



CITY OF FORT LAUDERDALE

**1<sup>st</sup> DRAFT**  
**MEETING MINUTES**  
**CITY OF FORT LAUDERDALE**  
**NOISE CONTROL ADVISORY COMMITTEE (NCAC)**  
**100 N. ANDREWS AVENUE**  
**8<sup>TH</sup> FLOOR CONFERENCE ROOM**  
**WEDNESDAY, JANUARY 25, 2023 – 1:00 P.M.**

**July 2022 – June 2023**

		<b><u>Attendance</u></b>	
Eugenia “Genia” Ellis, Chair	P	2	2
William Brown, Vice-Chair	P	4	0
Ralph Stone	A	3	1
Rocco Ferrara	P	4	0
Steven Hudson	P	3	1
Chad McCoury	P	4	0
Dev Motwani	P	3	1
Miguel Pilgram	A	2	2
Tim Petrillo	P	3	1
Renee Quinn	P	3	1

**Call to Order & Determination of Quorum**

Chair Ellis called the meeting to order at 1:02 P.M.

Roll was called and a quorum was present.

**Staff**

Anthony G. Fajardo, Assistant City Manager  
Porshia Williams, Deputy Director, Development Services Department  
Stephanie Bass, Code Compliance Supervisor  
Sarah Hannah-Spurlock, Nighttime Economy Manager  
Katrina Jordan, Code Compliance Manager  
Major Victor London, Chief’s Executive Officer, Fort Lauderdale Police Department  
Donna Varisco, Executive Assistant to the City Manager

**Approval of the December 1 2022, Meeting Minutes**

A **motion** was made by Mr. McCoury, seconded by Mr. Motwani, to approve the December 1, 2022, meeting minutes. In a voice vote, the **motion passed** unanimously (8-0).

**New Business**

- **Update and Next Steps with Siebein Associates**

Chair Ellis asked if everyone had a chance to read the document from Sienbein Associate sent to the Committee prior to the meeting. Mr. Petrillo noted he did not have a chance to read it in detail.

Chair Ellis said the document includes a lot of valuable data and includes information from the Committee and the timeline seems reasonable. She noted they would like to add additional people to the sound walks.

Mr. Anthony Fajardo, Assistant City Manager, reminded the Committee all sound walks are required to be noticed if more than one Committee members will be present.

Committee discussed and decided reassignments for the sound walks. Ms. Sarah Spurlock, Nighttime Economy Manager, noted the consultant is available for two visits.

Mr. Gary Siebein, Senior Principal Consultant, stated he had a presentation to share with the Committee (attached) and confirmed they could also discuss the scheduling issues and sound walk locations. He added they would like to engage the FAU and UF students, as well. He stated the feedback they received indicated they need to return to the sites over the weekend several times, as late as 3:00 – 4:00 AM. He said they are hoping to identify several key locations for each visit to put out longer term sound monitoring equipment to capture sound throughout an entire weekend.

Mr. Siebein reviewed the initial site visit meeting and orientation. He wants to discuss the tours with staff and indicated their proposal included two (2) site visits, one in mid to late February and one in mid to late March. He noted they would come down Thursday-Sunday afternoon. He said venues of interest include: Truth Lounge, Downtown Entertainment District, traffic sounds along the beach, Beau's on the Beach, the Wharf, Smitty's Wings (Sundays), Flagler Village, Salt 7, The Marriott, The Balcony, Double O, Take 1 Lounge, the beach, Riverwalk, Downtown West Arts & Entertainment District, Las Olas, problematic vacation rentals, The Hub, and Bamboo Flats. He asked the Committee if these areas were still pertinent.

Mr. Petrillo said there was a lot of overlap.

Committee discussed how to best group certain locations together.

Mr. Siebein asked which areas operate until 4:00 A.M. Chair Ellis replied the entertainment districts.

Mr. Fajardo said the purpose of the tours is to provide a context for the noise and issues that occur in that area.

Mr. Petrillo recommended one night include Las Olas, Riverwalk from Salt to Wharf are, and all the way down to Himmarshee.

Vice-Chair Brown noted the Mayor expressed concern about the emphasis on the entertainment districts but not tracking the number of complaints the Commissioners receive directly from constituents. The Mayor wants to ensure equal studies are performed in Las Olas, the beach, and Himmarshee.

Porshia Williams, Deputy Director, said if they are modifying Chapter 17, vehicular sound is not included. She stated traffic sounds that account for ambient noise would be included.

Vice-Chair Brown suggested a between discussion between the City Manager and Mayor related to traffic noise as it relates to the study. Chair Ellis said they cannot go outside the boundary of the study. He said noise cameras could still be used for data collection.

Mr. Hudson said the study is really more about noise sound from complaints.

Major Victor London, Chief's Executive Officer, stated they are looking to procure noise cameras for the purpose Vice-Chair Brown described. He confirmed he will report back when they make progress.

Mr. Petrillo recapped the recommended walk locations. He added there will be Spring Break during the March timeframe.

Discussed ensued about venues that are open until 4:00 A.M.

Ms. Williams stated Code Officers and City Staff will be present on the tours.

Vice-Chair Brown asked if it would be better to list generic areas or specific businesses in the report. Mr. Fajardo responded that many of the businesses being discussed are repeat violators.

Mr. Siebein agreed with the recommendation to group them in districts.

Major London stated he provided Mr. Siebein six months of calls to fine tune the locations.

Ms. Spurlock said the tours will be considered public meetings and open to the public. She asked the Committee how they envision their roles on the tours.

Discussion ensued about the Committee's role. Mr. Motwani said his understanding is that members of the Committee would be on the tours with staff to assist.

Mr. Petrillo asked if they want to reconsider just one Committee member so the tour does not have to be noticed to the public, which could impact the conversation and study. Vice-Chair Brown also expressed concern about the public joining on the tours.

Chair Ellis stated the Committee could do the walk during the off-period and then staff could return during a later time to measure. Ms. Williams said there will be some level of coordination with certain venues to access exterior areas of the property.

Ms. Keely Sieben, Principal Associate Consultant, stated the orientation could be earlier in the day or evening. She said there is a tendency to lower the volume when people are walking around with meters.

Chair Ellis noted they will figure out a schedule that works around Spring Break, with the understanding there are margins on each side.

Mr. Sieben reviewed the dates the FAU and FU students and faculty are not available due to their Spring Break.

Mr. Fajardo stated they will take the lead in coordinating schedules.

Mr. Sieben said his teams will have both portable sound devices and asked the Committee if they could identify locations to temporarily install a sound meter in a fixed location to record data over a few days.

Mr. Fajardo said Code Enforcement has some of the equipment being referenced and Ms. Williams can work with City colleagues to identify appropriate locations.

Chair Ellis clarified they aren't targeting particularly areas, rather, using areas of businesses as examples where sound has been identified as a problem.

Mr. Fajardo recommended Mr. Sieben set up a call with his team, Code Enforcement, and himself to discuss further.

Mr. Siebein said they could record a .wav file that would show the sound level spikes during an ambient time.

Discussion continued about scheduling the visits. Mr. Siebein said they are completely booked in February and April may present other challenges with the FAU and FU colleagues and students. He confirmed measurements will occur over two weekends (Thursday-Sunday afternoon/evening).

Mr. Petrillo expressed concern about measuring during an outlier weekend if there are only two test periods. Mr. Siebein said they can look at their schedules for February 23-26<sup>th</sup>.

Mr. Siebein noted that baselines are interesting because when sounds are measured over an entire day, the baseline activities typically even out.

Ms. Williams suggested a measurement in the special entertainment district during a holiday weekend because the code allows an increase of 10 decibels on the named holiday.

Mr. Fajardo asked Mr. Siebein about whether measuring during a holiday weekend will unduly influence the study. Mr. Siebein said he's not sure more numbers of people or cars would affect the study significantly.

Mr. Fajardo said staff will move forward with confirming the two weekend visits on February 16-19 and April 6-9.

Mr. Siebein continued the presentation by reviewing the study process, including recommendations for soundproofing. He continued by reviewing conversations they had which included topics such as: measurement challenges, addressing bass, ambient sounds, agent of changed, tying noise ordinance to zoning, and C-Rating. He asked the Committee if they have questions.

Vice-Chair Brown asked Mr. Siebein if they connected with the Police Department and the City Attorney regarding ordinances. Mr. Siebein said they did not meet with the City Attorney but were able to meet separately with Ms. Spurlock, Law Enforcement, and Code Enforcement. Vice-Chair Brown recommended the Staff Attorney be assigned to this so the Commissioner can wrap up the process by the end of the year. Mr. Fajardo said he will follow up.

Mr. Siebein said they would welcome Staff Attorney participation in the process, even an initial call would be valuable.

Discussion ensued about Chapter 17.

Chair Ellis asked if there are other items for discussion. Mr. Petrillo asked about boats, waterways, and noise. Ms. Williams noted it had been addressed and recommended reviewing past minutes. Mr. Siebein added there are state statutes to address those topics.

### **Good of the Order**

Mr. McCourty asked if their appointments end in March or are tied to when the Committee is scheduled to sunset.

Chair Ellis stated the Commissioners have the ability to appoint new Committee members if they choose.

### **Public Comments**

No one came forth to speak.

**Next Scheduled Meeting Date**

The next meeting will be held on Tuesday, February 28, 2023, at 1:00 P.M.

**Adjournment**

The meeting was adjourned at 2:45 P.M.

[Minutes prepared by TBaclawski, Prototype-Inc.]