor in at least one (1) of the following additional ways:

- (1) Damages payable to the County in the sum of up to Five Hundred Dollars (\$500.00) a day but not exceed One Thousand Dollars (\$1,000.00) for each week for each covered employee or subcontractor found to have not been paid in accordance with this article;
 - (2) The County may suspend or terminate payment under the subject contract or terminate the contract with the service contractor;
 - (3) The County may declare the service contractor ineligible for future service contracts for five (5) years or until all damages and restitution have been paid in full, whichever is longer. In addition, any employer shall be ineligible for County service contracts where a principal officer of such employer was a principal officer of a service contractor who has been declared ineligible under this article; and
 - (4) All such sanctions recommended or imposed shall be a matter of public record.
- (e) *Retaliation and discrimination barred.* An employer shall not discharge, reduce the compensation of, or otherwise discriminate against any employee or subcontractor for filing a complaint in accordance with this article or for otherwise asserting his, her, or its rights under this article. Allegations of retaliation or discrimination, if found to be true by the County Administrator, pursuant to the procedures established by Administrative Rule, or by a court of competent jurisdiction under subsection (c), shall result in an order of restitution and reinstatement of a discharged employee with back pay to the date of the violation, or such other relief as deemed appropriate. In addition, the County Administrator or the court may impose an additional sanction of up to Five Hundred Dollars (\$500.00) a day but not to exceed One Thousand Dollars (\$1,000.00) for each week since the covered employee or subcontractor was discharged or terminated, the compensation was reduced, or other discrimination occurred as a result of retaliation prohibited by this article.
- (f)

Remedies herein non-exclusive. Except as provided in Subsection 26-104(c) no remedy set forth in this article is intended to be exclusive or a prerequisite for asserting a claim for relief to enforce any right under this article in a court of law.

(Ord. No. 2002-45, § 5, 10-8-02; Ord. No. 2008-45, § 1, 10-7-08)

Section 26-105. - Living wage advisory board created; composition, terms; duties; and organization.

- (a) There is hereby created the Living Wage Advisory Board which shall be composed of nine (9) members appointed by the Board of County Commissioners.
- (b) Each County Commissioner shall nominate one (1) member to the Living Wage Advisory Board using the categorical draw method established by the Intergovernmental Affairs/Boards Section, which nominations are subject to appointment by the Board of County Commissioners. The required membership categories are as follows:
 - (1) No more than four (4) members shall be representatives of the business community.
 - (2) Of the members representing the business community, at least two (2) members shall be representatives of service contractors, with at least one (1) such service contractor also being a covered employee.

For purposes of this subsection, "business community" shall not include a nonprofit entity that is recognized by the Federal Internal Revenue Service as exempt from payment of federal income taxes.

- (c) The provisions of Section 1-233, Broward County Code of Ordinances, shall apply to the Living Wage Advisory Board.
- (d) The Living Wage Advisory Board shall review the implementation and effectiveness of this article and advise the Board of County Commissioners of the same, together with any recommendations for amendments hereto.
- (e) The Living Wage Advisory Board shall elect a Chair and Vice-Chair and promulgate rules necessary to conduct the business of the Living Wage Advisory Board.

(Ord. No. 2002-45, § 6, 10-8-02; Ord. No. 2008-45, § 1, 10-7-08; Ord. No. 2018-09, § 7, 2-6-18)

Secs. 26-106—26-120. - Reserved.

**BY-LAWS OF THE
BROWARD COUNTY LIVING WAGE ADVISORY BOARD**

ARTICLE I.

NAME, ESTABLISHMENT

- SECTION 1:** The name of the organization shall be "The Broward County Living Wage Advisory Board" (Board) or such successor name as shall be designated by the Broward County Board of County Commissioners.
- SECTION 2:** The governing body of Broward County is the Broward County Board of County Commissioners.
- SECTION 3:** The Board is established pursuant to Section 26-105, Broward County Code of Ordinances.

ARTICLE II.

PURPOSE, DUTIES

- SECTION 1:** The Board has as its purpose, pursuant to the implementing Ordinance cited above to oversee the implementation and effectiveness of the Broward County Living Wage Ordinance, Sections 26-101 et seq., Broward County Code of Ordinances.
- SECTION 2:** The Board has as its duties, pursuant to the implementing Ordinance cited above, to review the implementation and effectiveness of the Broward County Living Wage Ordinance and to advise the Board of County Commissioners of the same, together with any recommendation for amendments to the Ordinance.

ARTICLE III.

MEMBERSHIP

- SECTION 1:** (a) All members of the Broward County Living Wage Advisory Board shall be appointed by the Broward County Board of County Commissioners.
- (b) Each County Commissioner shall nominate one (1) member to the Board, provided that no more than four (4) members are representative of the business community. Two (2) members shall be representatives of service contractors, with at least one being a covered employee, and shall count against the maximum of four (4) members allowed as representatives of the business community. For purposes of this subsection, "business community" shall not

include a non-profit entity that is recognized by the federal Internal Revenue Service as exempt from payment of federal income taxes.

(c) No Broward County employees shall be members of the Board.

(d) All provisions of Section 1-233, Broward County Code of Ordinances, shall apply to members of the Board.

SECTION 2: The term of office for members shall be at the pleasure of the appointing Commissioner.

SECTION 3: (a) Removal for non-attendance shall be in accordance with Section 1-233, Broward County Code of Ordinances. The Board may recommend the reappointment of members whose absences were caused by extenuating circumstances.

(b) The Board may recommend to the Broward County Board of County Commissioners and to the Chair of the Board, respectively, that a member be terminated from service on the Board and any of its committees for refusing to cooperate in a conflict of interest review, or when it is determined that she/he knowingly took action(s) intended to influence the conduct of the Board in a manner defined in **ARTICLE VI. SECTION I** of these By-Laws.

ARTICLE IV.

OFFICERS

SECTION 1: The officers of the Board shall be members of the Board and shall be a Chair and Vice-Chair.

SECTION 2: Officers shall be elected by a majority vote of those members serving as members of the Board present and voting at the December regular meeting or at the next regular meeting if the December regular meeting is canceled. After being elected, the officers shall take office upon occurrence of the earlier of January 1, or the first regular or special meeting of the calendar year later than January 1. All officers shall serve a two-year term. No officers shall serve more than two consecutive terms in one office.

SECTION 3: The duties of the Officers are those which usually apply to such officers and in addition thereto, such other duties as may be designated from time to time by the Board.

SECTION 4: The Chair of the Board will serve as the official liaison of the Board with the Board of County Commissioners of Broward County and the County's designated administrative support agency.

ARTICLE V.

MEETINGS

SECTION 1: (a) The Board shall hold bi-monthly meetings unless cancelled. Special meetings may be called by the Chair or upon petition of one third of the membership of the Board. Written notice shall be given at least one week prior to a regular meeting.

(b) Special meetings of the Board may be called by the Chair or by five (5) or more members of the Board upon no less than forty-eight (48) hours notice. If, after reasonable diligence, it is impossible to give notice to each member of the Board, such failure shall not affect the legality of the meeting if a quorum is present. Notice to all members of a special meeting may be waived by a majority of the entire membership of the Board. If notice of a special meeting is not in writing or if the notice is given less than one week prior to the meeting, the minutes of the meeting shall show the manner and method by which notice of such special meeting was given to each member of the Board, or shall show a waiver of notice.

(c) Minutes shall be made of all regular and special meetings and such meetings shall be otherwise in accordance with the Florida Government-In-The-Sunshine law.

SECTION 2: A majority of the total appointed Board members shall constitute a quorum. A majority of those members present and voting at any meeting at which a quorum is present shall be sufficient to take action on behalf of the Board.

SECTION 3: Actions shall be taken only by a vote of a majority of the Board members present and eligible to vote.

SECTION 4: Only duly appointed members of the Board may vote, and each member shall have one vote. Voting privileges are non-transferable.

ARTICLE VI.

CONFLICT OF INTEREST

SECTION 1: Members of the Board and all committees established by the Board shall abide by the Florida Statutes and Broward County Ordinances, as may be amended from time to time, regarding conflicts of interest for public officials and government in the Sunshine Law. Copies of these documents shall be furnished to all Board members.

SECTION 2: All Board members must identify conflicts of interest, and are encouraged to request a review of a potential conflict of interest of themselves or another member when deemed necessary.

SECTION 3: All concerns regarding conflict of interest shall be recorded in the Board's meeting minutes. The full Board shall take whatever actions it deems appropriate and are in compliance with Board policies.

SECTION 4: A member may be terminated from service on any Board committee(s) for refusing to cooperate in a conflict of interest review, or when it is determined by the Board that the member knowingly took action(s) intended to influence the conduct of the Board in the manner prohibited by **ARTICLE VI, SECTION 1**, of these By-Laws.

ARTICLE VII.

COMMITTEES

SECTION 1: The Board shall have committees as deemed necessary and established by the Chair.

ARTICLE VIII.

AMENDMENTS

SECTION 1: These By-Laws may be adopted, amended, or repealed by a majority vote of the Board.

SECTION 2: Notice of all proposed amendments, with amendments enclosed, and the date, time and place of the meeting at which the amendment will be considered for adoption shall be mailed or transmitted by facsimile to each Board member at least ten (10) days prior to the meeting at which such amendments are to be considered for adoption.

ARTICLE IX.

GENERAL PROVISIONS

SECTION 1: The fiscal year for the Board shall be the same as the fiscal year for the Board of County Commissioners of Broward County.

SECTION 2: When procedures are not covered by law or these By-Laws, the latest edition of "Robert's Rules of Order" shall prevail.

SECTION 3: Official policies adopted by the Board shall be set forth in a written volume or volumes, which shall be maintained by the County's designated administrative support agency.

ARTICLE X.

DATE OF EFFECTIVENESS

SECTION 1: Unless otherwise provided, these By-Laws and any amendments shall be effective immediately upon approval by the Board.

CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENT that the undersigned Chair of the Broward County Living Wage Advisory Board does hereby certify that the above and foregoing By-Laws were adopted by the Broward County Living Wage Advisory Board on the 5th day of August, 2009 and that they do now constitute the By-Laws of said Board.

Attest: James L. Leedy
Chair
08/24/09
Date

Adopted 8-05-09

Living Wage Advisory Board

Implementation Milestones

- **October 8, 2002:** Board enacts Living Wage Ordinance 2002 – 45.
- **October 1, 2003:** Living Wage Ordinance effective and implemented.
- **December 3, 2003:** First Meeting of Living Wage Advisory Board.
- **March 30, 2004:** Living Wage payroll rates indexed to December 31, 2003, Consumer Price Index for all Urban Consumers (CPI-U) – Miami PMSA.
- **June 28, 2004:** Vendors and Contract Administrators advised of revised living wage rates as of October 1, 2004.
- **October 1, 2004:** Revised indexed payroll rates effective.
- **December 31, 2004:** 29 Living Wage Contracts either newly-awarded or, upon their renewal period, assumed Living Wage requirements.
- **October 1, 2005:** Newly indexed and revised living wage rates become effective.
- **October 1, 2006:** Newly indexed and revised living wage rates become effective.
- **October 1, 2007:** Newly indexed and revised living wage rates become effective.
- **October 1, 2007:** Newly indexed and revised living wage rates become effective.
- **October 7, 2008:** Ordinance amended to reflect revised indexing methodology to post living wage rates to calendar year (change from fiscal year).
- **October 14, 2014:** Ordinance amended to include covered services pursuant to a County service contract for any covered value: include food and beverage concessionaires and certain retail concessionaire services at Airport terminals and car rental.
- **October 13, 2015:** Amended to include contracts entered into by airline service providers to perform covered airport services.
- **December 11, 2018:** Board amended the ordinance to apply a new rate effective January 1, 2019 for all new contracts, extensions, renewals, or amendments of at least \$13.27 per hour with qualifying health care benefits amounting to at least \$1.63 per hour, or at least \$14.90 per hour without health care benefits.
- **February 26, 2019:** Board amended the ordinance for the health care benefit amount as follows: (1) remain at \$1.63 per hour for 2019 and will be indexed for 2020 as currently provided in the Ordinance; and (2) effective January 1, 2021, the health care benefit amount will increase to \$3.44 per hour.

Living Wage Rates: 2003 to 2019

BROWARD COUNTY				
CALENDAR (C) OR FISCAL YEAR (FY)	Hourly Rate	Qualifying health benefit amount	Hourly Rate w/out Emp. Health Benefits	% Increase Base Rate
2003 (FY)	\$9.57	\$1.25	\$10.82	-
2004 (FY)	\$9.77	\$1.28	\$11.05	2.1%
2005 (FY)	\$10.15	\$1.33	\$11.48	3.9%
2006 (FY)	\$10.63	\$1.39	\$12.02	4.7%
2007 (FY)	\$11.07	\$1.44	\$12.51	4.1%
2008 (FY)	\$11.07	\$1.44	\$12.51	0.0%
2009 (FY)	\$11.07	\$1.44	\$12.51	0.0%
2010 (C)	\$11.13	\$1.44	\$12.57	0.5%
2011 (C)	\$11.13	\$1.44	\$12.57	0.0%
2012 (C)	\$11.13	\$1.44	\$12.57	0.0%
2013 (C)	\$11.46	\$1.49	\$12.95	3.0%
2014 (C)	\$11.46	\$1.49	\$12.95	0.0%
2015 (C)	\$11.68	\$1.52	\$13.20	1.9%
2016 (C)	\$11.84	\$1.54	\$13.38	1.4%
2016 (C)**	\$11.84	\$1.54	\$13.38	N/A
2017 (C)	\$12.03	\$1.56	\$13.59	1.6%
2018 (C)	\$12.38	\$1.61	\$13.98	2.9%
2019 (C)	\$13.27	\$1.63	\$14.90	7.2%

MIAMI-DADE COUNTY				
FISCAL YEAR	Hourly Rate	Qualifying health benefit amount	Hourly Rate w/out Emp. Health Benefits	% Increase Base Rate
2003/2004	\$9.25	\$1.34	\$10.59	-
2004/2005	\$9.44	\$1.37	\$10.81	2.1%
2005/2006	\$9.81	\$1.42	\$11.23	3.9%
2006/2007	\$10.27	\$1.49	\$11.76	4.7%
2007/2008	\$10.69	\$1.55	\$12.24	4.1%
2008/2009	\$11.31	\$1.64	\$12.95	5.8%
2009/2010	\$11.36	\$1.65	\$13.01	0.4%
2010/2011	\$11.60	\$1.69	\$13.29	2.1%
2011/2012	\$11.70	\$1.71	\$13.41	0.9%
2012/2013	\$12.06	\$1.76	\$13.82	3.1%
2013/2014	\$12.23	\$1.78	\$14.01	1.4%
2014/2015	\$12.46	\$1.81	\$14.27	1.9%
2015/2016	\$12.63	\$1.83	\$14.46	1.4%
2016/2017**	\$12.63	\$1.86	\$14.46	0.0%
2016/2017**	\$12.63	\$2.89	\$15.52	0.0%
2017/2018	\$12.99	\$3.16	\$16.15	2.9%
2018/2019***	\$13.23	\$3.17	\$16.40	1.8%

PALM BEACH COUNTY				
FISCAL YEAR	Hourly Rate	Qualifying health benefit amount	Hourly Rate w/out Emp. Health Benefits	% Increase Base Rate
2003/2004	\$9.57	N/A	N/A	-
2004/2005	\$9.78	N/A	N/A	-
2005/2006	\$10.04	N/A	N/A	2.7%
2006/2007	\$10.39	N/A	N/A	3.5%
2007/2008	\$10.72	N/A	N/A	3.2%
2008/2009	\$11.03	N/A	N/A	2.9%
2009/2010	\$11.48	N/A	N/A	4.1%
2010/2011	\$11.40	N/A	N/A	-0.7%
2011/2012	\$11.40	N/A	N/A	0.0%
2012/2013	\$11.40	N/A	N/A	0.0%
2013/2014	\$11.64	N/A	N/A	2.1%
2014/2015	\$11.80	N/A	N/A	1.4%
2015/2016	\$11.98	N/A	N/A	1.5%
2016/2017	\$11.93	N/A	N/A	-0.4%
2016/2017**	\$11.93	N/A	N/A	N/A
2017/2018	\$12.05	N/A	N/A	1.0%
2018/2019	\$12.31	N/A	N/A	2.2%

"YEAR":

- Broward County Living Wage Rates were based on a Fiscal Year basis until 2010, when it shifted to calendar year (Jan. 1 - Dec. 31).
- Miami-Dade County Living Wage Rates are based on a Fiscal Year basis (Oct. 1 - Sept. 30).
- Palm Beach County Living Wage Rates are based on a Fiscal Year basis (Oct. 1 - Sept. 30).

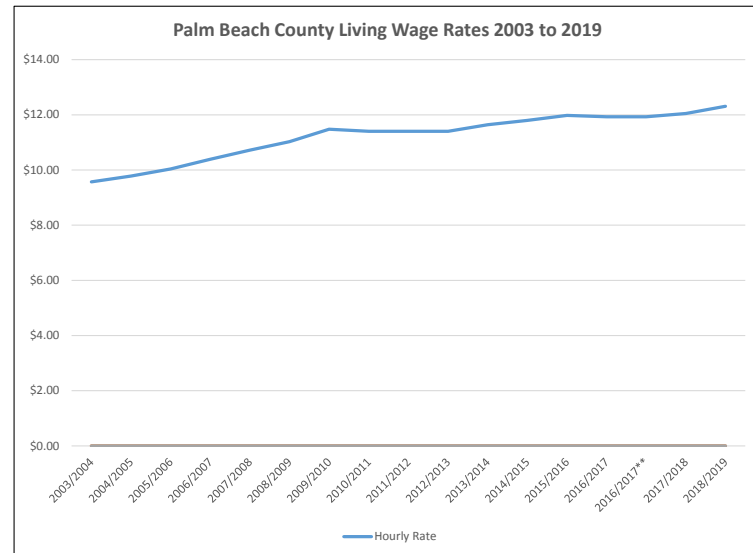
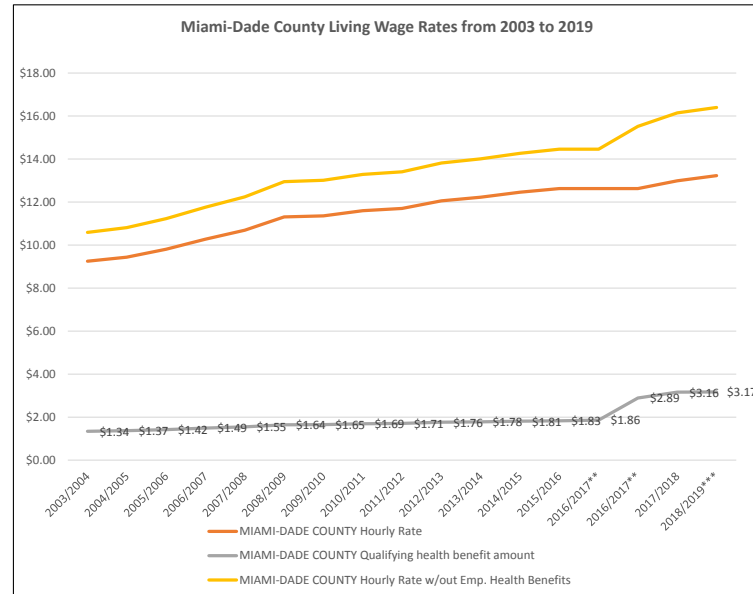
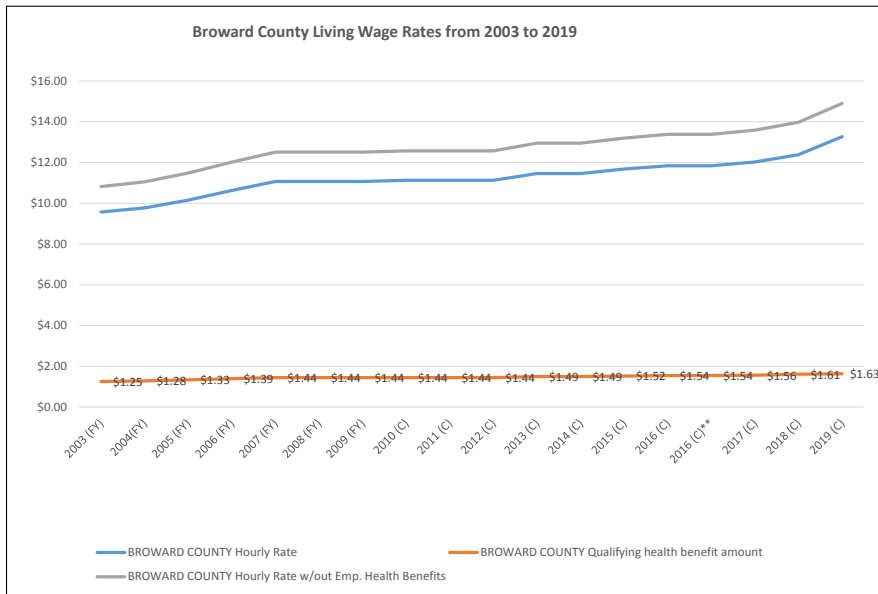
Broward County:

- October 2003: The initial living wage base rate was set at 110% of the 2002 Federal Poverty Guideline for a four-person family.
- October 2004: Rate indexed to inflation using the Miami PMSA Consumer Price Index for all Urban Consumers (CPI-U).
- October 2008: Ordinance amended to include new indexing, beginning with 2009 rates; future annual indexing of the living wage rates shifts from Fiscal Year to calendar year.
- October 2014: Ordinance amended to include covered services pursuant to a County service contract for any covered value (>\$100k): include food and beverage concessionaires and certain retail concessionaire services at Airport terminals and car rental center.
- October 2015: Ordinance amended to include contracts entered into by airline service providers to perform covered airport services.

Broward County, Miami-Dade County & Palm Beach County:

- ** FY 2016: Miami-Dade County used two rates based on when contracts went into effect (first rate was for contracts prior to October 2016; second rate were for contracts entered after October 1, 2016). Broward County and Palm Beach County did not have the same adjustment (therefore 2016 additional row does not have change in rates).
- FY16/17: Miami-Dade County applied the Living Wage for Covered Services and all Service Contractors operating under Permits at Aviation Department Facilities.
- October 2017: Miami-Dade changed its methodology from CPI-All Urban Consumers-All Items to CPI-All Urban Consumers-Medical Care by which their living wage is calculated.
- ***Miami-Dade County rates effective October 1, 2018 to September 30, 2019.

Chart of Living Wage Rates: 2003 to 2019



Living Wage Advisory Board Sunset Review

Evaluation Criteria

1. Is the Board serving the purpose for which it was created?
2. Is the board serving current community needs?
3. Is there any other board(s), either public or private, which would better serve the function of the board? If yes, please name.
4. Could this board be combined with any other county board(s) to maximize efficiency and eliminate duplicity? If yes, please name.
5. Should the board's creating legislation be amended to better enable the board to serve the purpose for which it was created?
6. Should the board's membership requirements be modified?



Broward County Commission Regular Meeting

26.

Meeting Date: 12/11/2018
 Director's Name: Andrew J. Meyers
 Department: County Attorney

Information

Requested Action

MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE BROWARD COUNTY LIVING WAGE ORDINANCE; REPEALING AND REPLACING IN THEIR ENTIRETY SECTIONS 26-100 THROUGH 26-102 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO ESTABLISH A LIVING WAGE AND CORRESPONDING HEALTH CARE BENEFIT AMOUNT; PROVIDING FOR DEFINITIONS; PROVIDING THAT THE LIVING WAGE APPLIES TO ALL NEW AND EXISTING CONTRACTS; PROVIDING FOR THE METHOD TO ADJUST THE LIVING WAGE AND HEALTH CARE BENEFIT AMOUNT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(First Version of Proposed Ordinance Sponsored by Senator Nan H. Rich and Cosponsored by Vice-Mayor Dale V.C. Holness)

(Second Version of Proposed Ordinance Sponsored by Senator Steve Geller)

(Per the Tuesday Morning Memorandum, Mayor Bogen requested being a co-sponsor to the First Version of the Proposed Ordinance.)

ACTION: (T-11:16 AM PM) Following discussion, the Board approved amendments to Commissioner Rich's Proposed Ordinance as to increasing the Living Wage to \$13.27 per hour, excluding (d) - Healthcare Benefits. In addition, the Board approved Commissioner Geller's amendment for funding sources. (Refer to minutes for full discussion.)

VOTE: 9-0. Dr. Sharief voted in the affirmative telephonically.

ACTION: (T-1:34 PM) Tabled until later in the meeting. (Refer to minutes for full discussion.)

ACTION: (T-2:27 PM) Filed proof of publication and enacted the Ordinance to become effective as provided by law . The Board approved Commissioner Rich's amendment, Exhibit 3, and Purple-Sheeted Additional Material 26(2) amended by Commissioner Geller's language providing that General Fund Resources can only be used to mitigate General Fund contracts, and directing the County Attorney to modify Section 26-102d keeping the same substance that is currently in the Ordinance, while the Board considers healthcare at a later date. The Board requested that staff schedule a Board Workshop in January 2019, with an Agenda Item coming back to the Board in January 2019, after the Board Workshop. (Refer to minutes for full discussion.) (See Purple-Sheeted Additional Material submitted the request of County Administration, the Office of the County Attorney and Commissioner Geller.)

VOTE: 9-0. Dr. Sharief voted in the affirmative telephonically.

Why Action is Necessary

A Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its meeting of November 13, 2018.

What Action Accomplishes

Allows the Board to consider amendments to the County's Living Wage Ordinance.

Is this Action Goal Related

Previous Action Taken

Summary Explanation/Background

The proposed Ordinance sponsored by Senator Rich and cosponsored by Vice-Mayor Holness repeals and replaces three sections of Broward County's Living Wage Ordinance ("Ordinance") and establishes (1) a new title and legislative findings; (2) reorganization and minor changes to definitions; (3) a living wage and corresponding health care benefit amount for all new and existing contracts; and (4) a new method to adjust the living wage and health care benefit amount.

More specifically, the proposed Ordinance provides for the following:

- Commencing January 1, 2019, the living wage for all new and existing contracts is no less than \$13.27 per hour with health care benefits, and no less than \$13.27 per hour plus an additional \$1.63 per hour without health benefits. Based on the Board's direction and discussion on October 23, 2018, and November 13, 2018, the \$1.63 per hour may be subject to subsequent change based on the analysis of health care benefits currently being performed by staff.
- Provides that covered employers with currently existing contracts shall continue to pay covered employees the current living wage through December 2018. Thereafter, these covered employers are obligated to pay the new living wage amount effective on the earlier of July 1, 2019, or the date the County and the covered employer enter into a written amendment providing for the County to reasonably mitigate increased labor costs resulting from enactment of the Ordinance. Between January 1, 2019, and the time the full new living wage amount must be paid, these covered employers will be required to pay either no less than \$12.60 per hour (with health care benefits) or no less than \$14.23 per hour (without health care benefits), which new rates would otherwise take effect on January 1, 2019, without an amendment to the Living Wage Ordinance. By July 1, 2019, these covered employers must pay each covered employee the differential between the amount the covered employee would have received commencing January 1, 2019, had the full new living wage amount been paid and the actual amount of wages paid to the covered employee through June 30, 2019.
- Commencing with the first full pay period in January 2019, County part-time benefits eligible and full-time benefits eligible employees under the County pay plan will be paid a living wage of no less than \$13.27 per hour, in addition to health care benefits.
- Beginning January 1, 2020, and thereafter on January 1 of each year, the living wage and health care benefits will be adjusted annually by the lowest of: (1) the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), All Items, Miami-Ft. Lauderdale-West Palm Beach, FL, calculated by the United States Department of Labor, for the immediately preceding period of November 1 through October 31; (2) three percent (3%); or (3) the percentage across-the-board compensation increase provided by the County to its unrepresented employees.

On November 13, 2018, the Board directed that the public hearing on this item be held on December 11, 2018, instead of the previously anticipated date of December 4, 2018. The Board also directed that the substitute Ordinance proposed by Senator Geller be concurrently noticed for public hearing.

The proposed Ordinance sponsored by Senator Geller differs from Senator Rich's and Vice-Mayor Holness's proposed Ordinance in the following ways:

- Commencing on January 1, 2019, the living wage for all renewed contracts would be no less than \$13.27 per hour with health care benefits, and no less than \$13.27 per hour plus an additional \$1.63 per hour without health benefits. All prior delegation of authority to staff to renew any agreement is rescinded unless the renewed agreement requires payment of this living wage amount.
- Provides that covered employers with currently existing contracts entered into prior to January 1, 2019, will pay their covered employees \$13.00 per hour with health care benefits, and no less than \$13.00 per hour plus an additional \$1.63 per hour without health benefits.

- Within 60 days after the enactment of the proposed Ordinance, the County Administrator would be required to provide to the Board a recommendation for a potential one-time adjustment to the health care benefit amount based on the condition of the labor market and health insurance market.

A Fiscal Impact Statement for the proposed Ordinance sponsored by Senator Steve Geller will be distributed as additional material.

Source of Additional Information

Adam Katzman, Senior Assistant County Attorney, (954) 357-7600

Fiscal Impact

Fiscal Impact/Cost Summary:

Fiscal Impact Statement by Office of Management and Budget for Proposed Ordinance sponsored by Senator Nan H. Rich and cosponsored by Vice-Mayor Dale V.C. Holness is attached as Exhibit 3.

Attachments

[Exhibit 1 - Copy of Proposed Ordinance sponsored by Senator Nan H. Rich and cosponsored by Vice-Mayor Dale V.C. Holness](#)

[Exhibit 2 - Copy of Proposed Ordinance sponsored by Senator Steve Geller](#)

[Exhibit 3 - Copy of Fiscal Impact Statement for Proposed Ordinance sponsored by Senator Nan H. Rich and cosponsored by Vice-Mayor Dale V.C. Holness](#)

[Additional Material - Information](#)

[Additional Material - Information](#)

[Additional Material - Information](#)

[Additional Material - Information](#)



Broward County Commission Regular Meeting

43.

Meeting Date: 02/26/2019
 Director's Name: Andrew J. Meyers
 Department: County Attorney

Information

Requested Action

MOTION TO CONSIDER enactment of an Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE BROWARD COUNTY LIVING WAGE ORDINANCE; AMENDING SECTION 26-102 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO ESTABLISH A HEALTH CARE BENEFIT AMOUNT; PROVIDING FOR THE METHOD TO ADJUST THE HEALTH CARE BENEFIT AMOUNT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Senator Nan H. Rich and Cosponsored by Vice-Mayor Dale V.C. Holness, Mayor Mark D. Bogen, Commissioner Lamar P. Fisher, Senator Steve Geller, Commissioner Beam Furr, and Commissioner Barbara Sharief)

ACTION: (T-12:32 AM) Filed proof of publication and enacted the Ordinance to become effective as provided by law. Dr. Sharief noted that she is no longer a co-sponsor to this item. (Refer to minutes for full discussion.)

VOTE: 8-1. Dr. Sharief voted no.

Why Action is Necessary

A Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its meeting of February 12, 2019.

What Action Accomplishes

Amends Section 26-102 of the Code.

Is this Action Goal Related

Previous Action Taken

Summary Explanation/Background

The proposed Ordinance amends Section 26-102 of Broward County's Living Wage Ordinance ("Ordinance") to provide that (1) the health care benefit amount will remain at \$1.63 per hour for 2019 and will be indexed for 2020 as currently provided in the Ordinance; and (2) effective January 1, 2021, the health care benefit amount will increase to \$3.44 per hour.

Source of Additional Information

Adam Katzman, Senior Assistant County Attorney, (954) 357-7600

Fiscal Impact

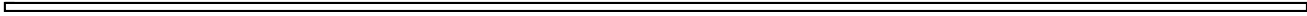
Fiscal Impact/Cost Summary:

Fiscal Impact Statement by Office of Management and Budget is attached as Exhibit 2.

Attachments

[Exhibit 1 - Copy of Proposed Ordinance](#)

[Exhibit 2 - Copy of Fiscal Impact Statement](#)



LIVING WAGE ADVISORY BOARD MEMBERS

Mr. Mark Klein	(Commissioner Nan H. Rich District 1 (Appointed 10/14/08)
Mr. Chester Just	(Commissioner Mark D. Bogen District 2 (Appointed 10/27/15)
Vacant	(Commissioner Michael Udine District 3
Vacant	(Commissioner Lamar Fisher District 4
Mr. James M. Ryan	(Commissioner Steve Geller District 5 (Reappointed 6/11/13; appointed 6/26/12)
Mr. Frank E. De Risi	(Commissioner Beam Furr District 6 (Reappointed 5/5/15; appointed 2/28/12)
Mr. Zac Cassidy	(Commissioner Tim Ryan) District 7 (Reappointed 2/27/13; appointed 8/16/12)
Mr. Eddie Ewards, Jr.	(Commissioner Barbara Sharief) District 8 (Appointed 4/9/19)
Mr. Darryl “Mike D” Payne	(Commissioner Dale Holness) District 9 (Reappointed 6/4/13; appointed 2/4/11)

Revised 4/17/19

**Living Wage Advisory Board (LWAB)
Categorical Draw Result Chart 08-14-18**

Commissioner Name	Categories
Nan H. Rich District 1	Non-Business Community
Mark D. Bogen District 2	Non-Business Community
Michael Udine District 3	Non-Business Community
Chip LaMarca District 4	Business Community/Service Contractor/Covered Employee
Steve Geller District 5	Non-Business Community
Beam Furr District 6	Business Community/Non-Service Contractor
Tim Ryan District 7	Business Community/Service Contractor
Barbara Sharief District 8	Business Community/Non-Service Contractor
Dale Holness District 9	Non-Business Community

Garcia, Lucy

From: Garcia, Lucy
Sent: Wednesday, April 17, 2019 5:40 PM
To: 'zaccassidy'; 'miked1526@hotmail.com'; 'frankderisi@hotmail.com'; 'ryan0727@comcast.net'; 'LegalMr@aol.com'; 'Mark Klein'
Cc: Kelleher, Kevin; Billingsley, Brenda; Marcos, Glenn; Mangan, Constance; Pitts-Howard, Shelia; Francis, Alexa; Mcdonald, Mary; Amuchastegui, Fernando; Cuervo, Mary; Louis, Obed; Garrick, Antonia; McClain, Takai; Johnson, Rose; Fleury, Teresa; Brannon, Harambie
Subject: Living Wage Advisory Board - Newly Appointed Member
Attachments: LWAB 040919 Edwards, Eddie.pdf

Living Wage Advisory Board Members:

Attached is a copy of the letter sent to the newly appointed member of the Living Wage Advisory Board.

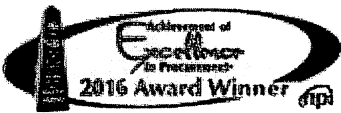
On April 9, 2019, the Broward County Board of County Commissioners appointed Mr. Eddie Edwards, Jr. to the Board, on behalf of Commissioner Sharief.

A copy will also be included in your next meeting agenda package.

Thank you,



Lucy Garcia
Administrative Coordinator
Broward County Purchasing Division
115 S. Andrews Avenue, Fort Lauderdale, FL 33301
(954) 357-6071 Fax: (954) 357-8535
www.broward.org/purchasing



Customer care is my priority. How am I doing? Please contact my Director, Brenda J. Billingsley, at bbillingsley@broward.org with feedback.



INTERGOVERNMENTAL AFFAIRS/BOARDS SECTION

100 S. Andrews Avenue, Main Library, 8th Floor • Fort Lauderdale, Florida 33301 • 954-357-7575 • FAX 954-357-6573

April 10, 2019

Eddie Edwards, Jr.
10258 NW 47th St
Sunrise, FL 33351

Dear Mr. Edwards:

The Broward County Board of County Commissioners was pleased to appoint you to the Living Wage Advisory Board on April 9, 2019. As a member of this council you are a public officer subject to Chapter 112, Part III, of the Florida Statutes which is the "Code of Ethics for Public Officers and Employees."

The following documents have been sent to you electronically. Please become familiar with your legal responsibilities and the various disclosure requirements as a member of this board:

1. 2019 Florida Commission on Ethics Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees that summarizes the ethics laws.
2. Terms of appointees to Broward County boards, authorities, and agencies; quorum, Chapter 1, Article XII, Section 1-233 of the Broward County Code.
3. Prohibition on Lobbying by advisory board members, including the "Lobbying Restriction Chart," Chapter 26, Article V, Section 26-70 of the Broward County Code.
4. Acceptance of gifts by members of County boards and Gift Restriction Decision Chart, Chapter 26, Article V, Section 26-70.1.
5. Disclosing the representation of others before agencies, Chapter 26, Article V, Section 26-76 of the Broward County Code. *If Section 26-76 applies to you*, you must also file Form 2 Quarterly Client Disclosure and return to Supervisor of Elections.
6. Broward County Advisory Boards Policies.
7. Board Overview Document.
8. Acknowledgment of Receipt of Documents - sign and return to board coordinator.

Please contact Ms. Lucy Garcia at 954-357-6071 regarding the next meeting. In the meantime, if you have any questions, please contact me at 954-357-5934 or boards@broward.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Orlando A. Garcia", written over a set of horizontal lines.

Orlando A. Garcia
Boards Administrator/Legislative Policy Analyst

C: Commissioner Barbara Sharief
C. Marty Cassini, Manager, Intergovernmental Affairs/Boards Section
Lucy Garcia, Board Coordinator, Living Wage Advisory Board

Garcia, Lucy

From: Garcia, Lucy
Sent: Friday, May 24, 2019 5:30 PM
To: 'eddie@thecei.com'
Cc: 'zaccassidy'; 'miked1526@hotmail.com'; 'frankderisi@hotmail.com'; 'ryan0727@comcast.net'; 'LegalMr@aol.com'; 'Mark Klein'; Kelleher, Kevin; Billingsley, Brenda; Marcos, Glenn; Mangan, Constance; Pitts-Howard, Shelia; Francis, Alexa; Mcdonald, Mary; Amuchastegui, Fernando; Cuervo, Mary; Louis, Obed; Garrick, Antonia; McClain, Takai; Johnson, Rose; Fleury, Teresa; Brannon, Harambie
Subject: Living Wage Advisory Board
Attachments: Living Wage Ordinance.pdf; Living Wage Ordinance Timeline.pdf; Living Wage Rate Comparison.pdf; Adopted Living Wage Advisory Board By-Laws.pdf; Agenda Item No. 26 - Dec 11 2018.pdf; Agenda Item No. 43 - Feb 26 2019.pdf; LWAB Member List.pdf; LWAB Categorical Draw Results - 08-14-18.pdf; 2019 Living Wage Advisory Board Meetings.pdf

Mr. Edwards, Jr.,

Congratulations on your appointment to the Living Wage Advisory Board (LWAB). The Advisory Board members have requested that newly appointed members, receive information, which will provide a summary of the Living Wage Program.

Therefore, attached are various documents that will give you an overview of the history of the program:

1. Living Wage Ordinance
2. Living Wage Ordinance Timeline
3. Living Wage Rate Comparison
4. LWAB Adopted By-Laws
5. Agenda No. 26 (12/11/18) & No. 43 (2/26/19); last action taken by the Board of County Commissioners regarding the Living Wage Ordinance.
6. List of LWAB Members
7. LWAB Categorical Draw Result (8/14/18)
8. List of 2019 Living Wage Advisory Board Meetings

The next Living Wage Advisory Board meeting is scheduled for:

Wednesday, June 5, 2019 at 11:00 a.m. in the Broward County Governmental Center, 115 S. Andrews Avenue, Room 302, Fort Lauderdale, Florida, 33301.

We will send a request for confirmation of attendance a week prior to the meeting; a separate email is being sent regarding the next meeting's agenda.

Please note additional information regarding the Living Wage is available on the Purchasing Division website at: <http://www.broward.org/Purchasing/pages/livingwageordinance.aspx>.

We hope this information will be helpful to you in fulfilling your responsibilities as a member of the Living Wage Advisory Board.

If you have any questions, please call me at (954) 357-6071.

Thank you,



Lucy Garcia
Administrative Coordinator
Broward County Purchasing Division
115 S. Andrews Avenue, Fort Lauderdale, FL 33301
(954) 357-6071 Fax: (954) 357-8535
www.broward.org/purchasing

Customer care is my priority. How am I doing? Please contact my Director, Brenda J. Billingsley, at bbillingsley@broward.org with feedback.

Garcia, Lucy

From: Garcia, Orlando
Sent: Monday, June 03, 2019 3:14 PM
To: Cassini, C. Marty
Cc: Labrador, Edward; Sainvil, Daphnee; West, Devon
Subject: 2020 State Legislative Program
Attachments: Draft State Legislative Program-2020.docx

Importance: High

Good afternoon Board Coordinators,

The Intergovernmental Affairs/Boards Section (IABS) is in the process of drafting the State Legislative Program for the 2020 Session. A copy of the draft is attached for your review. Please share the draft with your board members and submit any comments no later than Friday, August 2th. Please be advised that we expect to complete the draft by Friday, August 9th.

Regards,

Orlando A. Garcia
Intergovernmental Affairs/Boards Section
Boards Administrator/Legislative Policy Analyst
100 South Andrews Avenue
Main Library, 8th Floor
Fort Lauderdale, FL 33301
(954) 357-5934 (office)



Follow Broward County Governmental Affairs on Twitter @BrowardSLI



2020 STATE LEGISLATIVE PROGRAM



Board of County Commissioners

Mayor Mark D. Bogen, District 2

Vice Mayor Dale V.C. Holness, District 9

Nan Rich, District 1

Michael Udine, District 3

Lamar Fisher, District 4

Steve Geller, District 5

Beam Furr, District 6

Tim Ryan, District 7

Dr. Barbara Sharief, District 8

County Administration

Bertha Henry, County Administrator

Monica Cepero, Deputy County Administrator

Andrew J. Meyers, County Attorney

Bob Melton, County Auditor



Mailing Address

Broward County Governmental Center

115 South Andrews Avenue, Room 421

Fort Lauderdale, FL 33301

Values and Mission

Broward County prides itself on being fiscally responsible and transparent. Broward County believes in the fundamental concept that the government closest to the people is the appropriate authority to serve the needs of the community. Broward County is AAA bond-rated and urges the state to establish policies based on evidence and encourage a balanced approach to delivery of service and protection of tax payers.

Florida Association of Counties

The Board supports the Florida Association of Counties (FAC) Legislative Program and Guiding Principles, unless specific issues conflict with Broward County positions.

General Revenue

The Board also opposes any efforts that further erode the capability of local governments to fulfill their financial obligations or provide necessary services to their residents.

Home Rule

The Board supports the integrity of home rule, which allows counties to develop and implement solutions that address unique local issues.

Southeast Florida Regional Climate Change Compact and Climate Legislative Program

The Board supports the Southeast Florida Regional Climate Change Compact State Energy and Climate Legislative Program.

Sovereign Immunity

The Board opposes legislative efforts to increase or eliminate the sovereign immunity waiver limitations in current law.

Unfunded Mandates

The Board opposes any legislation that implement unfunded mandates on a local government.

Commission Priorities

AFFORDABLE HOUSING

Support full use of the dedicated revenues provided by the Sadowski Affordable Housing Act for Florida’s housing programs and projects. Specifically, full funding of the State Housing Initiative Partnership (SHIP) and State Apartment Incentive Loan (SAIL) Programs to aid income eligible residents, including seniors and individuals with disabilities.

Support funding for all housing projects dedicated to serving income eligible seniors as more seniors are “aging-in-place” or relocating to South Florida. As Broward County is one of the primary locations in the state where this population is growing, it is increasingly important to find sustainable solutions to address the affordable housing needs of seniors.

Support the ability of Broward County residents to have a discretionary documentary surtax to fund a dedicated source of funding – the Broward County Affordable Housing Trust Fund.

Oppose any diversion of housing trust fund monies for purposes unrelated to the affordable housing needs of Floridians.

BEHAVIORAL HEALTH AND SUBSTANCE ABUSE NEEDS

Support protecting the existing behavioral health safety net in Broward County and ensuring that this safety net received appropriate funding.

Support state funding and resources to address the significant unmet behavioral health needs in Broward County, which include permanent, supportive, and transitional housing, multidisciplinary teams. Specifically, designating Children’s Community Action Treatment Teams (CAT), Family Intervention Treatment Teams (FIT), and Florida Assertive Community Treatment Teams (FACT).

Broward County requires community support services, extended acute care beds, a Broward Forensic Alternative Center (Broward-FAC) and integrated primary/behavioral health programs to provide services to special populations.

COMPREHENSIVE WATER REFORM

Support legislation intended to assess and regularly report the financial need to address Florida’s water infrastructure relating to water supply including conservation, the protection of water quality, stormwater, flood control and environmental resource protection and restoration.

Support legislation that promotes the identification of potential sources of sufficient funding to address the documented need, as well as, the development of priority and science-based grant programs for the implementation of projects identified by local governments, the water management districts and state agencies.

Support legislation requiring the assessment and evaluation of state agency efforts to address sea level rise and other weather impacts on the County. Support continued funding for research and mitigation for blue green algae, and red tide.

Support legislation and funding initiatives to increase alternative water supply funding, in addition to state funding of the Leah Schad Memorial Ocean Outfall Program.

ECONOMIC DEVELOPMENT

Support continued funding for the Black Business Loan Fund and Hispanic Business Investment Loan Fund.

Support legislation that would increase funding for economic development programs in low-income/high poverty communities and create and fund Sister City programs, which would stimulate economic development within Broward County.

Support legislation for the establishment of Opportunity Zones concurrent with federal law.

Support film, television and digital media production, and other entertainment grant opportunities.

Support policy and funding for workforce development, apprenticeship, and pre-apprenticeship programs.

FRACKING

Support legislation clarifying that no oil or gas permit may be issued unless a county, like municipalities, approve the application for oil or gas drilling projects within its jurisdiction.

Oppose legislation authorizing any form of extreme well stimulation for oil and gas resource extraction, including hydraulic and acid fracturing.

Oppose preemption of local regulation of extreme well stimulation and oil and gas exploration and extraction.

LOCAL BILL

Support the local bill to allow the county voters to determine whether the county-related functions stay with the County government or be transferred to the Clerk of Court on January 7, 2025. The functions of ex-officio clerk of the Board of County Commissioners, county auditor, recorder and custodian of all county funds has resided with the County government for almost 46 years.

County Appropriation Requests

Courthouse Furnishing Reimbursement | \$1.5 million

In 2016, the Board approved the expenditure of funds to furnish non-public areas of the courthouse, with the expectation of state reimbursement. A total of \$6 million was spent to provide appropriate workspaces to the courts, state attorneys, public defenders, and guardian ad litem. Presently, the state of Florida has not reimbursed the county for such expenses. We urge the state to provide a partial reimbursement each fiscal year, until full reimbursement is attained.

Joint Medical Examiner and Broward Sheriff Office Crime Lab | \$750,000

The Medical Examiner Office and BSO Crime Lab are fully accredited agencies working in outdated, outgrown facilities. The current facilities are incapable of supporting the emerging technology in these fields. Combining the two will provide synergy of scale and technology while maintaining the separation of the missions. Funding would be spent for pre-construction, engineering, and design for a new joint medical examiner/crime lab facility for the medical examiner's office, forensic toxicology, and trauma services. The project is intended to be constructed on a vacant parcel of approximately 7 acres. The new combined facility is anticipated to be organized as a multi-story building or series of buildings with the building areas and potential operational and functional synergies to be explored during the planning and programming phase with a projected construction area of 135,000 square feet. The facility shall be designed under Leadership in Environmental and Engineering Design guidelines or LEED – version 4 or current available version.

Nancy J. Cotterman Center – Victims of Sexual Assault/Anti-Human Trafficking Program | \$500,000

The Nancy J. Cotterman Center (NJCC) improves and enhances the quality of life for victims of sexual assault and child abuse through effective forensically sensitive interventions, implemented by professionals specializing in the fields of sexual assault and child abuse. Funding will support increased outreach and coordination of services to victims of human trafficking in Broward County. In addition, an increased public awareness and prevention efforts, while bolstering investigations and prosecutions of those who buy illegal commercial sex (“johns”) will enhance the safety of all County residents. In addition, funding will provide a range of direct services to a minimum of 300 victims of sexual assault or abuse. Through these services victims will have the support needed to successfully go through the criminal justice system to increase the likelihood of successful prosecution thus reducing the recidivism rate.

Tire Abatement (Osborne Reef Waste Tire Removal) | \$1 million

Support continued funding of the tire removal project to reduce waste tires in the ocean off the shore of Fort Lauderdale. During the 1970s, between one and two million tires were put in the ocean off Broward County to create additional fish habitat. Over the years, many of the tires were mobilized by tropical storms and hurricanes, the movement of which caused damage to nearby existing coral reefs. The threat is serious, but the complexity and magnitude of the challenge of removing these tires have prevented any individual government agency from doing so. Presently, a total of 300,000 tires have been successfully removed.

Statewide Appropriations Requests

Challenge Grant Program Funding | \$5 million

Support increased funding for Challenge Grants and continued appropriations for Continuum of Care (CoC) Lead Agency Staffing Grants, which competitively award grants to assist local CoC agencies in implementing strategies to address the needs of persons experiencing homelessness. Additionally, preserve financial and programmatic accountability provisions in state law for programs administered by the State Office on Homelessness.

Home Health and Community Care Funding | \$13 million

Support increased and continued funding for the following programs that have been funded annually.

Program Name	FY 19-20 Request	FY 20-21 Request
Alzheimer's Disease Initiative	\$2,162,586	-
Community Care for the Elderly	\$10,716,576	-
Home Care for the Elderly	\$607,403	-

Libraries Division | \$33 million

Support increased funding for the State Aid to Libraries Program to a minimum of \$33 million. Also support full funding of all projects recommended by the State Library as eligible for Public Library Construction Grant funding.

Port Everglades Funding

Support continued funding for projects in the Florida Department of Transportation's (FDOT) adopted Five-Year Work Program, which are prioritized based on the level of the return on investment. Each Work Plan approved initiative provides a reliable source of capital funding to complement limited financial resources and facilitates the ability of Florida ports to compete outside of the state.

Possible Additional Requests (County and Statewide)

Aviation

Cultural Affairs Division

- Specific programming requests

Human Services

- BARC
- Reentry, recidivism, civil citation

Transportation

Policy Proposals

Constitutional Amendment Implementation

Support the implementation of newly adopted constitutional amendments in a manner that does not impact a local government's home rule authority or subject a locality to bear the cost of unfunded mandates.

Department of Juvenile Justice Detention Center Study

Support state funding to the Department of Juvenile Justice (DJJ) to upgrade, renovate, or reconstruct detention centers that are in a state of disrepair. In addition, the Board supports investments in juvenile facilities to enhance the conditions of secure confinement for detained youth.

Support funding for a study of the three most derelict facilities in the state. This would facilitate the construction of much needed new facilities to house juveniles in a safe environment.

Endangered Species

Support legislation intended to promote the sustainability of terrestrial and aquatic species by limiting the commercial trade of threatened and endangered species animal parts through Florida's air and seaports.

Firearms Regulation

The open carry of firearms should not be allowed in government owned facilities, educational institutions, courthouses, and healthcare institutions. Therefore, the Board supports legislation allowing local governments to regulate firearms in government owned facilities.

Oppose legislation allowing open-carry firearms in or on college and university campuses, courthouses, state-legislative and cabinet meetings, governing board meetings of counties, cities, school boards and special districts.

Hollywood North Beach Anchorage Restriction

Amend state law to restrict overnight vessel anchorage in specific areas to protect it from environmental pollution of the waterway.

Medicaid Expansion

Support a state implemented Medicaid expansion to provide affordable healthcare coverage for nearly one million Floridians who are uninsured.

Tourist Development Tax Clarification

Support legislation that will allow a locality to foreclose on tax warrant liens on hotels or other short-term rental property in an orderly manner. The Board also supports establishing a statutory method to pierce the corporate veil when the taxpayer and the property owners are owned by separate legal entities, specifically if those entities are affiliated.

Towing and Immobilizing Licensing Structure Preemption

Oppose efforts to prohibit a county from enacting a rule or ordinance that imposes a fee or license on wrecker and towing operators.

Additional Policy Requests

Alternative Water Supply Needs

Retainage

DRAFT

CALENDAR

Broward County Commission Calendar

The Broward County Commission meets in formal session on most Tuesdays, as scheduled, at 10AM in room 422 of the Broward County Governmental Center, 115 S. Andrews Avenue in Fort Lauderdale. The meeting calendar is updated regularly to reflect workshops, holidays and winter/summer recess.

MAY

May 7, 2019 Regular Commission Meeting
Last Day of Legislative Session May 3

May 14, 2019 10:00 a.m. – 5:00 p.m. Budget Workshop

May 21, 2019 Regular Commission Meeting
Memorial Day May 27

JUNE

June 4, 2019 Regular Commission Meeting
12:30 p.m. Budget Workshop or immediately following Commission Meeting
FAC Annual Conference June 11-14

June 6, 2019 (Thurs) 10:00 a.m. – 5:00 p.m. Budget Workshop

June 11, 2019 Regular Commission Meeting

June 18, 2019 Budget Workshop

JULY

July 2–August 6, 2019 Summer Recess
NACo Annual Conference July 11-15

AUGUST

August 13, 2019 Regular Commission Meeting
12:30 p.m. Budget Workshop or immediately following Commission Meeting

August 27, 2019

Regular Commission Meeting

12:30 p.m. Budget Workshop or immediately following Commission Meeting

SEPTEMBER

September 10, 2019

Regular Commission Meeting

5:01 p.m. Budget Hearing #1 (To be Confirmed)

Labor Day September 2

September 24, 2019

Regular Commission Meeting

5:01 p.m. Budget Hearing #2 (To be Confirmed)

*Rosh Hashanah September 29-October 1***OCTOBER**

October 1, 2019

Regular Commission Meeting

Yom Kippur October 8-9

October 15, 2019

Regular Commission Meeting

NOVEMBER

November 5, 2019

Regular Commission Meeting

Veterans Day November 11

November 19, 2019

Regular Commission Meeting (Reorganization)

*Thanksgiving Holiday November 28-29***DECEMBER**

December 3, 2019

Regular Commission Meeting

December 10, 2019

Regular Commission Meeting

December 17-31, 2019

No Meeting – Winter Recess

Revised 3/28/19

Advisory Board Attendance Record

Board Name:	Living Wage Advisory Board													
Board Coordinator Name:	Lucy Garcia													
Coordinator Contact #:	(954) 357-6071													
Meeting Dates:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year End Status	
	N/A	6	N/A	3	N/A	5	N/A	7	N/A	2	N/A	4		
Member Name														
Zac Cassidy, Chair		X		A										
James Ryan, Vice Chair		X		X										
Mike "D" Payne		X		X										
Frank De Risi		X		X										
Mark Klein		X		X										
Chester Just		X		X										

After each meeting, email a copy of ***this attendance record*** to **boards@broward.org**. If you have any questions, please call the County Boards Administrator at 954-357-5934.

Legend:
X - present
A - absent
E - excused
NQA - no quorum absent
NQX - no quorum present
N - newly appointed
Z - removed
C - cancelled

2019
LIVING WAGE ADVISORY BOARD MEETINGS

(These are the bi-monthly meetings (First Wednesday of the month) for 2019)

FEBRUARY 6, 2019

APRIL 3, 2019

JUNE 5, 2019

AUGUST 7, 2019

OCTOBER 2, 2019

DECEMBER 4, 2019