



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
NOISE CONTROL ADVISORY COMMITTEE (NCAC)
100 N. ANDREWS AVENUE
8TH FLOOR CONFERENCE ROOM
TUESDAY, MARCH 28, 2023 – 1:00 P.M.**

July 2022 – June 2023

Attendance

Eugenia “Genia” Ellis, Chair	P	4	2
William Brown, Vice-Chair	P	6	0
Ralph Stone	P	5	1
Rocco Ferrara	P	6	0
Steven Hudson	P	5	1
Chad McCoury	P	6	0
Miguel Pilgram [virtual]	P	2	4
Tim Petrillo	P	5	1
Renee Quinn	P	5	1

A **motion** was made by Mr. Ferrara, seconded by Mr. Hudson, to allow Mr. Pilgram to attend the meeting virtually. In a voice vote, the **motion passed** unanimously (8-0).

Call to Order & Determination of Quorum

Chair Ellis called the meeting to order at 1:00 P.M.

Roll was called and a quorum was present.

Staff

- Anthony Fajardo, Assistant City Manager
- Porshia Garcia, Deputy Director, Development Services Department
- Stephanie Bass, Code Compliance Supervisor
- Sarah Hannah-Spurlock, Nighttime Economy Manager
- Katrina Jordan, Code Compliance Manager
- Captain Tim McCarthy, Fort Lauderdale Police Department
- Brad Weissman, Assistant City Attorney
- Donna Varisco, Executive Assistant to the City Manager

Approval of the February 28, 2023, Meeting Minutes

A **motion** was made by Vice-Chair Brown, seconded by Mr. Stone, to approve the February 28, 2023, meeting minutes. In a voice vote, the **motion passed** unanimously (8-0).

New Business

- **Next Tour Planning with Siebein Associates, Inc.**

Mr. Gary Siebein, Senior Principal Consultant, discussed next steps. He confirmed arrangements have been made for the installation of sound level meters at five (5) residential locations during the next site visit. Based on feedback from staff and businesses, he recommended some additional downtown locations for sound level meters to better understand vertical sound. Ms. Williams acknowledged they would look into it.

Chair Ellis referenced the recommended list and noted some establishments are rooftops.

Mr. Siebein stated there was discussion to move the April 8 site visit to the following week to avoid the Easter holiday. Chair Ellen noted April 14-16 is Tortuga Weekend and should be avoided. Discussion ensued about alternate dates and upcoming events. Consensus was reached for the weekend of April 21-23.

Mr. Siebein stated after the next round of findings, they would return approximately six (6) weeks later with notes, issues, ideas, and initial recommendations. He noted a draft report would follow approximately a month later and the final report would be completed by the end of August or September.

Mr. Stone expressed concern about the bass and establishing a standard.

Mr. Siebein described how data from residential locations can help address Mr. Stone's bass concern. He further explained A, C, and Z weighted sound levels, frequencies, and potential connection or relationship to noise complaints.

Mr. Stone said he was not personally confident that noise complaints mean anything. He spoke about the density of amplified sounds and purpose in the entertainment districts.

Mr. Siebein stated they would like to meet and discuss with the City Attorney to understand the concerns about the current ordinance regarding its applicability and enforceability.

Mr. Brad Weissman, Assistant City Attorney, stated he has been asked to look at the legality of particular mechanisms of enforcement, specifically cameras with sound meters and noted they cannot be used based on state statutes. He provided Supreme Court case examples of red-light cameras, City of Adventura, and rental scooters and motorcycles.

Captain Tim McCarthy summarized Spring Break weekend and spoke on vehicle citations and warrants related to sound. He noted their action plan does include overtime on weekends, specifically for officers to monitor traffic.

Mr. McCoury recommended an observation location behind the Ritz Carlton, especially during weekend evenings.

A **motion** was made by Vice-Chair Brown, seconded by Mr. Petrillo, to cancel the April 25, 2023, meeting. In a voice vote, the **motion passed** unanimously (8-0).

Mr. Siebein welcomed any Committee members to join them for the April 21 sound walks.

Chair Ellis confirmed the next meeting would be held May 23, 2023.

Mr. Petrillo asked if all complaints would be addressed, including construction complaints. Ms. Williams stated they are focused on amplified sound during the sound walks.

Mr. Stone asked about noise and short-term rentals. Mr. Anthony Fajardo, Assistant City Manager and Mr. Weissman both noted there would be 4th Amendment implications.

A brief discussion ensued about train whistles.

- **Questions and Answers with Brad Weissman, Assistant City Attorney**

Mr. Weissman answered all questions as they arose during discussion.

Good of the Order

No additional comments.

Public Comments

Mr. David Magnon shared his personal experience living on the beach and the nuisance of the loud vehicles and bass of amplified sound, specifically from Bo's Beach. Additionally, he expressed concern about the noise created by the trash trucks at 3:00 A.M. He offered his building as a location for sound level collection.

Next Scheduled Meeting Date

The next meeting will be held on Tuesday, April 25, 2023, at 1:00 P.M.

Adjournment

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The meeting was adjourned at 1:52 P.M.

[Minutes prepared by TBaclawski, Prototype-Inc.]