

MINUTES

BROWARD COUNTY PLANNING COUNCIL

February 27, 2014

MEMBERS PRESENT: Anne Castro, Chair
Commissioner Bobby DuBose, Vice Chair
Commissioner Michael S. Long, Secretary
Vice Mayor Lisa K. Aronson
Tim Bascombe
Commissioner Richard Blattner
Neal de Jesus
Beam Furr
Mary D. Graham
Dan Hobby
Lynn Kaplan, present via telephone
Commissioner Martin D. Kiar
Commissioner Michele Lazarow
Mayor Michael J. Ryan
Nicholas T. Steffens
Mayor Daniel J. Stermer

MEMBERS ABSENT: Mayor Vincent Bocard
School Board Member Patricia Good
Commissioner Rita Mack

ALSO PRESENT: Barbara Blake Boy, Planning Council Executive Director
Andy Maurodis, Legal Counsel
Earl Hall, City Attorney for Lauderhill
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, February 27, 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 regular meeting and Public Hearing for February 27th, Broward County Planning Council, to order. If you'd all stand for a quick prayer and the Pledge of Allegiance. Thank you. I'm going to turn it over to Commissioner Bobby DuBose.

COMMISSIONER DUBOSE: I'm going to ask that we acknowledge a moment of silence for Mayor Fisher's family in light of the recent tragedy, as well as the recovery, and pray for his family. If we would have a moment of silence.

(Moment of silence.)

COMMISSIONER DUBOSE: Thank you.

PLEDGE OF ALLEGIANCE

CHAIR CASTRO: Okay. Before we do roll call, a few housekeeping issues.

I understand the parking machine in the parking garage may be malfunctioning, so I know staff is trying to work on getting tickets. This happened last month, but one way or the other, we'll get you out of the parking garage once you got in. We won't have you stay there all day. We'll figure out how to get you out.

As a reminder, always, the can for the coffee, donuts, bagel fund, please feel free to contribute. And I think on the Parkland items, as a matter of course, Mr. Maurodis will be again sitting back, and I think Mr. Hall's going to step forward on that issue because of a small conflict, a conflict that may exist, so we're just erring on the side of caution to make that happen.

ROLL CALL

CHAIR CASTRO: With that, if we could call the roll call, please.

UNIDENTIFIED SPEAKER: Lynn Kaplan.

CHAIR CASTRO: Ms. Kaplan, we have you on the phone. We're calling roll call now. Are you there? She's there. I heard her.

THE REPORTER: Vice Mayor Lisa Aronson.

VICE MAYOR ARONSON: Here.

THE REPORTER: Mr. Tim Bascombe.

MR. BASCOMBE: Here.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Here.

THE REPORTER: Mayor Vincent Boccard. Mr. Neal de Jesus.

MR. DE JESUS: Here.

THE REPORTER: Commissioner Bobby DuBose.

COMMISSIONER DUBOSE: Here.

THE REPORTER: Mr. Beam Furr.

MR. FURR: Here.

THE REPORTER: School Board Member Patricia Good. Ms. Mary D. Graham.

MS. GRAHAM: Here.

THE REPORTER: Mr. Dan Hobby.

MR. HOBBY: Here.

THE REPORTER: Ms. Lynn Kaplan.

CHAIR CASTRO: She --

THE REPORTER: Commissioner --

CHAIR CASTRO: -- she's present --

THE REPORTER: Yes.

CHAIR CASTRO: -- on the phone. And we're going to ask her to announce herself in a few seconds, but go ahead.

THE REPORTER: Commissioner Martin Kiar. Commissioner Michele Lazarow.

COMMISSIONER LAZAROW: Present.

THE REPORTER: Commissioner Michael S. Long.

COMMISSIONER LONG: Here.

CHAIR CASTRO: And, just for the record, Commissioner Kiar is here. I think he just stepped back --

UNIDENTIFIED SPEAKER: Here he comes.

THE REPORTER: Commissioner Rita Mack. Mayor Michael Ryan.

MAYOR RYAN: Present.

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. Lynn Kaplan on the phone, can you hear us? Lynn, are you there?

MS. KAPLAN: Yes, I'm here, but it's very, very distorted.

CHAIR CASTRO: Okay. Sometimes we can hear you talking, so if you can, mute your phone when you're not wanting to tell us something. I don't know if they're going to be able to fix the distortion, but --

UNIDENTIFIED SPEAKER: (Inaudible) phone.

CHAIR CASTRO: Okay.

UNIDENTIFIED SPEAKER: Who is that?

CHAIR CASTRO: Who is the second person on the phone? Lynn, who's the other person on the phone? Are they with you, or is there somebody else calling in? Who's the male voice? Is that a technician? Okay. I would recommend you disconnect and call in again and try to get a different line.

MS. KAPLAN: This sounds better, Anne.

CHAIR CASTRO: Okay. Good. Okay.

MS. KAPLAN: Okay. Yes.

CHAIR CASTRO: Thank you so much.

MS. KAPLAN: I'm present, thank you.

CHAIR CASTRO: Thank you. We got the roll call. We're good. Thank you so much. Thank you, everyone, for being patient.

OATH OF OFFICE

CHAIR CASTRO: Now it's my pleasure -- I'm looking for the oath of office here for our new member, Vice Mayor Lisa Aronson. As all of you know, when we swear somebody in, we then do what we call the photo op drill, so please start preparing yourselves to move to the center so the photographer can come in and we can have a nice photo for Vice Mayor Aronson for her book and her photo scrapbook and everything else. So, Vice Mayor, if you would join me up here, we're going to go ahead and get you sworn in before we get into our official business.

CHAIR CASTRO: I do solemnly swear --

VICE MAYOR ARONSON: I do solemnly swear --

CHAIR CASTRO: -- that I will support, protect, and defend --

VICE MAYOR ARONSON: -- that I will support, protect, and defend --

CHAIR CASTRO: -- the Constitution and government --

VICE MAYOR ARONSON: -- the Constitution and government --

CHAIR CASTRO: -- of the United States and the State of Florida --

VICE MAYOR ARONSON: -- of the United States and the State of Florida --

CHAIR CASTRO: -- that I am duly qualified to hold office --

VICE MAYOR ARONSON: -- that I am duly qualified to hold office --

CHAIR CASTRO: -- under the Constitution of the State --

VICE MAYOR ARONSON: -- under the Constitution of the State --

CHAIR CASTRO: -- and the Charter of Broward County --

VICE MAYOR ARONSON: -- and the Charter of Broward County --

CHAIR CASTRO: And that I will well and faithfully --

VICE MAYOR ARONSON: -- and that I will well and faithfully --

CHAIR CASTRO: -- perform the duties of a member --

VICE MAYOR ARONSON: -- perform the duties of a member --

CHAIR CASTRO: -- of the Broward County Planning Council --

VICE MAYOR ARONSON: -- of the Broward Planning Council --

CHAIR CASTRO: -- on which I'm about to enter --

VICE MAYOR ARONSON: -- on which I am about to enter --

CHAIR CASTRO: -- so help me God.

VICE MAYOR ARONSON: -- so help me God.

CHAIR CASTRO: Thank you. Congratulations. I'm going to get a new oath before much longer and shorten it, or is there something special about this?

CONSENT AGENDA

AGENDA ITEM C-4 - EXCUSED ABSENCE REQUESTS

CHAIR CASTRO: Okay. With that, now I'll entertain a motion for excused absences, School Board Member Patricia Good, Mayor Vincent Boccia, and Commissioner Rita Mack.

MR. STEFFENS: So moved.

COMMISSIONER LONG: So moved -- second.

CHAIR CASTRO: I have a motion, Mr. Steffens, and the second was from Commissioner Long. All in favor? Any opposed? Seeing none, it carries unanimously. Thank you all.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM C-1 - APPROVAL OF FINAL AGENDA FOR FEBRUARY 27, 2014

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

AGENDA ITEM C-3 - APPROVAL OF MINUTES OF JANUARY 23, 2014

CHAIR CASTRO: Okay. Now we're on to the Consent Agenda. May I have a motion to approve the Consent Agenda?

MAYOR STERMER: Motion to approve.

COMMISSIONER DUBOSE: Second.

CHAIR CASTRO: Mayor Stermer, Commissioner DuBose. All in favor? Any opposed? Seeing none, it carries unanimously.

VOTE PASSES UNANIMOUSLY.

REGULAR AGENDA

AGENDA ITEM R-1 - COUNSEL'S REPORT

CHAIR CASTRO: Okay. Counsel's report, Mr. Maurodis.

MR. MAURODIS: None other than the announcement on the Land Use item for Parkland. Mr. Hall will be substituting for me because of the (inaudible)

CHAIR CASTRO: Nice to see you, Mr. Hall. Thank you for coming.

AGENDA ITEM R-2 - EXECUTIVE DIRECTOR'S REPORT

CHAIR CASTRO: Executive Director's Report.

MS. BOY: Good morning. Thank you. First I'd like to welcome and congratulate Vice Mayor Aronson to the Planning Council. A couple other minor things that I think are important and exciting announcements are that the County has received an award -- two awards for the climate change element, and also that includes the Broward County Land Use Plan changes that were adopted last year.

I learned a couple weeks ago that the Smart Growth Partnership for Broward

County received an award for that. And then also the County's being recognized by the National American Planning Association at their conference in April for the work that you all have done and were part of for the climate change amendments.

So I just want to let you know that. And Item R-3, you'll find -- you know, we do a planning topic overview every couple of months. This one is about sustainability. There's more information in your packet if you want to do some more research on that. And, you know, we'll keep those coming every couple months as we've been doing. Aside from that, I think that was the only thing except for the affordable housing ad hoc committee, which I think Chair Castro is going to lead a discussion in.

CHAIR CASTRO: Good?

MS. BOY: Yeah, for the affordable housing.

CHAIR CASTRO: Then I'll go ahead and start that. We have an item, PH-6, which is part of a motion to approve that part of the agenda. I'll ask, you know, to include a motion for deferral. Just so you know where we're at and where we're going and what the status is, some of you have been attending - - Mayor Stermer, feel free to jump in -- I know Commissioner Blattner was also at one of the meetings.

We started with an initial smaller group of people, including the County Commission, the League of Cities, per this Board's recommendation. I know Commissioner Kiar was at the first one. And out of that came the thought that we would meet in a smaller group just to talk about 13.1 and 1.07.07. And when the smaller group met, the -- I -- the way the strategy was floated is, you know, if we do 1.07.07 in a manner that is, you know, complete, then we could probably put 13.1 aside as it won't be necessary anymore.

And everybody seemed to agree to that framework. So we are now working on kind of beefing up, if you will, or further defining 1.07.07. And the bigger issues underlying the County Commission -- and this is where, of course, Commissioner Kiar can jump in, because he probably has heard more of the debate than I have -- is what we heard at the meeting is when people want to apply for a land use change, or even skip a land use inquiry and not come to us, necessarily, the affordable housing reporting that is being done is unique to each and every applicant or city.

And the Commission, the County Commission, Board of County Commissioners, is struggling to compare apples to apples. And so they were looking for a methodology by which the reporting would at least come from the same data, in the same framework, with the same information, so if

you're looking at Dania Beach versus Oakland Park, you can say, okay, I understand what's going on here. I understand the numbers and I get it.

And on to that, I don't know if Mr. Stone's here today, but Ralph Stone has been phenomenal in helping us out. There's a study that the County has been kind of utilizing -- oh, he's way in the back. So he's there if anybody has questions. The FIU -- and we want to try to bring the FIU study forward, and then some the cities are concerned about having to pay for a study or mandate.

So the idea was we'd create a centralized study that everything gets drawn off of. Now, being a city or being an advocate or being anybody, accountant or lawyer, you can take data and make an argument, and you can argue whatever you want. I think the Commission's okay with that. They just want to know that we're comparing apples and apples.

So we're working on that right now to kind of bolster 1.07.07 with what we're calling standardized reporting. The second part of it was mitigation formulas, or how we determine mitigation. If a city doesn't have a plan, there's a fault or default. In other words, if you don't have your own affordable housing program in your city, then the default is the recommended one percent cost -- and we need to further define the cost -- or a 15 percent set aside.

So that also is going to be discussed. So, hopefully, if we have a successful outcome, and we have another meeting coming up, I think March 10th with the staff --

MS. BOY: So March 10th is the staff level workshop, and then March 17th is the smaller group discussion.

CHAIR CASTRO: And we want to give staff an opportunity to crunch this, because they're the people who have to live and breathe it every day. So County staff, city staffs are going to come forward, technical advisors, probably people that work in engineering and development and planning, and they're going to have it out and say, yeah, we can do this. Yes, we can do that.

By then, hopefully, Mr. Stone and others will have an idea of whether FIU can put in all the pieces that the County Commission is looking for. Some of the elements the County Commission wanted, like projection of future supply, cities get into the act. Some of the pieces relative to employees, cities don't have access to that information.

So we're kind of trying to find a way for FIU to make it a standard process, a standard database that anybody at the County, you -- Wilton Manors submits

an app, they push the button for Wilton Manors and it comes out into a formula with the data and everything -- a little report, and everybody's like, okay, we got this. So does that make sense to everybody? If we get that done, 13.1 comes off the table. There's no more, you know, Home Rule arguments or challenges or --

MAYOR STERMER: We hope.

CHAIR CASTRO: We hope. We didn't get that in writing yet, but we got a lot of tacit approval with warm, kind of lukewarm approval, but we think we got her if she -- if we get her down to 1.07. And, I'm sorry, Commissioner Kiar.

COMMISSIONER KIAR: Thank you, Madam Chair. And I think you explained it very, very well. I just want to give you a quick just perspective of where I believe the County Commission is with this at this time just from the conversation that we had on the dais. It appears that the approach the County Commission is now taking, not to speak for my colleagues, but at least what I perceived, is that I think that we came to the realization that the only way to make something work is if it is a collaborative, universal approach, not where it's just the County Commission saying let's do this.

It's basically the cities, the development community, a whole bunch of stakeholders basically coming in to try to find a nice product that will hopefully accomplish what we would all like to see happen. And I think that's the approach that we're taking. And that's the approach at least that myself, that I'm supporting. And I'm looking forward to seeing, you know, what the final product is. But my hope, like I said, and I believe it's the County Commission's hope, is that whatever it is will be done in a collaborative way where everybody has input, and everybody's happy. And that's really our goal. And so I just wanted to kind of bring that up.

CHAIR CASTRO: Thank you. I appreciate it. Thank you.

COMMISSIONER KIAR: And also, I don't want Dan to yell at me, so --

CHAIR CASTRO: Dan has actually been very cool, calm, and collected --

COMMISSIONER KIAR: Yes.

CHAIR CASTRO: -- throughout this whole process so far.

COMMISSIONER KIAR: Dan rocks. I love Dan.

MAYOR STERMER: And, Madam Chair, let me just say this. For those of you that sit on municipal daises, it is imperative that your professionals show

up on March 10th.

COMMISSIONER KIAR: Right.

MAYOR STERMER: There's a three hour meeting in the morning, and it was set up specifically to deal with, in part -- an hour, an extra hour was added. Originally it was about bonus densities. It's now been added to deal with the report.

MS. BOY: It starts at 9:00 a.m.

MAYOR STERMER: It starts at 9:00 a.m. on the 10th. If the cities don't show up, at some point, it's going to (inaudible) municipal houses, because we've been given an opportunity to participate. And if cities don't participate and something moves forward, to scream about it later will be a problem, because we tried really hard and set up this mechanism to make it happen. So I'm going to implore you -- I know Barbara sent out emails to the professionals and the managers.

I know Mary Lou, from the League, then followed it up. So your city and town administrators have been bombarded and your professionals have. But it is imperative that we get as many city professionals there, because us, as electeds, you know, aren't intricately involved with our codes, and if you push this piece of a code button, how does it affect something else? They are. So we need them there to help move this process forward.

CHAIR CASTRO: And I would ask if you would send out a reminder email the morning of the 9th so they have time during the business day to make sure their staff is prepared for it.

MS. BOY: Well, the 9th is a Sunday --

CHAIR CASTRO: Oh.

MS. BOY: -- so -- but I am going to send out information on the 3rd --

CHAIR CASTRO: Friday.

MS. BOY: -- I will -- so I will try to send as much of a reminder as I can.

CHAIR CASTRO: Just a reminder. If you want to send me one of those, and I'll send the list --

MS. BOY: No, no, no. I have the list. It's no problem.

MAYOR STERMER: Mary Lou will send a reminder.

CHAIR CASTRO: Now, this only solves the immediate issue we had before this Planning Council, so I'm glad that all of you who suggested we kind of have this trilateral approach bringing this through. It obviously opened the door to the bigger issue of affordable housing.

I don't know if Monica Navarro's here this morning, but she chairs the Broward Housing Council, and they have a good construct to discuss affordable housing in Broward County. The way they're -- they're Chartered under the County, they're supposed to have mortgage people, real estate people, insurance people, affordable housing, homeless initiative people, municipalities, city managers, and so forth.

Problem is the Charter is so kind of tight that some of their positions are vacant all the time. Like they're supposed to have an employer who employs more than 50 people. And the idea there is livable wages. You know, if you're not getting livable wages, you could build all the boxes you want in Broward County, people can't afford to live there.

Mr. Steffens and I were talking this morning about insurance rates and flood insurance and things coming up and whatever. And so the point is is during the meeting, we kept kind of sort of punting to the Board of County Commissioners that they should create a working group, and include the Housing Commission and other groups and try to come up with some solutions, understanding some of the elements are beyond the County's control, beyond the municipalities' control, beyond everybody's control, and how do we tackle that and how do we incorporate something. For instance, insurance rates. The County doesn't set them. The State does. So how do you go and try to influence that. The point is is they kept punting back to us, well, that's something you guys should do.

So at some point, we need this initial part put to bed. We will probably try to create an ad hoc group. And the reason we're doing an ad hoc kind of committee is we don't have any rules as far as membership or whatever, so we'll start out small and try to figure out who should be at the table.

That's a discussion that I'd like to have with all of you once we get these other things to bed, is how do we want to proceed. If we're going to be the charging counsel for that and the ones responsible for it, how do we put that together. Who should be on it. Commissioner Kiar.

COMMISSIONER KIAR: Thank you, Madam Chair. I'm just going to be very, very brief. I also just wanted to add, just from my own perspective, I think this issue also shows how important the Planning Council is to our County,

because, as you know, the affordable housing issues were not given favorable votes by the Planning Council before it was transmitted to the County Commission.

And I think that was incredibly important, because what it did was it made myself and my colleagues look at that and say, okay, there are some real concerns here. You know, we do have to bring more stakeholders in, more folks. We have to get everybody's perspective.

If the Council had given them, let's say, unanimous favorable votes, we may not be discussing this like we are today. And it actually just shows the influence that this Council has over the policy that happens at the County Commission, and also I think with our cities, as well. So just wanted to add that. And, again, as always, appreciate your leadership on this issue.

CHAIR CASTRO: And when the working group starts working, nothing is pretty much off limits in the work group. I mean, it's going to be cantankerous results, it's going to be collegial, and whatever.

I'll give you some for instances. During the small meeting there was discussion, cities that don't have a program. Some of them don't have affordable housing programs because, with all due respect, they don't want affordable housing. And they -- some of them have even planned not to have affordable housing. And you all probably know which cities we're all referring to. But the point is what then?

So one of the cities offered to pay out per door the default with one percent. And then where does that money go? Because I know in most cities, when you collect a fee, you want to keep it. You don't want to give it to the County.

But if that city keeps the fee, they don't want to build affordable housing. They don't want any affordable housing programs. So should they give it to the County? And then what does the County do with it? So all this is eventually going to come into play, and, hopefully, we can all work together to figure out a solution that kind of helps the residents of Broward County to be able to afford to live, as well as keep local governments with as much control as they can have, and provide the County the oversight they feel that they have to somehow, you know, have, which is fine, to make sure the job's getting done.

So in the end, that's what the working group is going to probably kind of sort of be charged with, is trying to figure this very complex problem out, and influence the things we can influence, and make decisions on things we can make decisions on. So just giving you a preview. Ms. Kaplan, did you want to say something?

MS. KAPLAN: Yes, I did. Thank you, Chairwoman. I would like to bring up a matter that I discovered doing research related to the affordable housing proposal. I did provide staff with this particular case, and I think that maybe the attorneys on the Council like Mayor Ryan and Mayor Stermer may want to review it.

But I have a book that my sister-in-law gave me who works for the City of Los Angeles, and it's called, "The Job Of The Planning Commissioner." And in that book, it cited a case by the Virginia Supreme Court many years ago that was struck down, regarding an affordable housing ordinance of Fairfax County as it related to socioeconomic zoning and the taking of private property without compensation.

Socioeconomics, which, of course, pertains to, you know, requiring home sales prices below the market, I don't believe is legally permissible. And it appears that any mandatory requirement to create affordable housing in a development can be a taking, requiring compensation. And, you know, even if the County is not directly mandating it, you know, if it's forcing cities to implement socioeconomic zoning, is that not a violation of the law that can occur which creates an unconstitutional result?

I mean, this, to me, sounds very similar to what Broward County is proposing here, and, in my opinion, before -- you know, I think it's something that needs to be discussed and legally reviewed so that we're not violating any laws or Constitutional rights when it comes to socioeconomic zoning.

CHAIR CASTRO: Got it.

MAYOR STERMER: Ms. Kaplan, let me try to answer your question this way without having read the book or, you know, knowing the case in Fairfax County. The charge of the committee to date in the trilateral meeting that was held was specifically with regard to the proposed text amendment to 1.07.07 related to flex and reserve, and the issue of the study.

It was clear, and Chair Castro, who chaired the trilateral meeting, was that the meeting that we had recently was confined to those two specific issues, understanding the bigger concept of affordable housing. How is it defined, how do we discuss it, what's included was -- was punted, for lack of a better phrase, until these two issues get resolved.

So your issue is something that I'm sure Ms. Blake Boy will bring to Mr. Maurodis' attention and review it, but that was something that was not even part of the conversation to date. It may be part of the conversation that needs to be reviewed going forward. And I just wanted to give you that piece of what the meeting held last week was specifically with regard.

MS. KAPLAN: Right. And I understand that. And my position is that I think it mandates a written legal opinion as to this very case that was cited. It has been on the books for years and years.

CHAIR CASTRO: Yeah, Mr. Maurodis has got it, and he'll look it up, and he'll probably try to give us feedback at the next meeting.

MR. MAURODIS: Well, it -- a large part of it depends upon exactly how something is implemented, the basis for it. I mean, it's going to be a fact intensive inquiry on a case-by-case basis.

And, you know, we have other -- you know, Florida, we're fortunate enough or unfortunate enough to have another remedy for property owners in the Bert Harris Act, but it could be very fact intensive on a case-by-case basis, how you implement it.

It's a lot different when you implement it at the land use, Comprehensive Land Use Plan stage than if you were doing it for zoning, site plan, or platting stages.

CHAIR CASTRO: And I agree with you, and I don't know if the case she's referring to and all that is very --

MR. MAURODIS: Yeah.

CHAIR CASTRO: If it's Fairfax County in the State of Virginia, it means that, obviously, there's no jurisdiction here. But I will tell you that the original hearing that we're having on March 10th is there are ways to get affordable housing concessions out of the development and those are some of the things that are going to be discussed, is you've got a bonus density if you get this.

On flexible units, the city is trading or the County's trading off their approval process on the types of commercial space where, if you're having part of your Land Use Plan exchange for cities having flexibility, in flexibility, they will give up, okay, we'll have so many affordable units.

So there's a quid pro quo there built into the settlement or the agreement or whatever, and I would assume that those would stand the muster of any law. Mandates, which is what Ms. Kaplan is referring to, may be a different matter. And we'll certainly look at that and take that up --

MR. MAURODIS: Yeah, and I would suggest the best time is kind of to deal with them as they come up --

CHAIR CASTRO: Right.

MR. MAURODIS: -- based upon an actual proposal, because it's so fact intensive.

CHAIR CASTRO: Yeah, but she's also talking about in general from one of the affordable housing policy discussions. And to Mayor Stermer's point, that's the next group that's going to be -- that's where it'll be brought up and discussed. Okay, Mrs. Kaplan?

MS. KAPLAN: Thank you.

CHAIR CASTRO: You're very welcome. Thank you. Any questions on the affordable housing, where we're at, where we're going, what's happening? Everybody's good? Okay.

AGENDA ITEM R-3 - CORRESPONDENCE

CHAIR CASTRO: Correspondence, planning topic review.

MS. BOY: I just talked about the sustainability item that's in your back-up. As I mentioned, I will continue to provide those every couple of months, at least.

CHAIR CASTRO: Okay.

PUBLIC HEARING

AGENDA ITEMS PH-1, PH-2, PH-3, AND PH-6

CHAIR CASTRO: Going on to the Public Hearing, the first one is PH-1, which is a quasi-judicial hearing.

MS. BOY: The applicant has waived the quasi-judicial for that item. I just wanted to mention that they're the only speakers. Item 2 is recommended for withdrawal, based on a technical issue. We'll bring it back to you next month. It's the recertification of Parkland. Items 1, 3, 4, 5, and 6, the only speakers are for questions only. There's no one signed in to speak to that unless the item is pulled from the agenda.

CHAIR CASTRO: And Item 6, PH-6, is recommended for a deferral so that the small group discussion with the County and the League of Cities can finish. So are there any pulls to start with? PH-1, 2, 3, 4, 5, or 6?

COMMISSIONER DUBOSE: Is 2 withdrawn?

CHAIR CASTRO: 2 is withdrawn, but if somebody wanted to pull it to have a discussion, I have no problem, because the public's here, and it was on the agenda. Are there any pulls PH-1 to 6? Seeing none, may I have a motion?

MAYOR STERMER: So moved.

COMMISSIONER DUBOSE: Second.

CHAIR CASTRO: Approve the items with the understanding that PH-2 is withdrawn and PH-6 is deferred.

Is that the way I understand the motion?

MAYOR STERMER: Yes, ma'am.

CHAIR CASTRO: Thank you. I have a motion by Mayor Stermer, a second by Commission DuBose. And Ms. Graham has a comment or question.

MS. GRAHAM: Could we do a separate vote on Public Hearing 4, because I will have a no vote? Thank you.

CHAIR CASTRO: So you want to pull the Public 4 for a separate vote?

MS. GRAHAM: Yes.

CHAIR CASTRO: Okay. Can I have the amendment motion excepting PH-4?

MAYOR STERMER: Yes.

COMMISSIONER DUBOSE: Second.

CHAIR CASTRO: All in favor of the motion on the table to approve PH-1 through 6 with the exception of 4, with the understanding that 2 is going to be withdrawn and 4 -- and 6, excuse me, is deferred to the next meeting.

COMMISSIONER BLATTNER: Madam Chair?

CHAIR CASTRO: Yes?

COMMISSIONER BLATTNER: Once again, I must recuse myself from 3 and 4.

CHAIR CASTRO: Okay.

MR. MAURODIS: For the same reasons as --

COMMISSIONER BLATTNER: I wish this would get resolved so I can participate.

MR. MAURODIS: -- for the same reasons that you put on the record previously?

CHAIR CASTRO: Yes.

COMMISSIONER BLATTNER: Same reasons, yes.

MR. MAURODIS: Yes, that was put on the record previously.

CHAIR CASTRO: I'm going to pull 3, then, Commissioner Blattner, and let you vote on the other items that you're not recused from. So if I could have the mover and the second please amend their motion. Items 1 through 6, excluding 3 and 4, with 2 being withdrawn and 6 being deferred.

MAYOR STERMER: Motion, yes.

COMMISSIONER DUBOSE: Second.

CHAIR CASTRO: All in favor, before we hear anything else, say aye.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM PH-3- AMENDMENT PC 14-2

CHAIR CASTRO: Okay. Now we have PH-3, and the reason PH-3 was pulled is because Commissioner Blattner has to recuse himself.

May I have a motion to approve PH-3?

MR. STEFFENS: So moved.

UNIDENTIFIED SPEAKER: So moved.

UNIDENTIFIED SPEAKER: So moved.

COMMISSIONER DUBOSE: Second.

CHAIR CASTRO: Thank you. Make sure that Nancy sees who made the motion and who seconded, so she has the names for the record. And so we'll have a vote, please, motion to approve PH-3. All in favor? Any

opposed? Seeing none, it carries unanimously.

VOTE PASSES UNANIMOUSLY WITH COMMISSIONER BLATTNER ABSTAINING FROM VOTING.

AGENDA ITEM PH-4 - AMENDMENT PC 13-12

CHAIR CASTRO: Now we pulled PH-4 because Mrs. Graham wants to talk about PH-4. So I will recognize her now.

MS. GRAHAM: Thank you, Madam Chair. My vote when we first heard this at the first Public Hearing was a no vote, and I'm voting again no for the same reasons. Thank you.

CHAIR CASTRO: You're very welcome. May I have a motion to approve PH-4?

MAYOR STERMER: So moved.

UNIDENTIFIED SPEAKER: So moved.

COMMISSIONER DUBOSE: Second.

CHAIR CASTRO: I have a motion and a second. All in favor? Any opposed.

MS. GRAHAM: No.

CHAIR CASTRO: Mrs. Graham opposes the motion, but the motion still carries.

VOTE PASSES 15 TO 1 WITH MS. MARY GRAHAM VOTING NO.

OTHER BUSINESS

CHAIR CASTRO: Any other business? Any other questions? Any other concerns? Thank you all for coming today. Have a great day. Keep safe out there.

(The meeting concluded at 10:36 a.m.)