

MINUTES

BROWARD COUNTY PLANNING COUNCIL

January 23, 2014

MEMBERS Anne Castro, Chair
PRESENT: Commissioner Michael S. Long, Secretary
Tim Bascombe
Commissioner Richard Blattner
Mayor Vincent Boccard
Beam Furr
School Board Member Patricia Good
Mary D. Graham
Dan Hobby
Lynn Kaplan
Commissioner Martin D. Kiar
Commissioner Michelle Lazarow
Commissioner Rita Mack
Mayor Michael J. Ryan
Nicholas T. Steffens
Mayor Daniel J. Stermer

MEMBERS Neal R. de Jesus
ABSENT: Commissioner Bobby DuBose

ALSO Barbara Blake Boy, Planning Council Executive Director
PRESENT: Andy Maurodis, Legal Counsel
Henry Sniezek, Director, Broward County Planning and Redevelopment
Division
Dennis Mele, Esquire
Bill Laystrom, Development Community Representative
Lee Feldman, City Manager, City of Fort Lauderdale
Anthony Grigsby, Administrator, Dept. of Community and Economic
Development, City of Hollywood
Mark Lubelski, Director of Community Development, City of Sunrise
Scott Backman, Esquire, Applicant
Skeet Jernigan, Community Economic Development Council
Sharon Williams, City of Pembroke Pines
Sheila Rose, City of Coconut Creek
Nancy Cavender, The Laws Group

A meeting of the Broward County Planning Council, Broward County, Florida, was held in Room 422 of the Government Center, Fort Lauderdale, Florida, at 10:00 a.m., Thursday, January 23, 2014.

(The following is a near-verbatim transcript of the meeting.)

CALL TO ORDER

Chair Anne Castro called the meeting to order.

CHAIR CASTRO: Okay. I'm going to call the Broward County Planning Council Regular Meeting and Public Hearing for January 23rd, 2014 to order. First, happy new year to everyone, and welcome.

PLEDGE OF ALLEGIANCE

CHAIR CASTRO: And if we could please stand for the Pledge of Allegiance led by School Board Member Good.

(THE PLEDGE OF ALLEGIANCE WAS LED BY SCHOOL BOARD MEMBER PATRICIA GOOD)

CHAIR CASTRO: And thank you. We have Nancy here for minutes today, and before she starts the roll call, when we get into business, make sure it's clear to Nancy if you're making a motion or you seconded the motion or whatever so she can capture it for the record.

ROLL CALL

CHAIR CASTRO: If you can do the roll call, please.

THE REPORTER: Yes, ma'am. Thank you very much. Mr. Tim Bascombe.

MR. BASCOMBE: Here.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Here.

THE REPORTER: Mayor Vincent Boccard.

MAYOR BOCCARD: Present.

THE REPORTER: Mr. Neal de Jesus. Commissioner Bobby DuBose. Mr. Beam Furr.

MR. FURR: Here.

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THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Here.

THE REPORTER: Ms. Mary D. Graham.

MS. GRAHAM: Here.

THE REPORTER: Mr. Dan Hobby.

MR. HOBBY: Here.

THE REPORTER: Ms. Lynn Kaplan.

MS. KAPLAN: Here.

THE REPORTER: Commissioner Martin Kiar.

COMMISSIONER KIAR: Here.

THE REPORTER: Commissioner Michele Lazarow.

COMMISSIONER LAZAROW: Here.

THE REPORTER: Commissioner Michael S. Long.

COMMISSIONER LONG: Here.

THE REPORTER: Commissioner Rita Mack.

COMMISSIONER MACK: Here.

THE REPORTER: Mayor Michael Ryan.

MAYOR RYAN: Here.

THE REPORTER: Mr. Nicholas Steffens.

MR. STEFFENS: Here.

THE REPORTER: Mayor Daniel Stermer.

MAYOR STERMER: Here.

THE REPORTER: Ms. Anne Castro, Chair.

CHAIR CASTRO: Here. Thank you.

ELECTION OF OFFICERS: CHAIR, VICE CHAIR, SECRETARY

CHAIR CASTRO: We have, at this time of year, it's January, every January we have the election of the officers. I think Ms. Blake Boy already indicated officers can serve two terms. I know I've indicated my interest in continuing on. Have the other officers also indicated the same?

MS. BOY: Yes. Commissioner DuBose is currently the Vice Chair, and Commissioner Long is the Secretary, and they've both indicated that they are interested in continuing to serve.

CHAIR CASTRO: And, I'm sorry. Mr. de Jesus and Mr. DuBose, by the way, asked for excused absence. If I could get a motion on that --

MAYOR STERMER: So moved.

MAYOR BOCCARD: Second.

CHAIR CASTRO: And second. All in favor. Unanimous. I'm sorry.

VOTE PASSES UNANIMOUSLY.

MS. GOOD: Yes. I'd like to move that the existing officers retain their current positions.

MR. HOBBY: Second.

UNIDENTIFIED SPEAKERS: Second.

CHAIR CASTRO: Second? Any other nominations or anything? Nominations are closed.

All in favor. Any opposed? It carries unanimously. Thank you all very much. It's an honor. I really appreciate this board.

I think the makeup of the board right now is absolutely incredible, and I love getting challenged by you all each and every month, because there's a vast variety of opinions from the members of this board right now, which is phenomenal.

And I think we're having some really serious good debates on issues and getting to some good stuff. So thank you for the honor, and on behalf of Commissioner DuBose and Commissioner Long, if you want to say anything or.

COMMISSIONER LONG: Thank you.

CHAIR CASTRO: And that's even better. People of few words.

NOMINATIONS BY PLANNING COUNCIL TO EXECUTIVE COMMITTEE

CHAIR CASTRO: Next is the appointment to the Planning Council Executive Committee. For that we have four at-large members. Is there anybody who would like to open nominations? Mr. Hobby.

MR. HOBBY: Oh, I thought you were taking volunteers.

CHAIR CASTRO: Okay. Well, we'll do volunteers.

MR. BASCOMBE: I'll volunteer, also.

CHAIR CASTRO: Okay. One, two.

MR. STEFFENS: New one.

CHAIR CASTRO: Mr. Steffens, three. One more. We have four, we can do four. Oh, Mr. Stermer. Sorry. Do we need to nominate and approve those, or I just appoint them?

MR. MAURODIS: You can just indicated that they've been appointed by acclamation.

CHAIR CASTRO: So moved? Yes?

COMMISSIONER LONG: Moved. Second?

MAYOR BOCCARD: Second.

CHAIR CASTRO: Thank you. All in favor? That makes it really official. Thank you.

VOTE PASSES UNANIMOUSLY.

APPOINTMENTS BY CHAIR TO LAND USE/TRAFFICWAYS COMMITTEE

CHAIR CASTRO: Appointments to the Land Use/Trafficways Committee. We've had some discussions over the last year about this. I'd like more participation than less, but sometimes we have such a large volume of people, meeting quorum becomes a challenge.

If you are one of the people that has been serving this past year and having trouble getting to it, I respectfully ask you, although I appreciate your service, that you step back, because it just makes it difficult for those that do show up and want to do it. So, based on that, do I have volunteers for the Trafficway/Land Use Committee?

Mr. Steffens, Mayor Bocard, Mayor Stermer. Anybody else on this side? Mayor Ryan,

Mr. Bascombe. That's it? By acclamation, I can appoint them as well. So acclaimed. Yes, Ms. Blake Boy?

MS. BOY: That was so acclaimed. I just want to make sure I have the right -- proper names. The officers, plus Mr. Steffens, Mayor Boccard, Mayor Stermer, Mayor Ryan, and Mr. Bascombe.

CHAIR CASTRO: Did we miss anybody? We got everybody? Good. Good. Thank you.

Thank you all. That was great.

CONSENT AGENDA

AGENDA ITEM C-1 - APPROVAL OF FINAL AGENDA FOR JANUARY 23, 2014

AGENDA ITEM C -2 - JANUARY 2014 PLAT REVIEWS FOR TRAFFICWAYS PLAN COMPLIANCE

AGENDA ITEM C-3 - APPROVAL OF MINUTES OF OCTOBER 24, 2013 AND DECEMBER 12, 2013

CHAIR CASTRO: Now we move on to the Consent Agenda. And items for pulling or discussion?

COMMISSIONER LONG: Move the Consent Agenda.

MAYOR BOCCARD: Second.

SCHOOL BOARD MEMBER GOOD: Second.

CHAIR CASTRO: Got it? All in favor? No opposed. It passes unanimously.

VOTE PASSES UNANIMOUSLY.

REGULAR AGENDA

AGENDA ITEM R-1 - COUNSEL'S REPORT

CHAIR CASTRO: R-1, Counsel's Report.

MR. MAURODIS: Nothing today, Madam Chair.

CHAIR CASTRO: Thank you.

AGENDA ITEM R-2 - EXECUTIVE DIRECTOR'S REPORT

CHAIR CASTRO: R-2, you're up.

MS. BOY: I just have a couple of things. One is the format of the minutes. For those of you that receive hard copies of the books, of the materials, because October was such a lengthy meeting, we copied two pages to each side of the page, so that we'll get four pages on each page. If there's no objection, I'd like to continue to copy the minutes in that manner, if that's okay with everyone, because they are available on line if you're unable to read it. If that's okay.

MS. KAPLAN: Great idea.

MS. BOY: Okay.

CHAIR CASTRO: Yes.

MS. BOY: Perfect. Thank you. The second item is, as a reminder, we're having the joint Affordable Housing Workshop with the League of Cities, and the invited County Commission on Wednesday, January 29th at 10:30 a.m. Right now, we have four volunteers -- sorry -- Ms. Castro, Mayor Stermer, Commissioner Blattner, and Mr. Bascombe, who's able to attend until 11:30. We had initially asked for five volunteers, so I don't know if there's anyone else available to attend. I know that Commissioner Kiar's going to be attending in both capacities, he mentioned, probably.

COMMISSIONER KIAR: Yes.

MS. BOY: Besides?

COMMISSIONER MACK: I'll come.

MS. BOY: Okay. Commissioner Mack. Okay. 10:30 on January 29th.

CHAIR CASTRO: As a follow up, this meeting has been sunshined and noticed. We have also sent out invitations, I understand, to city planners and city (inaudible) members. There's also discussion -- I think it went out to some of the developers who participated in the last Public Hearing on this.

There's a recommendation of the Trafficways plan that they also include the business community. Again, it's sunshined. It's open. If you have people that you think are very interested in this, please encourage them to attend. And we'll obviously accommodate participation as much as we possibly can.

I think everybody this morning from the last Trafficway meeting agrees that affordable housing is a very serious issue in Broward County, let alone the South Florida area, and it's not a topic that we want to just, you know, gloss over very quickly. We want serious

discussion, serious debates.

So by all means, spread the word. Are there any other people who are interested in attending at this point? No? Okay. Anything else?

MS. BOY: That's all. Thank you.

CHAIR CASTRO: Okay. And we want to remind people for the coffee slash bagel slash whatever fund -- I forgot to do that earlier today -- so put your bucks in.

AGENDA ITEM R-3 - CORRESPONDENCE

CHAIR CASTRO: Okay. Correspondence, we're all set. We have the excused absences. And I think you had a couple other items for guidance on the agenda that I hope everybody got.

MS. BOY: Oh, I'm sorry. Yes. The additional agenda material. I apologize. I sent it to you via email yesterday. There was correspondence from the City of Coral Springs and a resolution from the City of Weston, and those are applicable to Agenda Item Public Hearing Item 3.

CHAIR CASTRO: Thank you.

PUBLIC HEARING

CHAIR CASTRO: Now moving down to the Public Hearing Agenda, are there any items for pulling?

MS. KAPLAN: As far as PH-1, I have an issue.

CHAIR CASTRO: Okay. So we're pulling that. Thank you.

MS. KAPLAN: Okay.

CHAIR CASTRO: Thank you. That's good. Thank you, Ms. Kaplan. Yes, Richard.

COMMISSIONER BLATTNER: I need to recuse myself on PH-1 again.

CHAIR CASTRO: Okay.

MR. MAURODIS: And -- and the --

COMMISSIONER BLATTNER: I have a relative -- a relative who's employed by the law firm representing the applicant.

CHAIR CASTRO: Thank you.

Is there a form or anything, Mr. Maurodis, that he can also fill out?

MR. MAURODIS: He's aware of that.

CHAIR CASTRO: Okay.

MR. MAURODIS: Within 15 days.

CHAIR CASTRO: I just want to make sure that he was aware of that. And the rest of you --

CHAIR CASTRO: -- when you recuse yourselves, there's paperwork to do.

MR. MAURODIS: The minute they mention that, they get directed to the form.

CHAIR CASTRO: Okay. Just making sure. I'm going to also pull PH-2 and PH-3 for some discussion, as well, because, obviously -- so, we'll just go one-by-one.

AGENDA ITEM PH-1

CHAIR CASTRO: So, Ms. Kaplan, you pulled PH-1, so can we please have the presentation on PH-1?

MS. BOY: Sure. Proposed Amendment 14-2 is located in the City of Pompano Beach. It's approximately eight and a half acres, which makes it a small scale amendment. So this is the first of two consecutive Public Hearings that you'll be making a recommendation on this agenda item. Currently, the designations are Commercial and Low-Medium (10) Residential. The proposed designation is to Irregular (13) Residential.

And it's add -- it's adding 84 units to the Broward County Land Use Plan, so this proposed amendment is not subject to Affordable Housing Policy 1.07.07. The Planning Council staff analysis shows sufficient facilities and services available to serve the amendment site.

And the one natural resource issue that was raised was regarding whether an archeological reconnaissance survey needs to be made, and the applicant has committed to doing that Phase 1 reconnaissance survey. The applicant is here if you have any additional questions. And --

MS. KAPLAN: I do.

MS. BOY: -- they signed in but are only speaker signed-in on this item to answer questions.

MS. KAPLAN: Okay. Well, my first question is it appears that this property is actually on the lake. So I need to confirm that first, that it is a portion of it on the lake?

MS. BOY: It's adjacent to the lake.

MS. KAPLAN: Okay. Well, this is my concern. I'm personally aware of a child drowning in that lake because of the -- from the -- the religious institution next door. My husband personally was involved in the suit. And it was someone that I worked with, her friend's child, who died. From what I understand, that lake is I think what they call a muck lake, and the child became entangled in the weeds and could not escape.

So my concern is since this is going to residential, there's obviously going to be children, adults, whatever, that could possibly go in the lake, and so my concern is, you know, to ensure the safety of the residents. Can it be dredged to be a clean lake? I mean, I don't know what the options are, but I would like to have that issue addressed.

MS. BOY: Yes. I would invite the applicant, Scott Backman.

MR. BACKMAN: Good morning. Scott Backman representing the applicant. It is adjacent to the lake, and, obviously, as part of the residential development, we're making substantial improvements in the vicinity of the lake. We have been in touch with the County. We've been working very closely with the city, and we're currently processing a site plan through the city.

And the appropriate grading to ensure safety is certainly being implemented as part of the site plan process. I'm not familiar with the particular status as to the lake, as -- whether or not it's -- I don't know. I can't recall what you referred to it as, but I'm not familiar with that.

Obviously, I understand that there's been an issue in the past, and I can assure you that we're working with the County and addressing our site plan appropriately to meet all the various grading requirements adjacent to the lake.

MS. KAPLAN: Okay. So my question, I guess, would be could a condition be made to assure the safety related to the lake?

MR. MAURODIS: That would not be a Land Use Plan type of item.

MAYOR STERMER: That, to me, sounds like it would be more of a site plan issue --

MR. MAURODIS: Yeah, you would get into that.

MAYOR STERMER: -- for Pompano Beach City Commission --

MS. KAPLAN: Okay.

MAYOR STERMER: -- as compared to a Land Use designation --

MR. MAURODIS: Yeah.

MAYOR STERMER: -- change, which would allow the development.

MR. MAURODIS: Yeah. That's much more on a micro level. You're kind of at 30,000 feet with the land use plan there.

MS. KAPLAN: Okay.

MR. BACKMAN: You know, I'm -- I'm more than happy to tell you that our site plan is currently being processed, we're submitting for our Public Hearings and our approvals for next month at the city. And we're certainly willing, and if there is a representative from the City here, as well, to agree and ensure that all safety precautions as required will certainly be put in place.

MS. KAPLAN: Excellent.

CHAIR CASTRO: Mr. Backman, could I ask you a question? Does your client own the lake?

MR. BACKMAN: The church owns the lake. It is privately owned. Our -- my client purchased this particular portion of the property from the church.

CHAIR CASTRO: Which is adjacent to the lake.

MR. BACKMAN: Yes.

CHAIR CASTRO: And this is just off -- because I agree with Mrs. Kaplan on the security issue, but I think you might be the wrong pony to get on, and this is more of an informational thing.

The County or somebody, or the city can't compel the owner of the property to secure the lake as -- and I think, from what I remember in law school, it's an invitation to death and harm? And I know private suits can do that, but city government doesn't have an option to do something with this person to compel them?

MR. MAURODIS: I mean, there could be certain -- they may have certain zoning regulations that require that you -- you know, you cannot have fencing of that type of facility.

CHAIR CASTRO: Right.

MR. MAURODIS: I don't know if they have that.

CHAIR CASTRO: Yeah. Okay.

MR. MAURODIS: I think that would be within your power if you made a rational basis for the requirement of, you know, like certain signs on property that it be fenced. I think

that would hold up.

CHAIR CASTRO: Yeah. I'm just trying to add government to the impetus of a private lawsuit. So if government can use some ordinance to do that, I don't know if Pompano Beach is here this morning, but if they had a way to do that, they might want to take a look to Mrs. Kaplan's point, especially because they are introducing more children into the neighborhood, apparently, that they somehow compel that property owner to secure that lake and clean it up and do whatever they need to do to keep it safe. So it's --

MS. KAPLAN: Exactly.

CHAIR CASTRO: -- so it cures the problem. I think it's a good point. Anything else?

MS. KAPLAN: No, that's all I had.

CHAIR CASTRO: Anybody else? Do we have a motion to approve the item?

MR. STEFFENS: So moved.

CHAIR CASTRO: Second?

MAYOR BOCCARD: Second.

CHAIR CASTRO: All in favor? Any objections? Seeing none, carries unanimously.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEMS PH-2 and PH-3

CHAIR CASTRO: Okay. I actually pulled PH-2 and PH-3 because one thing I forgot to do was give -- since we had an item on the Trafficways, Item Number 1, which kind of correlates, I believe, to PH-3, we made a recommendation at the Trafficway and Land Use Committee right before this meeting; yes?

MS. BOY: Yes. We want to -- do you want to talk about that now, or do you want to talk about it for PH-2?

CHAIR CASTRO: Yeah, I'm going to start with that, because that kind of encompassed a little bit. Go ahead.

MS. BOY: Okay. So the recommendation that was made for Public Hearing Item 3 was to recommend tabling the item until the February meeting, based on some more input from the -- sorry. It's in the hall.

UNIDENTIFIED SPEAKER: (Inaudible) speaks.

MS. BOY: Every time he --

UNIDENTIFIED SPEAKER: That happens every time.

MS. BOY: I think it's gone now. There's a workshop, as you know, that we were talking about, the joint workshop on Wednesday, and the Land Use/Trafficways Committee was interested in getting a feel from that conversation before they make their recommendation in February. So that was the recommendation for PH-3.

CHAIR CASTRO: Got it.

MS. BOY: Okay.

CHAIR CASTRO: Now, going back to PH-2 and then PH-3, I see a lot of people in the audience, and I'm assuming they're not here for PH-1.

MS. BOY: We have three speakers signed in on Public Hearing Item 2 and --

CHAIR CASTRO: Okay.

MS. BOY: -- five speakers signed in for Public Hearing Item 3.

CHAIR CASTRO: Okay. Let's start with the speakers on PH-2, if you don't mind, and let's call them forward to make a comment.

MS. BOY: Okay. Can I just let everyone know what Item PH-2 is?

CHAIR CASTRO: Sure. Absolutely.

MS. BOY: Review, just quick. PH-2, as you may recall, last year the Council considered -- this is a proposed text amendment to the Broward County Land Use Plan to amend Policy 1.07.07, which is really to affordable housing.

Currently, the policy only addresses Broward County Land Use Plan amendments that add 100 or more additional units to the Broward County Land Use Plan, and then the municipalities supply information to the County staff, and it's reviewed, you know, as far as how does it meet the policy, A through J, this menu of options that the city -- the city has.

So this proposed amendment was initiated by the County Commission, and it says that - - the proposal is that the policy will now apply to any allocations of flexibility or reserve units, a hundred or more, to non-residential, commercial, or employment center properties.

So it adds another situation in which Policy 1.07.07 would be applicable. Just for a quick review, the Land Use/Trafficways Committee took this item up first in February of last

year, vetted it over a few months. It went to the full Council in June, was tabled to the August meeting.

In August, the Planning Council made a recommendation of -- of denial to the County Commission, supporting affordable housing, but feeling like this wasn't the appropriate - the appropriate policy change to take place.

Subsequent to that, the County Commission transmitted this amendment to the State review agencies in late October. The State review agencies had no comments to offer on the proposed amendment. And now it's back in your hands for the procedural second Public Hearing of the item. Thank you.

CHAIR CASTRO: Thank you.

MS. BOY: We have three speakers. Mr. Bill Laystrom, followed by Mr. Skeet Jernigan, followed by Mr. Lee Feldman.

CHAIR CASTRO: Thank you.

MR. LAYSTROM: Madam Chair, members of the Council, my name is Bill Laystrom. I'm here tonight -- or today as more of a development community representative. When I looked at this, one of the issues for us with flex units has always been the amount of time which it takes in order to get something approved.

Flex units were a way, an aggressive way, to get development quicker in the various cities that I work for. And by adding this policy, what you do, in effect, is add another four months to the approval process, because the County Commission now has to have a hearing.

You'll see in your backup that on the other three standards that they put in place, that there was never a hearing. You never had to go to the County Commission, so it didn't extend the development period.

So what you're doing is basically drawing back the value of those flex units to the various cities that do still have flex units to allocate. The second, really the greater issue here is at the end of the day, flex units were originally given to the cities -- I happened to -- I was a young child at the time, but when the Land Use Plan was passed, the flex units were designed for the cities to have flexibility -- that's why they were named flex units -- to be able to make various small, small adjustments within their cities.

And that's what flex units were. It's also for -- you have commercial flex and industrial flex. It allows you to make those things. This takes away some of that ability for those cities to do that.

And I think at the earlier discussion, somebody had said what's the real effect of any of

these, based on the number of applications you actually have -- actually have. And it's almost none. Quite frankly, I --I believe probably Fort Lauderdale has some applications, and then I'm doing a project in Plantation.

But we're also for affordable housing, and the best way to do it is, ultimately, for you all to decide, but this is not it. It just extends the process. Either the cities are going to be handling affordable housing with the County through Amendment Number 3 or they're not, and flex units is not at all going to change that. You'd had, what, six applications, or twelve over the last many years. So we would ask that you not implement this and extend what we consider to be a long process already when you add the site plan approval and all the other approvals we have to get. Thank you very much.

CHAIR CASTRO: Thank you.

MS. BOY: Just to clarify, two other speakers really wanted to speak on this item, so I actually have five speakers on this item and three on the other. The next speaker is Skeet Jernigan, followed by Lee Feldman, followed by Anthony Grisby.

CHAIR CASTRO: Just a reminder, as you approach, name for the record. Three minutes.

MS. BOY: Mr. Jernigan? I saw him here. Okay. So how about Mr. Lee Feldman, followed by Anthony Grisby, followed by Mark Lubelski.

CHAIR CASTRO: Thank you.

MR. FELDMAN: Good morning.

CHAIR CASTRO: Good morning.

MR. FELDMAN: I'm Lee Feldman. I'm the City Manager for the City of Fort Lauderdale. This is an issue, simply put, of Home Rule and determining whether there's a need to micro manage the growth of cities at the macro level. The City of Fort Lauderdale's official position is that we oppose the amendment for the following reasons.

One, it would limit the City's ability to plan for affordable housing where it deems appropriate. The County already has a ten percent total available -- available flexibility and reserve units in each flex zone to be designated for housing units. This only serves to place additional requirements and restrictions on the City's allocation of our flexibility and reserve units, while adding time to the development review process.

And we all know the effect of adding time. Time translates to dollars and, ultimately, will steer development to other counties. And then, finally, it will add a disproportionate concentrate of affordable housing inside the City of Fort Lauderdale.

The proposed amendment disproportionately impacts the City of Fort Lauderdale for the following reasons. One, the affordable housing study that each municipality is expected to submit to the County Commission must include under this the estimated affordable housing demand that is upon based on the employees as well as its residents.

Now, we have a large daytime population. In fact, our daytime population almost doubles.

So in this particular case, we're going to be counting 90,000 people that live in other communities as being in our own. That creates a bigger burden upon the -- upon the City of Fort Lauderdale. Also, we have more flexible units than any other city out there. We have about 18,000 flexible units left. The next closest city is Coral Springs, which has 7500 units, followed by Hollywood, which has 4,000 units.

It's unlikely that this policy's going to impact the smaller Broward County cities. Only 12 Broward municipalities have approved residential units that have allocated a hundred or more flexible units over the past ten years. Of those cities, only three have allocated over 400 such units, including the City of Fort Lauderdale, which has allocated about a thousand units.

And then, finally, 22 Broward municipalities have less than 1,000 flexible units remaining, while three cities have none. The general indication of determining affordability is that families should not have to exceed 30 percent of their income on housing related expenses. According to a recent article that we all saw in Governing Magazine, according to the Census Bureau, Fort Lauderdale, the median gross rent as a percent of household income is only 34 percent.

This ranks Fort Lauderdale as more affordable than the five other cities in Broward County with populations over 100,000. The City of Fort Lauderdale, with over 18,000 flexible units remaining, will be required, under these proposals, both PH-2 and PH-3, to provide more affordable housing units than any other city in Broward County.

The City of Fort Lauderdale continues to promote affordable housing. We actively pursue solutions, and we've demonstrated that. Since 2006, the City's allocated over 551 affordable units in our downtown, and over 1100 affordable units outside of our downtown. That's 1600 affordable housing units that we've dedicated and put into the process.

This ultimate proposal, both on PH-2 and PH-3, have inordinate and disparate impact on Fort Lauderdale, and we urge you to either table this item indefinitely, or deny it. Thank you.

CHAIR CASTRO: Thank you.

MS. GOOD: I loved it.

MS. BOY: Anthony Grisby, followed by Mark Lubelski, followed by Skeet Jernigan.

MR. GRISBY: Good morning.

CHAIR CASTRO: Good morning.

MR. GRISBY: My name is Anthony Grisby. I am the Program Administrator for the Department of Community and Economic Development in the City of Hollywood. We're here to make a statement for the City as it relates to this policy. The Department of Community and Economic Development is funded by Community Development Block Grant funds, HOME funds, SHIP funds, NSP funds, all of which require us to certify that we will aggressively seek to expand affordable housing.

So the spirit of the legislation doesn't bother us. However, within the city, we find this. We find that this policy does not expand the level of affordable housing at a rate that outweighs the flexibility -- the ability of our Planning Department to use their flexible units. So from our department, we urge the Council to table this policy. Here's why.

In addition to our affordable requirements, we also have economic development needs. Development is very important to us at this stage. We are starting to gain momentum, and we concur with the other speakers in that this policy could slow down the permitting process and hurt us in the long term. So I'd just like to reiterate, we disagree with the policy, and we hope that you vote it down.

CHAIR CASTRO: Thank you.

MS. BOY: Mark Lubelski, followed by Skeet Jernigan.

MR. LUBELSKI: Good morning. Mark Lubelski, Director of Community Development for the City of Sunrise. The City of Sunrise strongly supports and promotes the development and maintenance of affordable housing in the City of Sunrise in Broward County. However, the City does object to the proposed land use amendment that would propose Broward -- that would require Broward County approval for the allocation of any flex or reserve units of a hundred or more.

It is important to note that these reserve and flex units are left over units between the Broward County Land Use Plan and each municipalities Land Use Plan. These units were previously approved and reviewed by Broward County, and impacts have already been identified.

Municipalities currently have the ability to locally allocate reserve or flex units to promote development or redevelopment in the city. Approving this land use -- Land Use Plan amendment eliminates any benefits associated with flex or reserve units and will eliminate any processing incentives for the development community. Based upon that, the City of Sunrise recommends that this item be tabled permanently.

CHAIR CASTRO: Thank you.

MS. BOY: The final speaker on the item is Skeet Jernigan.

CHAIR CASTRO: Mr. Jernigan came back? Did he leave? Okay. Let the record reflect Mr. Jernigan doesn't appear to be in the room. He's not responding. Okay. We bring PH-2 back to the Council. Yes, sir.

COMMISSIONER KIAR: (Inaudible.)

CHAIR CASTRO: Okay. You're recognized.

COMMISSIONER KIAR: Thank you, Madam Chair.

CHAIR CASTRO: Just wait a second. Thunder's rolling through. Give it a second. So this is the usual path. You're right.

COMMISSIONER KIAR: This building can get scary sometimes. You know, I -- you know, as you know, I can't remember exactly what the vote was at the County Commission to send this down, but it wasn't unanimous, if I remember. I think there were --

MS. BOY: It was five to -- five to three.

COMMISSIONER KIAR: Five to three.

MS. BOY: Yes.

COMMISSIONER KIAR: It was a relatively close vote. And the reason I think it was a close vote and it wasn't unanimous is because I think there was some thought there that, you know, rather than the County trying to push this onto the cities, that maybe we should, you know, try to work with the cities and the development community and all the stakeholders to try to come up with a very good product to bring, you know, more affordable housing to Broward County, which is really our ultimate goal.

And in our last committee, we recommended that -- we voted to recommend that this matter be deferred until after next week, which is when we're actually going to have a meeting with a number of stakeholders.

And, you know, I personally believe that if we are going to pursue this matter, that the best way for it to be successful is if we get input from everyone, if we work on it together, and we hope we can come out with a nice consensus product that, one, will bring affordable housing -- more affordable housing to the people in Broward County and, at the same time, alleviate the concerns of all of the stakeholders.

And so I guess my motion then would be not to table this indefinitely, but to table this

until our next Planning Council meeting so that we can meet with the stakeholders next week, and hopefully, you know, work together on this matter, rather than -- you know, rather than having, you know, significant opposition to it.

And also, I also want to add, too, there appears -- I listened, you know, especially to Mr. Laystrom and Mr. Feldman, and it appears to me that this is still a work in progress. And, you know, even though the County, we want affordable housing and we're trying to figure out a way to bring more affordable housing to our County, we also don't want to enact something that will have an opposite effect.

So there needs to be more work that goes into this. I'm looking forward to next week, to our workshop, and I'm hoping that we can work together and come up with much more of a collaborative effort, rather than something that's just being, you know, I would say a -- a one-side effort with lots of opposition.

CHAIR CASTRO: Thank you, sir. Just real quick, to reiterate, the Trafficways only recommended that we actually table PH-3, but in that discussion, they also mentioned PH-2, because some of us feel they kind of run together --

COMMISSIONER KIAR: That's true.

CHAIR CASTRO: -- I want to be real clear about that, just so nobody misunderstands.

COMMISSIONER KIAR: Thanks for reminding me.

CHAIR CASTRO: No, that's okay. Mayor Stermer, and then I think I have Mayor Ryan.

MAYOR RYAN: Wait. Was that -- was that a motion that was being made?

CHAIR CASTRO: He did make a motion.

MAYOR RYAN: And was there a second?

CHAIR CASTRO: Not yet.

MAYOR RYAN: I'll second that, and we can have discussion.

CHAIR CASTRO: Okay. Thank you, sir. Thank you. Mayor Stermer.

MAYOR STERMER: Madam Chair, what I'd first like to do is move to incorporate by reference any and all of the previous minutes and agenda backup items where this item has been before whether the full Council or any of its subcommittees, because I believe this Board previously has recommended denial with regard to this text amendment, and I think it's important that all of the backup and all of the minutes travel along wherever this may go so the record is complete with regard to it.

I, too, believe that this item should be deferred or tabled, but I would also suggest that it not be until our next meeting, as we're doing, hopefully, for PH-3, but I think this one should be deferred until March.

I believe we need to deal with the issue of PH-3 first, and my belief is that conversation needs to be concluded before we potentially have it apply to PH-2. So I think that they sort of need to be disjointed by way of timing, although the conversation may travel together.

CHAIR CASTRO: Would the motion maker like to --

COMMISSIONER KIAR: I would accept that as a friendly amendment.

CHAIR CASTRO: And the seconder?

MAYOR RYAN: Second.

CHAIR CASTRO: Okay. Thank you. Anything else? Mr. Steffens.

MR. STEFFENS: Yeah, I mean, I just have a question, I guess, for Mayor Stermer. We were just talking in the Trafficways -- and forgive me if I'm confused -- one of the concerns you raised to PH-3 was that it kind of put the cart before the horse with regard to some of the implementation language of PH-2. Now you're saying you want to discuss PH-3 first, where you'll probably raise those same concerns, and then PH-2 will be a month later. So I just don't understand how that jives. That's --

MAYOR STERMER: My belief is, one, if we voted on PH-2 today, I'd vote and recommend denial. My belief is, based on what this Board's previously done and then watching the County Commission action after it, it didn't appear to make a difference what we said. They did what they wanted to do.

So my belief is by not taking an action today and then bringing forth the issue of the study first, and hopefully getting answers to the questions we asked Mr. Sniezek at the earlier conversation, we can then have a fuller understanding of it and then, as the Chair recommended, try to move these two items together.

I believe PH-2 should be denied. But I'm not sure us taking an action today will lead into a positive result when it comes back before the County Commission, based on their previous actions. So I think we should move that out further, and have the conversation with regard to PH-3.

I may disagree with that, as well, which I stated before and I will state again, the way it's currently drafted. I think we need more information before we vote upon it. And, again, I don't believe you should be creating a rule for something that should be in policy. So I can separate the two out, and -- and that's what I've done.

CHAIR CASTRO: And I think, just for fairness, I'm the one who made the cart and the horse, and I think my concern was is one of the amendments is to the Land Use Plan, the other's an administrative rule change.

To me, the rule change will maybe impact how the amendment is made or done, and that's why I thought we should address the rule first, so we can decide what the rules are, so that when we do an amendment, we understand the real impact of the amendment. So that's why I was running them together, but I don't disagree.

Now, I'm not necessarily opposed to PH-2 yet. I haven't figured that one out yet. I'm still every meeting trying to get it explained to me in a way that I understand it. But I am about affordable housing, obviously, especially in my new role. That's obvious. But, again, I'm not sure these two items really -- we're spending so much time on them, I don't think they really impact affordable housing to the degree we need to, which is really frustrating to me.

So I'm using this for a bully pulpit in this roundtable, so let's put everything on the table that we really need to talk about affordable housing, because this is, to me, like a Band-Aid on a -- on somebody who's gushing blood, and I'm not seeing it yet, so -- but I think that was the cart before the horse. So I just wanted to take Mayor Stermer off the hook on that one. Did you have something else?

MR. STEFFENS: Well, and, again, and this is a concern I've raised when we've previously tabled and discussed tabling this matter. I mean, and Mr. Maurodis can correct me if I'm wrong. At any point, the Commission -- they don't necessarily -- we're just advising them on PH-2; am I correct? And they could just pull this from us at any moment and say we're just going to --

MR. MAURODIS: No. They need input from the local planning agency on a Comprehensive Plan amendment.

MR. STEFFENS: Okay. Thank you.

MAYOR STERMER: If you vote -- if you vote it down, it's taking an action.

MR. MAURODIS: Right.

MR. STEFFENS: I understand that.

MAYOR STERMER: If we table it, we haven't --

MR. MAURODIS: Right. If you -- you -- yeah. You are required -- excuse me, I didn't mean to interrupt. You are required to have two Public Hearings, and there is a -- you have until June to do that. There's a 180 day period. So you are within -- you are within what you can do by March.

MR. STEFFENS: Thank you.

CHAIR CASTRO: I have Mayor Ryan, then Commissioner Blattner.

MAYOR RYAN: Thank you. Obviously, I'll incorporate my comments from this morning's meeting, but also I thank staff for really at the last minute being tasked to contact additional groups to be involved. And I know that can be quite a task between now and then.

I'm concerned that some of these groups that we're going to invite are important to the discussion, and, you know, even if you are able to get out today the invites to them or reminders, they may not be there because of the timing of it.

And I think as we discussed this this morning, the importance of having the development community there, the Greater Fort Lauderdale Alliance, the Chamber of Commerce, the business community, the other stakeholders, makes it -- if they're not there, then I think we'll always question whether the decision or the workshop was as effective as it needed to be.

So that's basically just a comment and a concern that I'll raise at the next meeting if it turns out that we -- just because of timing, we weren't able to get them there. I know you've been asked to, you know, accomplish a yeoman's task to try to do what you can. It's not your fault. We just raised these issues this morning. But I do think that it's almost better that they have a second workshop to make sure those folks are there and it's fully discussed. Thank you.

CHAIR CASTRO: Thank you. Commissioner Blattner.

COMMISSIONER BLATTNER: Thank you, Madam Chair. This issue's been around on this table and on the Board for an awful long time for there to be no resolution. I just get the indication from our Counsel that there's a drop dead date of June if we do nothing about it anyway, which is not a good thing. So I'm support of this. Commissioner Kiar, Council Member Kiar, raised an interesting point.

Sometimes the County does things without consulting its constituency. It should have been done. I don't know of anybody from the cities who is in favor of this. I didn't see it anywhere. Is there any city that's logged in and said this is a great thing? I can't wait to do it.

And so if that's the case, why is this such a difficult decision to make? I'm asking ourselves, if every one of the cities that we've heard from formally, and some informally, are not supportive of this, and we represent that constituency, why are we not able to make a vote?

Now, having said that, I understand the value of having this discussion next week. I'll be there. But I just don't see that there's any support for this, and I'm not even sure

there's support for it from the County Commission. So I'm kind of stymied about longevity of issues before us that just keep revolving and revolving and keep us from doing other good work.

CHAIR CASTRO: Mrs. Kaplan.

MS. KAPLAN: Yes. I'm so glad that you mentioned that, because, as I'm going through all this material last night, one of the things that I wrote down is, who is responsible for development in the cities? And I think it should be the cities themselves.

If it's the city and the County, then why do we have city government in the first place, if the County can tell the city what to do? And so I wholeheartedly agree with Mr. Blattner's comments.

CHAIR CASTRO: Commissioner Lazarow.

COMMISSIONER LAZAROW: Thank you. I also -- well, I feel like Anne about the -- it's very complicated, and we've gone around and around with this. But I agree with Commissioner Blattner. We already voted 12 to 1. I mean, it wasn't a close vote. It was a 12 to 1 vote.

And the same thing in the County Commission. It was not overwhelming eight to one. It was a five to three.

So had it been overwhelming, then I would have said in both cases, then we -- there's a discussion to be had. But in both cases, it was in favor -- here we go again -- in favor not to pass it. It was a majority not to pass it. So I'm inclined to agree with Commissioner Blattner.

CHAIR CASTRO: Commissioner Kiar, and then Mayor Ryan.

COMMISSIONER KIAR: Thank you, Madam Chair. And I definitely understand where everybody's coming from. But here's my perspective with this matter. You know, I can't speak for my other colleagues on the County Commission, but based on the last vote that we had, it appears that this is something that will likely go through.

And I would rather see something go through where we work together on it. For example, in 2006, I think you mentioned that that's the last time these issues came up, and it was a collaborative effort between the County and the cities to pass a product that everybody was happy with.

And, you know, when I was in the Legislature, I did not like to vote on issues and just send things down and make the counties and cities do all kinds of different things without their input. It just wasn't right.

I believe that we could probably come up with a good work product, or at least try to

come up with a good work product where it would hopefully bring more affordable housing to the people of our County, and done in a manner where the cities and the County work together.

And so I guess my position is this. If we just vote it down, you know, and I'm -- and I'm probably -- I'm going to vote yes, so I may be the one vote that votes yes, but if we vote it down, it's going to go to the County Commission; and the County, based on its previous votes, will likely pass it in a manner that it wants to pass it.

However, if we table it and we wait and we come back later on, that gives us all an effort to work together, the cities and the County, to come up with more of a collaborative effort that may make the cities a little happier in this matter for its residents, and also, I think, alleviate some of the concerns that the development community and others came up with.

And that's the other thing. I don't want the County just to pass something to pass something. I don't want whatever passes, if it does pass, to have a detrimental effect on affordable housing.

I actually want it to work. And I think the only way to really get this work is not -- to work is not to pass it in the product that it's in, which is, you know, where it appears to be going, but to have all of the stakeholders get involved so hopefully we can craft something better.

And that's why I think deferring it would be the smart move, rather than just saying we generally oppose this; let's vote it down; and then let the County Commission do what it does. That's just my opinion.

CHAIR CASTRO: Thank you. Mayor Ryan.

MAYOR RYAN: This is a deliberative body, and the integrity of the process and the integrity of the decision making is crucially important. There are those out there, and we've seen the commentary, that when we oppose something moving forward in its current form, it's because somebody's against affordable housing.

And it's why every speaker that comes to the podium and everyone who speaks begins by saying, we support affordable housing, because of the fear of what they're about to say, their productive comments they're about to provide will be misinterpreted and used to bludgeon them as someone against the overall policy.

As a result, while there are many different reasons to oppose this going forward in its current form, including I still can't figure out the impact and whether anybody can explain the impact of any of these provisions, we have to be mindful that it is the overall analysis that is important.

And that's why this morning I asked County staff if they could accumulate all of the

comments that have come from the different silos to say here is our response as to why either that is not a concern, or here is an adjustment or an amendment to address that concern.

If we vote this down now, for our individual reasons that may be substantive and almost irrefutable, I fear it will be viewed as an anti-County Commission decision, a pro-city decision, rather than whether or not this policy works.

So, therefore, while -- and I think Mayor Stermer has said it repeatedly, that he has grave concerns, and that if asked to vote now on certain issues, he would come out one way, I do think that we need to put this in the crucible, work it through further, because the issues that were raised, both by cities and the community, are real issues.

And I don't -- and I feel badly that every time somebody comes to the podium they are almost communicating to the Commissioners who sit in this room as part of the Board of County Commissioners that they are apologizing before they make their comments, and we should, instead, focus on the collaborative nature of what is expected of all of us, including the County Commission.

And, therefore, I support not only deferral to our next meeting, deferral for this workshop, but further deferral if all the stakeholders have not been given the opportunity to weigh in or have not been heard from and there has not been a full analysis by County staff as to the points raised so that we can digest and be deliberative. Thank you.

CHAIR CASTRO: Thank you. Mayor Stermer.

MAYOR STERMER: Thank you, Madam Chair. And further, to the concern raised by Commissioner Blattner as to why this has taken so long, let's remember who's sitting on this board up here today. Not only is it elected officials appointed by County Commissioners, but it is Joe and Jane Q. Public appointed by elected officials who sit on this dais on Tuesdays, as well. And the vote last time was 12 to 1. Again, it wasn't cities against the electorate who are not elected.

Twelve to one, the members of this board moved to deny the suggested policy change, and yet the County Commission didn't listen. Again, part of this -- this isn't in an effort just purely to delay. The effort is to continue and move the conversation. The question is, are all stakeholders participating in the conversation?

And at our last meeting, the Executive Director reported that, to date, she's actually only heard from two County Commissioners, Commissioner Wexler and Commissioner Kiar, that they're going to attend next week's workshop.

And yet they can, just as easily as they've done to date, this is their policy, they can top-down it to us if they choose to, which appears, if you look at the chronology of how we've gotten here, that's what's happened.

But we're hopeful, and as Mayor Ryan said, we're trying to be deliberative in having the bigger conversation about how to make this County and its 31 municipalities better. And I think we all believe it's doing it in a collaborative handheld fashion, not an us-versus-them fashion.

For anybody to frame this issue as an us-versus-them is missing the point. It's how do we all move this conversation forward to actually address the affordable housing conversation in our County. And therefore, I -- I'd move to, again, table this until our March meeting.

CHAIR CASTRO: Mr. Steffens and then Mr. Furr.

MR. STEFFENS: Okay. I have a couple of points. First, with regard to the -- to the opportunity for stakeholders to be heard, I mean, we've had I don't even know how many discussions about this topic. I know Ms. Blake Boy has said one time we heard this and we didn't hear enough from the city, so we went back to the cities again, and X numbers responded.

I mean, I -- now we want to get builders involved, which is what I have been pushing, to get housing advocates involved. I just think that that argument -- I mean, would I have liked to have heard from every city, and would I have liked to have heard from every major developer, every major public housing, you know, supporter on this issue? Of course.

Is that reasonable? I don't -- I don't know. But I think at this point to say that we haven't given an opportunity for these parties to be heard, I just don't think it holds a lot of water. And that's with all due respect, but we've -- we've -- I mean, I'm at my wit's end with this issue. I think a lot of others are.

I mean, this -- we've beaten this thing to death with pushing it back and pushing it back and just -- I'm going to vote no on this motion because I think we need next month to hear PH-2 and PH-3, get done what we're going to get done. We're going to have our public -- we're going to have the workshop in the interim.

It's -- we've belabored this enough. And every time -- and I fully appreciate and I believe when people say that they're not pushing this back because they don't want to kill it. But at some point here, we've been dragging our feet on this for so long, at some point here, I think we need to state our positions, make it known.

I think having this workshop first is fine. I don't oppose that. But we've been belaboring this issue forever. We need to vote it up or down, move it forward. We're all here because we know at least one County Commissioner, to some degree. A lot of us know a lot more. Call your friends, talk to them about it. Show up at the meeting on the -- when the County is going to do their final approvals on this. State your concerns then.

I mean, Mayor Stermer had his city pass a resolution. For those municipalities that want

to do that, or send letters like the City of Coral Springs did and a lot of other cities have communicated in the past, do those things. But at this point, we've just been belaboring this issue ad nauseam, forever.

And I do agree to some degree with what I think it was Mayor Stermer who said it, you know, the Commission is not listening to us. I mean, that's -- or when I say, us, I don't mean us, because I'm the one to all of you.

They are -- you know, they're for -- and the interesting thing is that the person who proposed this voted no from -- so -- the County Commission's interesting. But, you know, I think, you know, us dragging this issue out as we have been doing is obviously not getting the result we want.

So maybe -- I think it would be in the best interest to reach out to our friends on the Commission. Show up to the meeting when they hear it, and say, this is why we feel this way. Have a positive suggestion for a change, which I hope will come out of this workshop. So then maybe at that point, you know, we'll have something new, and we can restart this process.

That would be great, if that's -- if we can have something that we can -- the cities are happy with and we can move forward and, like Chair Castro said, really address this issue, because, based on something I'd asked for at the very beginning of this process and we finally have is, is the -- the very small amount of projects that this would have impacted over the past couple of years. But this really isn't going to do a whole lot to move that affordable housing issue forward.

But, of course, at the same time, it is my opinion that if the County went with a broad, bigger approach, then it would -- everybody'd be saying, oh, my God, oh, my God, this is too much.

So, I mean, with that one, I mean, is there a happy medium? Maybe that's what could come out of this workshop, and that's what I hope comes out of this workshop, because I don't think there's a dispute that affordable housing in the County is a real issue.

I just think that we've been dragging our feet too long. I think the workshop is important, but I think next month we should have PH-2 and PH-3 heard. If out of that workshop we all come to an agreement that things are going to get pulled and maneuvered, then -- then that's great. But I just think at this point we need to move it forward.

And then the other discussion about allowing the cities, you know, to control this issue almost with exclusivity, but this is from -- in my opinion, this is a regional problem, and we -- you know, we don't have anything -- I mean, the State is not doing what it should on this issue, so the next level is the County, that we're bringing these 31 cities together.

And, you know, for a city like mine, the City of Parkland, that does not have affordable housing per se within it, that there are other options then to how we can help the

affordable housing situation in the County, or, you know, other cities that just don't have it, or other cities that want to have that money and have that type of housing, that they could take advantage of that.

So I think that, you know, leaving this entirely up to the cities, and I think -- and I -- what Mayor Ryan said in the previous meeting about having -- where did the 15 percent come from? Where did the one percent come from? I'm very interested in that, and that's why I supported the -- pushing PH-3 back.

I definitely want to hear that. I want to know where that came from. We got some answers on that from Henry, but I would definitely like to have a real explanation where those numbers came from, what cities -- I'd love to hear from more cities on those particular numbers, what they've used in the past. But apparently we're going to get that -- what they've allotted in the past without the timeline; correct? That's something that is in that spreadsheet; correct?

MS. BOY: Oh, I -- what I -- actually, what I have today is just one amendment that has been subject to Policy 1.07.07 --

MR. STEFFENS: Right.

MS. BOY: -- for Land Use Plan amendments.

MR. STEFFENS: Right. And what their allotments, and what they've done to satisfy.

MS. BOY: And what they've done, yes.

MR. STEFFENS: Correct. Okay. So, I mean, I don't think that will be interesting to look at. So I -- I definitely think we need another month to look at this, but I think at this point it's -- and I understand the concerns of people who have come up here with, you know, the -- how they promise flexibility units and those things, and I hope those are addressed next week.

But we need to -- you know, this issue has been, what, a year we've been dealing with this. And I understand we don't want to rush through something, but at some point here -- and I understand there were other levels of review that were outside of our control, but at some point here I think we just have to move this issue forward.

And that's why I'm going to be voting no, just because next month I think we should be hearing both, and we should be just moving this issue along. Thank you.

CHAIR CASTRO: Mr. Furr.

MR. FURR: Thank you. I'm going to support the motion to have more discussion. And one of the reasons is when I look at whoever decided this hundred number, since it seems somewhat arbitrary, and I understand why they were trying to do it. Obviously,

they're trying to save some of these flex units for affordable housing.

What I'd like to know is -- I mean, I think that's why. I think whoever was thinking that is, you know, you don't want to have them all being used up and gobbled up and not have a bunch left for affordable housing.

What I -- a couple things I would like to know is, one, if you figured out the ten percent, what -- you know, that ten percent set aside that's supposed to be for affordable housing, and if you figure what that number is, I'd like to know what that number is.

If once we do that, if you add all the set asides, what is that number? And then, when we look at what the need is, okay, then where -- what's the gap. Part of where -- I mean, it's -- obviously, they're going at it from this point of view of trying to preserve -- make sure they're not gobbled up.

But there also could be another angle, and that could be adding to the percentage that is preserved for the set aside. Instead of doing, say, a hundred, instead of just saying ten percent, it could go to 15 percent, or we can be looking at other ways of approaching that.

And I think that's what I would hope that the discussions could look at, alternative ways to preserve those flex units, because I think that is where you're going to find developers being able to -- to use those for affordable housing.

I mean, I see, in the future, a lot of affordable housing opportunities along passenger rails like, you know, where TODs are going to be, where you're going to have transit oriented development.

Many of those are going to be for a hundred or more units, because you're going to have people wanting to build apartment buildings next to the railway, and try it for employment opportunities up and down from Jupiter to down in Miami.

I think we should be looking at what's -- what -- you know, what's coming down the road in just a couple of years, and thinking, how do we -- how do we work with that? But I would like to know the numbers, one, what are the actual numbers that are set aside. Because I don't know what that number is. So maybe you already know. Maybe you already have it right on hand. It looks like you might.

And then I'd like to see that gap, what those numbers are, the -- you know, the presentations we have, how much more we would need to add to that set aside to get to approach, you know, lessening that gap, at least. But as to the amendment today, I'm in support of it to allow for this discussion to keep going. I think -- I understand perfectly well what the city -- both the cities' opposition to this as well as the developers' opposition to this.

I don't think that -- I think that we need more flexibility to allow to create some of the

affordable housing opportunities that -- that a lot of the cities see coming up. I think they can foresee some of those possibilities. So I'm going to vote for that, and if there's any chance of getting those numbers at some point, I'd appreciate it.

CHAIR CASTRO: Mayor Ryan.

MAYOR RYAN: Just a comment to whether this body has been dragging its feet or it's gone, with due respect, Mr. Steffens, these are, as you recognized, incredibly complicated matters that have potential impacts that will go out half a decade or more, because we see how difficult it is to make adjustments.

And to see all of these independent concerns, some are criticisms, some are concerns, without a cogent response from County staff as to what the implications are is a dangerous prospect for us for fear that we vote yes because we support affordable housing, we believe it's going to work, and then we see the law of unintended consequences take hold in a year or two.

So I think we all wonder why government moves so slow at times, and we've all been critical of that. In this particular case, I think haste is far more dangerous. As long as we're being deliberative, I do support the idea that there has been great opportunity. We had a disappointing response from many cities early on, had to be nudged to give their position.

But, admittedly, along the way, some of us did not think to invite the Chamber of Commerce or the Greater Fort Lauderdale Alliance. Maybe they don't see this on their radar. Maybe we need to make sure, because I certainly don't want to hear from them later why did you do this? Did you not think of this particular issue?

So I'm supportive, again, but I think this body has been deliberative, and has been very careful to gather as much information. It's now really up to the stakeholders to come forward, as Mr. Steffens notes. It's also up to the County to address every one of these concerns that have been raised in individual letters and have a cogent response so that we can make a smart decision. Thank you.

CHAIR CASTRO: Before I call the roll, I just want to add a few comments. You know, I don't know how I feel about PH-2, because the irony of PH-2 is it is very complicated to explain and understand. It is very, you know, unsure of what the impact will be long term.

But at the same time, I can tell you, based on the number of applications that have come in the last six years; it really doesn't mean a whole hell of a lot of beans. So don't really care if it floats out here for a year, as long we've kind of gotten all the information under us to figure out what it does.

But also, out of deference to the County Commission, you know, obviously, they thought something or some of them thought something that this was important enough to put it

out there. And rather than bounce it back to them with two denials rapidly, or, you know, not so rapidly, in our case, I don't mind giving it an extra 30 or 60 days so we can talk about it more, because I think that gives us more of an opportunity to go fact find, build the record, so when we do give it to them, with a denial or with a support, whichever way it ends up, they have a clear understanding of why we did what we did and where we went with it.

So I think out of deference to them, you know, the easy thing probably would be to say, you know what, it was 12 to 1 last time. Let's just do it again, and tell them, punt. It's yours. Take it. And they could still approve it and go over us. But I think building the record's important, because, eventually, some other action may spring from this.

And I like using this, as I said earlier, kind of selfishly, as a springboard. If I can keep affordable housing out in front for a long, long time to come, I'm going to take every opportunity to do it. I'm not proud to admit it, but that's what I'm going to do.

So it is what it is. It's a personal thing of mine and -- obviously, and so I'm going to let it sit out there. If we have to talk about it every meeting, I'm okay with that. So, you know, it's okay.

So I'm going to support the motion to defer this to the March meeting, but I do still believe process-wise, the rule has to come before the amendment so we understand what the impact of an amendment is. So that's just my little thing. Yes, Ms. Kaplan. Then I'm going to call the roll.

MS. KAPLAN: Okay. Could I ask -- is this on?

CHAIR CASTRO: Yes.

MS. KAPLAN: Could I ask a question? It could be addressed possibly in this meeting or the next meeting. Why is affordability housing based on the city and not as the County as a whole?

You know, if you look at, just for instance, Parkland, you know, a hundred percent of the residents probably of Parkland probably can afford to live in Lauderhill. Maybe only 20 percent could afford to live in Parkland. Just as an example. So I'm trying to grasp in my head why this isn't more of a County affordability issue rather than individual cities, because it doesn't seem like it's fair with each city. Does --

CHAIR CASTRO: Well, and that's --

MS. KAPLAN: -- and that's my question.

CHAIR CASTRO: -- the question. I'm going to jump in and give you a quick --

MS. KAPLAN: I'm --

CHAIR CASTRO: -- quick answer, and then we'll take her off line, and we'll take her out to lunch, and without discussing PH-2 and 3, we'll have a real discussion. But from my perspective, as somebody who's been at the County and the city level and wherever else, you know, some cities have more affordable housing than others. You've heard of NIMBY, not in my back yard.

But, at the same time, there's got to be housing in the County for employees to go work for all these businesses that everybody makes money off of. And some cities need to do a better job of providing for those types of employees. You can't put it all on the backs of certain employees, because everything that goes to housing goes to pay your property taxes and government and -- and funding.

So each city has a stake. Now, in this particular instance, this matter was already settled a while ago with the cities having their Home Rule under the Charter of Broward County having its Home Rule, and cities wanted to have their own self-determination.

And this, the County is imposing, because we all have to participate in the Land Use Plan. Dania Beach or Sunrise or Parkland can't get to decide they're going to go out and change a parcel of land and change the land use on it without coming through these doors. Yet they're setting rules for how we can do that, which then determines whether we're giving affordable housing, not giving affordable housing, whether we have a density of a hundred units an acre, 500 units an acre.

So it's got to be as, you know, Commissioner Kiar has pointed out many times, a collaborative effort. What you do affects your neighbor next door, and that affects --

MS. KAPLAN: Right.

CHAIR CASTRO: -- the whole entity of the County, which then affects Dade County, Palm Beach. And so that's why you're getting into regionalism now. That's the new buzzword, we're all going regional. But that's why the tension's here is because cities want to determine their own self-determination and the County is telling us here are the rules of the road.

They're -- they're the cop. They're wearing the badge, riding down the street. Is that pretty accurate what I'm saying? Anybody want to add real quick before I call the roll?

COMMISSIONER LAZAROW: Just really quickly, I also --

CHAIR CASTRO: We'll do lunch. Seriously, let's do lunch.

COMMISSIONER LAZAROW: I'm sorry. And then I'll -- and then I'll stop. But I just wanted to say also it was a recommendation from the Council also, but I'm saying to myself that there must be a reason that they recommended -- the planning -- the office, Ms. Blake's office.

And also that it was my understanding in our initial discussions that this really didn't impact affordable housing. So that was one of the main reasons that I believe this Board voted 12 to 1 was because it really didn't have an impact on that aspect. So I'm going to maintain with -- if Mr. Steffens feels the same way, to vote no to table.

CHAIR CASTRO: Okay. We're going to call the roll now. Nancy, you're up. And, again, the motion, for those of you, is to table PH-2 to the March Planning Council meeting.

THE REPORTER: Mr. Tim Bascombe.

MR. BASCOMBE: Yes.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Yes.

THE REPORTER: Mayor Vincent Boccard.

MAYOR BOCCARD: Yes.

THE REPORTER: Mr. Neal de Jesus. Commissioner Bobby DuBose. Mr. Beam Furr.

MR. FURR: Yes.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Yes.

THE REPORTER: Ms. Mary Graham.

MS. GRAHAM: Yes.

THE REPORTER: Mr. Dan Hobby.

MR. HOBBY: Yes.

THE REPORTER: Ms. Lynn Kaplan.

MS. KAPLAN: Yes.

THE REPORTER: Commissioner Martin Kiar.

COMMISSIONER KIAR: Yes.

THE REPORTER: Commissioner Michele Lazarow.

COMMISSIONER LAZAROW: No.

THE REPORTER: Commissioner Michael Long.

COMMISSIONER LONG: Yes.

THE REPORTER: Commissioner Rita Mack.

COMMISSIONER MACK: Yes.

THE REPORTER: Mayor Michael Ryan.

MAYOR RYAN: Yes.

THE REPORTER: Mr. Nicholas Steffens.

MR. STEFFENS: No.

THE REPORTER: Mayor Daniel Stermer.

MAYOR STERMER: Yes.

THE REPORTER: Anne Castro.

CHAIR CASTRO: Yes. Thank you. The motion carries.

VOTE PASSES 14 TO 2 WITH COMMISSIONER LAZAROW AND MR. STEFFENS VOTING NO.

AGENDA ITEM PH-3

CHAIR CASTRO: Now we're going to go on to PH-3, which is an (Inaudible) to the Land Use/Trafficways, the recommendation to this Board was to table this until the February meeting so that we could get some more information and more specifics on the item. With that, I'll take a motion on PH-2 [sic].

MR. FURR: So moved.

COMMISSIONER KIAR: So moved.

MAYOR STERMER: Second.

UNIDENTIFIED SPEAKER: Second.

CHAIR CASTRO: Poor Nancy's like who made the motion and who seconded. Are you okay, Nancy?

THE REPORTER: Yes, I'm good.

CHAIR CASTRO: Very good. Okay. We have speakers on this item as well?

MS. BOY: I'm sorry?

CHAIR CASTRO: We have speakers?

MS. BOY: Yes, there are three speakers signed in to speak, Mr. Bill Laystrom, Mr. Dennis Mele, and Mr. Lee Feldman.

MR. MAURODIS: You might want to ask if they want to speak on this item.

CHAIR CASTRO: Mr. Laystrom is waiving.

CHAIR CASTRO: Did you want to renew any comments from the last one for this item, too, or is it basically the same, or was it the same commentary?

MR. LAYSTROM: No, it's a little different but I'll waive.

CHAIR CASTRO: Okay. That's fine.

Who else did you have? Mr. Mele?

MS. BOY: Mr. Dennis Mele and Mr. Lee Feldman.

CHAIR CASTRO: Mr. Feldman, you still interested?

MR. FELDMAN: No, I'm not.

CHAIR CASTRO: You're waiving. Thank you. So we have just Mr. Mele. Thank you.

MR. MELE: Just very quickly, I could have stood up on the previous one, but, for some reason, I waited until this one. Very quickly, I heard the discussion. I hope you'll table this as your Trafficways -- Land Use/Trafficways Committee suggested. Just a couple of quick comments.

The comments from Coral Springs I think are very important. The employment and income data is not available on a citywide basis, so asking them to put that kind of data in a study for affordable housing isn't a good idea, because it's not there. That's only available on a countywide basis.

The one percent of construction costs needs to be defined. I believe when you pull building permits at a city, for most cities, because some of the building permit fees are based on construction value, there is a value recorded. I don't know if that's the one they want you to use, but it should be defined so you know what costs you're including

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when you do the one percent.

And then, finally, something that concerns me greatly, the 15 percent is a benchmark. That 15 percent of the housing stock should be affordable is a benchmark. If a city shows that 15 percent of their housing stock is affordable, including the existing housing plus 15 percent of the proposed amendment, that should be the end of the discussion.

I brought that up at a previous workshop, and I was told that that wasn't the end of the discussion. As I inquired further, I said why isn't it, if 15 percent's the benchmark? They said you have to look at the supply of housing in that city and the demand for housing in that city.

So I said, in other words, if the supply -- if the demand in that city is higher than 15 percent, then you want their number to be higher than 15 percent. And I was told that was correct. What that's going to do is concentrate more affordable housing in the places that already have a lot of affordable housing.

And the discussion I heard at the County Commission meeting was exactly the opposite of that. I think someone in the previous item asked, you know, there was a discussion about Parkland. Well, there was an amendment coming out of Parkland just about a month ago, and I think some of the Parkland people were saying, oh, we don't have affordable housing here, and maybe the inference was they didn't want to have any.

And the discussion I heard at the County Commission was everyone should be allowed to live wherever they want. Well, I think the inference was that if they couldn't afford to live there, maybe something should be done so they could. I'm not sure that's the role of local government or not. But if you show you have 15 percent already and 15 percent's the benchmark, to me, that should be the end of the discussion.

Finally, when this was done in 2006, there was a lot of discussion, way more than you're going to -- than you've had so far, and way more than you're going to be able to have between next month or between now and March. So this is something that takes time. But I'll give you an example, because there's nine policies put in, A through J. I think that's nine.

MAYOR RYAN: And, for example, Coconut Creek was one of the first cities to do something. They adopted a linkage fee and they charged non-residential. It's a concept that comes out in the DRI statute. And so when you have a land use amendment in Coconut Creek, the answer was Coconut Creek has a linkage fee. You've met the test. You're done.

Now we're being told that's not going to be sufficient anymore, to just say you have a linkage fee. You've met the test. You're done. So I see a statement in the backup that says, we're not changing the policy. We're changing the policy. Thank you very much.

CHAIR CASTRO: Thank you. And I know Mr. Sniezek and his team are still back there,

and I think he took copious notes so that we're ready for the next one. Okay. Any other discussion? Commissioner Kiar.

COMMISSIONER KIAR: My only question is it possible, I don't know if this -- if this was already addressed -- to have -- I believe that the discussion in this meeting was very good and very helpful, and I was wondering if that can be a part of the backup for next week, the minutes.

MS. BOY: For next week?

COMMISSIONER KIAR: Yeah.

MS. BOY: Probably. We get verbatim minutes, so I think that we'd -- for next Wednesday, we'd have to rely on just a recap of the conversation, because the minutes will not be ready.

COMMISSIONER KIAR: Okay.

MS. BOY: Sorry.

CHAIR CASTRO: And rather than just recapping the conversation, you heard very specific recommendations, suggestions, or requests. Can we get a list of those?

MS. BOY: I will do my very best.

CHAIR CASTRO: Okay. That's fine. All right. Not to put the pressure on. Pressure's on. Mr. Steffens.

MR. STEFFENS: Maybe in an effort to help the Executive Director along, if you have made a specific suggestion --

CHAIR CASTRO: Okay.

MR. STEFFENS: -- you can just send her an email.

UNIDENTIFIED SPEAKER: (Inaudible.)

MR. STEFFENS: That doesn't take the onus off you --

MS. BOY: I know. I know, but I can compile --

CHAIR CASTRO: Compile them.

MS. BOY: -- everything.

CHAIR CASTRO: Easier.

MS. BOY: That would be very helpful.

MR. STEFFENS: But if -- or even if you think of something later, you know, before Wednesday -- you could always send an email or --

CHAIR CASTRO: Yeah. Good idea. If it's that important, write the email.

Okay. Anything else? We have a motion and a second on the floor. We need to have roll call vote. It's to postpone PH-3 to the February meeting -- Planning Council meeting.

THE REPORTER: Mr. Tim Bascombe.

MR. BASCOMBE: Yes.

THE REPORTER: Commissioner Richard Blattner. Mayor Vincent Boccard.

MAYOR BOCCARD: Yes.

THE REPORTER: Mr. Neal de Jesus. Commissioner Bobby DuBose. Mr. Beam Furr.

MR. FURR: Yes.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Yes.

THE REPORTER: Ms. Mary Graham.

MS. GRAHAM: Yes.

THE REPORTER: Mr. Dan Hobby.

MR. HOBBY: Yes.

THE REPORTER: Ms. Lynn Kaplan.

MS. KAPLAN: Yes.

THE REPORTER: Commissioner Martin Kiar.

COMMISSIONER KIAR: Yes.

THE REPORTER: Commissioner Michele Lazarow.

COMMISSIONER LAZAROW: Yes.

THE REPORTER: Commissioner Michael Long.

COMMISSIONER LONG: Yes.

THE REPORTER: Commissioner Rita Mack.

COMMISSIONER MACK: Yes.

THE REPORTER: Mayor Michael Ryan.

MAYOR RYAN: Yes.

THE REPORTER: Mr. Nicholas Steffens.

MR. STEFFENS: Yes.

THE REPORTER: Mayor Daniel Stermer.

MAYOR STERMER: Yes.

THE REPORTER: Anne Castro.

CHAIR CASTRO: Before I go, just real quick, let the record reflect Mr. Blattner didn't refuse to vote, because there was no sound. He actually had to leave, so he's no longer present in the room. And I vote yes. Thank you.

VOTE PASSES UNANIMOUSLY.

OTHER BUSINESS

CHAIR CASTRO: Any other business?

MR. STEFFENS: Move to adjourned.

MAYOR BOCCARD: Move to adjourn.

CHAIR CASTRO: So moved. Happy New Year, everyone.

(The meeting concluded at 11:23 a.m.)