

REVISED AGENDA
LIVING WAGE ADVISORY BOARD MEETING
December 4, 2019 - 11:00 a.m.
Room 302

- I. Call to Order and roll call.
- II. Introductions as necessary.
- III. Approval of October 2, 2019 minutes.
- IV. Staff updates to report.
- V. Updates from Board members on meetings with Commissioners regarding the Living Wage.
- VI. Amendment/Adoption of the Bylaws Changes.
- VII. Election of New Chair & Vice Chair
- VIII. Discussion and instruction to staff.
- IX. Adjourn.

MINUTES
LIVING WAGE ADVISORY BOARD MEETING
Wednesday, October 2, 2019 - 11:00 a.m.

Living Wage Advisory Board Members Present:

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

Living Wage Advisory Board Members Absent:

Zac Cassidy, Chair

County Staff Present:

Glenn Marcos, Assistant Director, Purchasing Division
Shelia Pitts-Howard, Administrative Officer Senior, Purchasing Division
Alexa Francis, Administrative Officer, Purchasing Division
Lucy Garcia, Administrative Coordinator, Purchasing Division (Minutes Coordinator)

- I. The Minutes Coordinator, Lucy Garcia called the meeting to order at 11:10 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 Mike Payne, seconded by Mark Klein and unanimously passed to accept the August 7, 2019 minutes.**
- IV. Staff Updates:
 - A. Alexa Francis briefly discussed the Living Wage Contracts Report for the August– September 2019 reporting period. There were 4 new living wage contracts to report for this period. Staff addressed questions from the Board Members regarding the increase in contracts impacted by the living wage and living wage exemption.
 - 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. James Ryan met with Commissioner Geller and the Commissioner expressed that he was pleased with the Advisory Board's progress and looks forward to any other suggestions or recommendations that the Board members may need to provide.
 - B. Mark Klein met with Commissioner Rich and discussed the "draft" letter that the Advisory Board members want to vet to congratulate the Board of County Commissioners and Purchasing Staff for the great work on implementing the Advisory Board's recommended revisions related to the Living Wage ordinance and living wage rates.
 - C. There were no other updates provided at this time.
- VI. Discussion:
 - A. Glenn Marcos provided a brief overview on the Sunset Review process which has been discussed at a previous meeting. An email from the County Board Coordinator was included in the agenda package regarding the upcoming 2020 Sunset Review so the members can review for further discussion at a future meeting. The Advisory Board members had discussions on revising their current bi-monthly meetings to quarterly meetings, from every two months to three months.

Motion made by Mike Payne, seconded by Mark Klein:

Motion was made to proceed with quarterly meetings, reflective of the fiscal year calendar, to commence with the upcoming December 2019 meeting. If this motion, contradicts the Advisory Board Bylaws, the Board members will discuss making the appropriate changes to the Bylaws and/or amend their meeting schedule so that it does not conflict with the Bylaws. The following Board members were in favor: Mark Klein, Frank De Risi, Chester Just and James Ryan. Eddie Edwards, Jr was opposed to the motion with a request that it be tabled to allow him additional time to review the bylaws before the next meeting. The motion was passed with four members in favor; one opposed and one member was not present, Zac Cassidy.

The Board members have requested that the Bylaws be sent to them electronically so they can review the document prior to the next scheduled meeting.

- B. Mark Klein presented the “draft” congratulatory letter to the Advisory Board members as discussed in a previous meeting. The Board members agreed to proceed with finalizing the letter and having it available at the December meeting for review and signatures.

Motion made by Mike Payne, seconded by Chester Just:

Motion was made to proceed with finalizing the “draft” congratulatory letter on behalf of the Advisory Board members with the revisions identified. The finalized letter will be provided at the next scheduled meeting. All present Board members were in favor. The motion was passed unanimously.

- C. The Advisory Board Members were advised that the election of a new Chair and Vice Chair will be placed on the agenda for the December meeting.
- D. Chester Just had a discussion with the Advisory Board members on information that was brought to his attention regarding a contractor at the Airport, Eulen American who has dismissed three employees involved in organizing activities and other allegations of wage withholdings and unpaid hours. He wanted to know if the County was aware of this company and any previous allegations.

Mike Payne suggested that the person who provided Chester with the information contact him directly and he could run it through the Coalition of Black Trade Unionists. He also said that if the Advisory Board members have any other information related to this issue, they can provide that information directly to him.

Glenn Marcos also added that there was an issue that came before the Commission which may be related to this company. This company is not hired by the County but directly by the Airline industry. When the issue was brought to the Commission, the airline industry agreed to require companies, such as Eulen, to comply with the living wage requirements. With the assumption that this is the same company that was brought before the Commission, typically these types of concerns are addressed by the Service Employees International Union (SEIU). In the situation referenced, the SEIU did come before the Commission with their concerns. There was a past issue of unpaid wages that was brought to the attention of the Advisory Board a while back and the members suggested the person contact the Office of Professional Standards, since this was outside of the Advisory Board’s purview. Also, Mike Payne added that any concerns regarding unpaid wages should be directed to the federal agency, Wage & Hour. This agency deals specifically with allegations of unpaid wages.

Instruction to Staff:

- A. The Advisory Board members have requested that an electronic copy of the Bylaws be provided to them before the next scheduled meeting. There was no further instruction given to Staff at this meeting.

VII. There being no further business before the Board, the meeting adjourned at 12:05 p.m.

This meeting was recorded on CD 19-SC-69 (Sony IC Recorder).

Hand-Outs at the 10/2/19 Meeting:

1. Living Wage Contracts Report.
2. Email dated 8/26/19 regarding the 2020 Sunset Review Process.
3. Attendance Record.
4. Schedule of Living Wage Advisory Board Meetings for 2019.



Broward County Living Wage Ordinance: New Living Wage Contracts (Effective for the Period October to November 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	OPN2119059Q1_1*	Data Flow Systems Maintenance and Repair of SCADA Communication Equipment	Data Flow Systems, Inc.	9/19/2019	10/4/2019	\$ 787,141	\$ 650,699	Data Flow Systems Maintenance and Repair of SCADA Communication Equipment, Bid No. OPN2119059Q1_1 for the Water and Wastewater Services Division, in the estimated amount of \$787,141.38; authorize the Director of Purchasing to renew the contract for three, one-year periods, for a four-year potential estimated amount of \$2,729,083.38. The initial contract period shall begin on October 4, 2019 and will terminate on December 31, 2020. Incumbent: Data Flow Systems, Inc.; Contract No. and Title: Y1432706Q1, Data Flow Systems Maintenance and Repair of SCADA Communication Equipment; Contract Term: October 4, 2016 through October 3, 2019; Expenditures to date: \$263,485.55. Contract price increase is due to increased cost of labor and parts.	Y	N	N
2	BLD2118076B1_1*	Tree Trimming and Related Services	Innovative Environmental Services, Inc.	9/27/2019	9/25/2019	\$ 1,246,410	\$901,017	Tree Trimming and Related Services, Bid No. BLD2118076B1_1 for the Facilities Management Division, in the estimated amount of \$1,246,410; authorize the Director of Purchasing to renew the contract for two, one-year periods, for a three-year potential estimated amount of \$3,883,230. The initial contract period shall begin on date of award and will terminate on December 31, 2020. Incumbent: Innovative Environmental Services, Inc.; Contract No. and Title: T1428304B1, Tree Trimming and Related Services; Contract Term: June 28, 2016 through September 25, 2019; Expenditures to date: \$2,870,571.64. Contract price increase differential between the previous contract and the new contract is due to inclusion of new line items.	N	N	N
3	TRN2118308B1_1*	Fuel System Inspection Service	Great Dane Petroleum Contractors, Inc.	9/27/2019	9/27/2019	\$ 312,000	-	Fuel System Inspection Service, Bid No. TRN2118308B1_1 for the Fleet Services Division, in the estimated amount of \$312,000; authorize the Director of Purchasing to renew the contract for two, one-year periods, for a three-year potential estimated amount of \$739,600. The initial contract period shall begin on date of award and will terminate on December 31, 2020.	N	N/A	N/A
4	BLD2117968B1_2	Grounds Maintenance Services (SWR)	Prestige Property Maintenance, Inc.	10/16/2019	10/16/2019	\$ 258,320	\$ 194,695	Grounds Maintenance Services for SWRS (Group 2), Bid No. BLD2117968B1_2 for the Solid Waste and Recycling Services Division, in the estimated amount of \$258,320; authorize the Director of Purchasing to renew the contract for two, one-year periods, for a three-year potential estimated amount of \$800,792. The initial contract period shall begin on date of award and will terminate on December 31, 2020. Incumbent: Prestige Property Maintenance, Inc.; Contract No. and Title: L1410202B1, Ground Maintenance Services for Solid Waste and Recycling Services; Contract Term: October 5, 2016 through October 4, 2019; Expenditures to date: \$580,854.25. Contract price increase differential between the previous contract and the new contract is due to inclusion of new line items/locations.	N	N	N

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	OPN2118546B1_1, _2	Sludge Hauling Services	H&H Liquid Sludge Disposal, Inc. (Group 1) Biosolids Distribution Services, LLC (Group 2)	11/1/2019	1/13/2020	\$ 3,512,515	\$ 3,096,615	Sludge Hauling Services (Groups 1 and 2), Bid No. OPN2118546B1_1 for the Water and Wastewater Services Division, in the estimated amount of \$8,565,000 (Group 1) and \$1,972,545 (Group 2); authorize the Director of Purchasing to renew the contract for two, one-year periods, for a five-year potential estimated amount of \$14,275,000 (Group 1) and \$3,301,985 (Group 2). The initial contract period shall begin on January 13, 2020 and will terminate on January 12, 2023. Incumbent: H&H Liquid Sludge Disposal, Inc.; Contract No. and Title: E1265902B1; Contract Term: December 9, 2014 through January 12, 2020; Expenditures to date: \$13,579,449.44. Contract price increase is due to increased cost of labor.	Y	Y	N
6	BLD2118603B1	Fire Suppression System Repair and Maintenance Services	Sprinklermatic Fire Protection Systems, Inc.	11/13/2019	2/1/2020	\$ 123,285	\$ 148,365	Fire Suppression System Repair and Maintenance Services for the Facilities Management Division, in the estimated amount of \$123,285.16; authorize the Director of Purchasing to renew the contract for two, one-year periods, for a three-year potential estimated amount of \$391,455.54. The initial contract period shall begin the first of the month following forty-five (45) business days from date of award and will terminate on December 31, 2020. Incumbent: National Fire Protection, LLC; Contract No. and Title: Z2113308B1, Fire Suppression Systems Repair and Maintenance; Contract Term: June 7, 2017 through June 6, 2019; Expenditures to date: \$33,386.32.	N	N	N

*Contracts were approved after report was prepared for the last Living Wage Advisory Meeting.

From: [Garcia, Lucy](#)
To: ["zaccassidy"; "miked1526@hotmail.com"; "frankderisi@hotmail.com"; "ryan0727@comcast.net"; "LegalMr@aol.com"; "markacbbcamp@bellsouth.net"; "eddie@thecei.com"](#)
Cc: [Kelleher, Kevin; Billingsley, Brenda; Marcos, Glenn; Mangan, Constance; Pitts-Howard, Shelia; Francis, Alexa; Mcdonald, Mary; Amuchastegui, Fernando; Cuervo, Mary; Garrick, Antonia; McClain, Takai; Johnson, Rose; Fleury, Teresa; Brannon, Harambie](#)
Subject: Living Wage Advisory Board (LWAB)
Date: Friday, October 11, 2019 5:36:18 PM
Attachments: [image001.png](#)
[Adopted Living Wage Advisory Board By-Laws.pdf](#)

TO THE LWAB MEMBERS:

As requested in the Living Wage Advisory Board (LWAB) meeting on October 2, 2019; attached is a copy of the Adopted Advisory Board By-Laws for discussion at the next scheduled 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.

**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 that 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

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		X		X		A			
James Ryan, Vice Chair		X		X		A		A		X			
Mike "D" Payne		X		X		X		A		X			
Frank De Risi		X		X		A		X		X			
Mark Klein		X		X		X		X		X			
Chester Just		X		X		X		X		X			
Eddie Edwards, Jr	N/A					X		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
 NOX - no quorum present
 N - newly appointed
 Z - removed
 C - cancelled

2020
LIVING WAGE ADVISORY BOARD MEETINGS

(These are the quarterly meetings (First Wednesday of the month) for 2020

(REVISED FROM BI-MONTHLY TO QUARTERLY MEETINGS)

MARCH 4, 2020

JUNE 3, 2020

SEPTEMBER 2, 2020

DECEMBER 2, 2020