



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
NOISE CONTROL ADVISORY COMMITTEE (NCAC)
100 N. ANDREWS AVENUE
8TH FLOOR CONFERENCE ROOM
TUESDAY, MAY 24, 2022 – 1:00 P.M.**

July 2021 – June 2022

Attendance

Eugenia “Genia” Ellis, Chair	P	4	0
Jacquelyn Scott, Vice-Chair	A	3	1
Ralph Stone	P	4	0
Rocco Ferrara	P	4	0
Steven Hudson	P	3	1
Chad McCoury	P	4	0
Dev Motwani	P	4	0
Miquel Pilgram	P	3	1
Tim Petrillo [Arrived at 1:08 p.m.]	P	4	0
Renee Quinn	A	3	1

Call to Order & Determination of Quorum

Chair Ellis called the meeting to order at 1:04 P.M.

Roll was called and a quorum was present.

Staff

Greg Chavarria, Assistant City Manager and Liaison
Porshia Williams, Assistant Director, Development Services Department
Stephanie Bass, Code Compliance Supervisor
Sarah Hannah-Spurlock, Nighttime Economy Manager
Donna Varisco, Executive Assistant to the City Manager
Alain E. Boileau, City Attorney
Major Victor London, Chief’s Executive Officer, FLPD

Others

Bill Brown, Central Beach Alliance
Donna Meents, Resident
David Magden, Resident
Doug Eagon, Resident
Carla Blair, Recording Secretary, Prototype-Inc.

Approval of the April 26, 2022, Meeting Minutes

A **motion** was made by Mr. Petrillo, seconded by Mr. Motwani, to approve the April 26, 2022, meeting minutes. In a voice vote, the **motion passed** unanimously (7-0).

Mr. Motwani asked to clarify a comment he made on Page 4 of the minutes. Chair Ellis stated she believed the minutes captured his intent, as clarified.

New Business

- **Noise Consultant RFP Update and Next Steps**

Mr. Chavarria provided an update on the consultant. He noted they received one bid, but they need to reissue another bid. He confirmed the bid they received had an excessive price point, but he cannot discuss further details. He asked Ms. Williams to speak on reissuing the bid with a modified scope that is more specific to the City's needs.

Ms. Williams noted the City of Delray Beach, and the City of Hollywood recently modified their noise ordinance. She described the approach taken by both cities when working with their acoustic noise consultants. She noted that she met with Mr. Chavarria and the City Attorney to discuss those two cities, their approach, and what they adopted. From that conversation, she recommended a consultant use a scientific approach to determine acceptable sound level. She noted the consultant should be neutral, in order not to favor the community or the businesses. She confirmed the scope would still focus on the downtown areas, special entertainment areas, regional activity centers, and commercial areas.

Chair Ellis inquired about Delray Beach's measurement of one thousand feet from the door. Ms. Williams confirmed they use property line measurement.

Mr. Petrillo asked about hurdles experienced by Delray Beach.

Ms. Williams noted their noise study was prompted by community complaints about noise levels from businesses. They permitted their residents to join the consultant in the field and provide an opinion on noise levels.

A brief discussion ensued about sound level measurement and violation enforcement.

Ms. Williams said the City of Delray Beach issued a \$1,000 citation for the first violation and up to \$15,000 for repeat violations. She noted Fort Lauderdale issues \$250 for the first citation and up to \$15,000 for repeat violations.

Mr. Stone noted noise meters are not the solution. He described his personal experience with the noise levels in the City and he rated the current ordinance a B minus.

A discussion ensued about the downtown development and the special entertainment district.

Mr. Petrillo asked if there would be stakeholder input when the consultant is engaged.

Mr. Chavarria noted they want the consultant to be aware of the concerns but to also approach the project objectively.

City Attorney Boileau noted the consultant would have to determine approach. He confirmed the elected officials would see the consultant's report prior to the committee.

A discussion ensued about revising the scope and reissuing the bid.

- **Trends – Noise Enforcement Cameras**

Mr. Chavarria presented on noise enforcement cameras. He reviewed a pilot program in the City of Knoxville. He noted the camera focused on illegal modified exhaust only. He said each camera was \$25,000, easy to install, and was produced by a vendor from the United Kingdom.

In response to Mr. Stone's question about burnouts, Mr. Chavarria replied he would have to ask the vendor. He stated the vendor could preset or speak to the committee.

Mr. Chavarria shared information about legislature being developed in California and a similar pilot program in New York City.

He noted the legal, privacy, and operational factors that need to be considered with the cameras.

A discussion ensued about state inspections and compliance.

Mr. Hudson asked about the legality of red-light cameras.

City Attorney Boileau described the Florida law.

Mr. Chavarria noted the City of Knoxville data had been used to stage law enforcement at peak times.

A discussion ensued about the challenges of code enforcement.

Major London said the City implemented an action plan on May 7 and confirmed the enforcement actions. He noted they made multiple stops in the beach and Las Olas areas. He acknowledged there was still not a tool to address marine vessel noise.

Mr. McCoury noted he saw an increased law enforcement presence in the A1A area. He described repeat offender vehicles in the area he lives.

Major London said they would continue the plan and report back.

- **Chapter 17 – Revision Feedback**

Ms. Williams noted, as of July 2021, state law changed, and a complainant was required for a complaint. She also noted the changes in the time frame when noise measurements can be taken. She reviewed additional aspects of Chapter 17 and challenges of proactive enforcement.

A discussion ensued about proactive code enforcement.

Ms. Williams confirmed the next steps would be to revise the scope of work that is responsive to everyone's concerns and rebid.

Good of the Order

None.

Public Comments

Bill Brown, Central Beach Alliance, spoke on trash pickup and delivery trucks.

Donna Meents, resident, spoke on the noise levels of bass and how it affects residents.

David Magden, resident, spoke on trash pickup. He noted it was addressed with Code Compliance. Ms. Williams noted they addressed compliance with the trash hauler.

Doug Eagon, resident, spoke on marine vessel noise and decibel levels of amplified outdoor music.

Next Scheduled Meeting Date

The next meeting will be held on Tuesday, June 28, 2022, at 1:00 P.M.

Adjournment

A **motion** was made by Mr. Motwani, seconded by Mr. Stone to adjourn the meeting. The meeting was adjourned at 2:34 P.M.

[Minutes prepared by TBaclawski, Prototype-Inc.]