

Noise Control Advisory Committee
Tuesday, November 30, 2021 – 1:00 PM
Fort Lauderdale City Hall-100 N. Andrews Avenue
8th Floor Conference Room

https://fortlauderdale.zoomgov.com/webinar/register/WN_dquqIWrgSMCRgtIICR2EBQ

CALL TO ORDER

Greg Chavarria, Assistant City Manager, apologized for the delay and called the meeting to order at 1:10 P.M.

Roll was called and quorum was present.

Board Members

Eugenia “Genia” Ellis, Chair
Jacqueline Scott, Vice-Chair
Rocco Ferrera [arrived 1:23]
Steven Hudson
Chad McCoury
Dev Motwani [arrived 1:21]
Mike Penrod
Tim Petrillo
Renee Quinn

Attendance

P
P
P
P
P
P
A
P
A

City Staff

Greg Chavarria, Assistant City Manager and Liaison
Porshia Williams, Assistant Director, Department of Sustainable Development
Stephanie Bass, Code Compliance Supervisor
Sarah Spurlock, Nighttime Economy Manager
Donna Varisco, Executive Assistant to the City Manager
David Soloman, Deputy City Clerk
Jeff Modarelli, City Clerk
Lynnette McIntosh, Assistant City Clerk
Amber Cabrera, Senior Management Fellow
Mauricio Baquero, IT
Jennifer Oh, Recording Secretary, Prototype Inc.

The City Staff introduced themselves.

VOTING ITEMS

A **motion** was made by Ms. Scott, seconded by Mr. Hudson, to end the meeting by 3:00 P.M. In a voice vote, the **motion passed** unanimously (5-0).

Mr. McCoury stated they do not have a quorum. They need more than five members to vote.

Assistant City Manager Chavarria asked if they have phone numbers of the members and could call them to see if they plan to join the meeting.

Ms. Scott noted that Georgette Schaefer is no longer on the Committee so they should have a quorum.

Assistant City Manager Chavarria confirmed there are nine (9) Board members, so they do have a quorum to vote.

Selection of Chair

Assistant City Manager Chavarria stated a Chair needs to be selected. The Chair will run the meeting and assist with providing direction on topics. He asked for nominations.

A **motion** was made by Mr. Petrillo, seconded by Mr. Hudson, to nominate Ms. Ellis for the Chair position. In a voice vote, the **motion passed** unanimously (5-0).

Selection of Vice-Chair

Assistant City Manager Chavarria asked for nominations for the Vice-Chair position.

A **motion** was made by Mr. Petrillo, seconded by Mr. Hudson, to nominate Ms. Scott for the Vice-Chair position. In a voice vote, the **motion passed** unanimously (5-0).

Selection of Future Meeting Times

Assistant City Manager Chavarria noted this day and time is advisable since there is support staff available and evening meetings present other challenges.

Mr. Petrillo suggested canceling the December 28, 2021, meeting due to holiday travel. There was consensus from the Committee to cancel the December 28 meeting.

Assistant City Manager Chavarria noted the Committee is currently set to meet the 4th Tuesday of every month.

Dev Motwani joined the meeting at 1:21 P.M.

Mr. Ferrara joined the meeting at 1:23 P.M.

A **motion** was made by Mr. Hudson, seconded by Mr. Scott, to meet the 4th Tuesday of every month at 1:00 P.M. In a voice vote, the **motion passed** unanimously (7-0).

Introduction of Board Members

Vice-Chair Scott suggested each Board member introduce themselves and share who they represent.

Mr. Motwani, resident, is the President of Merrimack Ventures, a local real-estate company. He has a few rental properties downtown, Tru by Hilton Hotel, and Rivertail Restaurant.

Mr. Petrillo, resident, is with the Restaurant People, a member of the DDA, and has real estate holdings around town.

Vice-Chair Scott is President of Colee Hammock and the Chair of the Planning and Zoning Board

Mr. Ferrara, resident, has worked for Stiles for 25 years.

Mr. McCoury, resident, was appointed by Commissioner Glassman.

Mr. Hudson, resident and developer, is the Chairman/CEO of Hudson Capital Group. He is also a member of the DDA. He has real estate properties throughout Broward County.

Chair Ellis is affiliated with Riverwalk Fort Lauderdale, with oversight of ten (10) parks.

DISCUSSION ITEMS

Goals and Objectives

Chair Ellis noted the Board members come from many different perspectives in addressing noise ordinances. She acknowledged the growth of the City and the Master Plan. She invited the Committee to share their thoughts on goals and how they should achieve those objectives.

Vice-Chair Scott suggested a thorough evaluation of the existing ordinance and that they try to figure out where it is working, where it is not working, and how to find a balance for all stakeholders.

Mr. McCoury asked if there was someone from the City Attorney's Office present to assist with legal guidance through statutes. He stated it would be very helpful to have help with navigating City ordinances.

Assistant City Manager Chavarria confirmed that no one from the City Attorney's Office has currently been assigned to the Committee but as the Committee progresses, he will ask someone to join or guide them.

Chair Ellis confirmed any recommendations from the Committee would be vetted through DSD (Development Services Department) and the City Attorney's Office.

Chair Ellis noted the ordinance should be drafted and implemented such as that it is applicable across the board for the City.

In response to the question whether there is a blanket policy for the entire City, Ms. Williams answered that Chapter 17 applies to the entire City. She further clarified that there are provisions of the code that specify residential use, commercial use, industrial and mixed use, and the special entertainment district.

Vice-Chair Scott suggested they think outside the box and look at many different aspects of noise.

Chair Ellis said the first order of business is to understand Chapter 17 and understand its application. She asked staff to supply a copy of Chapter 17 to all Committee members.

Mr. McCoury asked if the City currently collects any data as it relates to noise complaints.

Chair Ellis responded that Ms. Williams could provide data or information.

Mr. McCoury answered that it would be helpful to see that data, what the current solutions are they enforce, and challenging restrictions.

Vice-Chair Scott noted they also need to look at enforcement and penalties and if they are adequate.

Ms. Williams confirmed there are mechanisms to issue civil citations for noise violations.

Chair Ellis agreed data will assist in having a more informed discussion. She shared how some Committee members experience noise issues daily and some just during special events.

Assistant City Manager Chavarria confirmed the Committee is requesting an overview of Chapter 11 and Chapter 17 and any data on how the ordinance has been applied and actionable violations during the last three (3) years.

Chair Ellis also stated the Committee needs to consider future economic impact and requested any helpful data from Economic Development.

Mr. Petrillo and Ms. Williams discussed measuring noise violations.

Ms. Spurlock added that in the entertainment district, the sound is measured five (5) feet from the door of the business omitting the sound.

Vice-Chair Scott noted public input will be critical moving forward but there should be a time limitation.

A **motion** was made by Vice-Chair Scott, seconded by Mr. Hudson, to accept public comments up to two (2) minutes.

Discussion ensued.

Mr. Petrillo suggested trying to get through the agenda in 2.5 hours and then leaving 30 minutes for public comment.

Chair Ellis stated her preference would be to allow public comment on each agenda item, as opposed to at the end.

Chair Ellis noted this is a discussion about procedure and does not need a vote. She stated the two (2) minute time limitation is reasonable and, as Chair, she will apply it as needed.

Chair Ellis said any comments can be sent to the Committee Chair or Board Liaison in writing and they will be added as a topic of discussion.

Ms. Spurlock confirmed all future meetings will be person. There will be no more virtual meetings. All meetings will be held in the 8th Floor conference room.

Ms. McIntosh noted the public can sign up online to speak. Moving forward, for in-person meetings, the public will sign up in-person at the meeting. There will be no online option.

ADJOURNMENT

A **motion** was made by Ms. Scott, seconded by Mr. McCoury to adjourn the meeting. The meeting was adjourned at 1:54 P.M.