

## MINUTES

### BROWARD COUNTY PLANNING COUNCIL

May 26, 2016

**MEMBERS** Anne Castro, Chair  
**PRESENT:** Commissioner Michael S. Long, Vice Chair  
Mayor Daniel J. Stermer, Secretary  
Commissioner Richard Blattner  
Commissioner Angelo Castillo  
Thomas H. DiGiorgio  
Charles Fink  
Michael Friedel  
Commissioner Michelle J. Gomez  
School Board Member Patricia Good  
Mary D. Graham  
Richard Grosso  
Vice Mayor Rita Mack  
Robert McColgan  
Bernard Parness  
Mayor Michael J. Ryan

**MEMBERS** Commissioner Bogen  
**ABSENT:** Neal R. de Jesus  
Commissioner Bill Ganz

**ALSO** Barbara Blake Boy, Executive Director  
**PRESENT:** Ralph Stone, Broward County Housing Finance and Community  
Redevelopment  
Henry Sniezek, Broward County Environmental Protection and  
Growth Management  
Linda Sunderland, Broward County Environmental Protection  
and Growth Management  
Timothy Finn, City of Tamarac  
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, May 26, 2016.

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

**CALL TO ORDER:** Chair Anne Castro called the meeting to order.

CHAIR CASTRO: We're going to call this regular meeting of the Broward County Planning Council for May 26th to order.

**PLEDGE OF ALLEGIANCE**

CHAIR CASTRO: If we could please stand for the Pledge of Allegiance. And, Barbara, can you lead us?

**(THE PLEDGE OF ALLEGIANCE WAS LED BY BARBARA BOY.)**

**MOMENT OF SILENCE**

CHAIR CASTRO: Before everybody has a quick seat, I'm going to ask Commissioner Castillo if he would not mind leading us in a moment of silence. I think there's some people to be remembered.

COMMISSIONER CASTILLO: We have -- thank you, Madam Chair. We have two recently departed friends of Broward County and land use, both of them exceptional public servants. One was Elliot Auerhahn, who served this County admirably -- admirably for many, many years in a land use capacity. And, in retirement, he passed away. And also Marci Nolan, who was a land use attorney and represented land use interests for the Town of Davie. Both exceptional people, gone too soon. Moment of silence, please.

(Moment of silence.)

COMMISSIONER CASTILLO: Thank you, Madam Chair.

CHAIR CASTRO: Thank you. Thank you for leading that. Appreciate it.

**ROLL CALL:**

CHAIR CASTRO: If we could now have the roll call.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Here.

THE REPORTER: Commissioner Mark Bogen. Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Here.

THE REPORTER: Mr. Neal de Jesus. Mr. Thomas DiGiorgio.

MR. DIGIORGIO: Here.

THE REPORTER: Mr. Charles Fink.

MR. FINK: Here.

THE REPORTER: Mr. Michael Friedel.

MR. FRIEDEL: Here.

THE REPORTER: Commissioner Bill Ganz. Commissioner Michelle J. Gomez.

COMMISSIONER GOMEZ: Here.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Here.

THE REPORTER: Ms. Mary D. Graham.

MS. GRAHAM: Here.

THE REPORTER: Mr. Richard Grosso.

MR. GROSSO: Here.

THE REPORTER: Commissioner Michael S. Long.

COMMISSIONER LONG: Here.

THE REPORTER: Vice Mayor Rita Mack.

VICE MAYOR MACK: Here.

THE REPORTER: Mr. Robert McColgan.

MR. MCGOLGAN: Here.

THE REPORTER: Mr. Bernard Parness.

MR. PARNES: Here.

THE REPORTER: Mayor Michael J. Ryan.

MAYOR RYAN: Present.

THE REPORTER: Mayor Daniel –

UNIDENTIFIED SPEAKER: He always says that.

THE REPORTER: -- J. Stermer.

MAYOR STERMER: Here.

THE REPORTER: Ms. Anne Castro, Chair.

CHAIR CASTRO: Here.

### **CONSENT AGENDA**

#### **AGENDA ITEM C-4 - EXCUSED ABSENSE REQUESTS:**

CHAIR CASTRO: And we have a request, excused absences for Commissioner Ganz, Commissioner Bogen, and Mr. de Jesus. May I have a motion?

MAYOR STERMER: So moved.

CHAIR CASTRO: I have a motion. Do I have a second?

COMMISSIONER GOMEZ: Second.

MS. GOOD: Second.

CHAIR CASTRO: A second from Ms. Good. All in favor? Any opposed? Hearing none, carries unanimously. Thank you.

**VOTE PASSES UNANIMOUSLY.**

#### **AGENDA ITEM C-1 - APPROVAL OF FINAL AGENDA FOR MAY 26, 2016** **AGENDA ITEM C-2 - MAY 2016 PLAT REVIEWS FOR TRAFFICWAYS** **PLAN COMPLIANCE** **AGENDA ITEM C-3 - APPROVAL OF MINUTES OF APRIL 28, 2016**

CHAIR CASTRO: We're going to go on to the Consent Agenda. Any items to pull or may I have a motion to –

MAYOR STERMER: Move the Consent Agenda.

CHAIR CASTRO: Thank you.

COMMISSIONER GOMEZ: Second.

CHAIR CASTRO: Who was second? I'm sorry?

COMMISSIONER GOMEZ: I was.

CHAIR CASTRO: Okay. Commissioner Gomez, you're the second. Okay. I'm just trying to make sure Nancy can pick it up. Thank you. All in favor? Any opposed? Seeing none, carries unanimously.

**VOTE PASSES UNANIMOUSLY.**

### **REGULAR AGENDA**

**AGENDA ITEM R-1 - PERFORMANCE REVIEW: PLANNING COUNCIL ATTORNEY**

**AGENDA ITEM R-2 - PERFORMANCE REVIEW: EXECUTIVE DIRECTOR**

CHAIR CASTRO: Now we're on to the Regular Agenda. I'm going to take it this time because you –

UNIDENTIFIED SPEAKER: Thank you.

CHAIR CASTRO: -- threw me a curve the first time. Obviously, R-1 and R-2 are the annual reviews for our Executive Director and our Counsel. I'll just tell you in advance that the Executive Committee motioned to approve both reviews and recommendations, and we had a lot of kind words to say, although later we found out that maybe Ms. Blake Boy's technical skills aren't what they're supposed to be. Just kidding. Just kidding.

MS. BOY: That was the PowerPoint.

CHAIR CASTRO: The PowerPoint was not coming up for a while. Anyway, I'm going to bring it back to the Council if somebody'd like to make a motion, if anybody wants to make any comment.

MAYOR STERMER: Move approval.

CHAIR CASTRO: Move approval.

COMMISSIONER LONG: Second.

UNIDENTIFIED SPEAKER: Second.

CHAIR CASTRO: I have a second.

MAYOR STERMER: And I'd also move to incorporate all of the comments made at the Executive Committee –

CHAIR CASTRO: Perfect.

MAYOR STERMER: -- Land Use/Trafficways Joint Committee before this meeting.

CHAIR CASTRO: Okay. And is there anybody else on the Council who would like to add any comments to their reviews? You're welcome to do so at this time.

MS. GOOD: We all raved.

CHAIR CASTRO: Well, we did rave. We were all like, you know, but if anybody wants to rave more, feel free. No? Okay. Going to call the question. All in favor? Any opposed? Hearing none, carries unanimously.

**VOTE PASSES UNANIMOUSLY.**

**AGENDA ITEM R-3 - COUNSEL'S REPORT:**

CHAIR CASTRO: Mr. Maurodis, Counsel's Report.

MR. MAURODIS: None, other than to say thank you very much for the kind words at the Executive Committee meeting. Thank you.

MAYOR STERMER: And he spoke in the mic.

CHAIR CASTRO: He spoke in the mic.

**AGENDA ITEM R-4 - EXECUTIVE DIRECTOR'S REPORT - PROPOSED YEAR 2017 MEETING SCHEDULE AND APPLICATION DEADLINES:**

CHAIR CASTRO: Executive Director's Report.

MS. BOY: Good morning. Thank you. Thank you to everyone for the evaluation and everything that was said at the -- the combined meeting earlier. I just wanted to mention, as a follow up to that, that we have the best staff, and it's the only reason that Andy and I can make it look like we're

doing such a great job on a regular basis.

So we really -- we appreciate everyone. The Planning Council staff and the board members are great, and we appreciate the great working relationship. Thank you.

The second thing is, I just -- what's in your backup materials is the 2017 calendar. It's ministerial. Just each year we let the municipalities and applicants know what the deadline calendar is going to be for 2017. So I would appreciate approval of that so we can distribute that and list it on the website.

CHAIR CASTRO: Any concerns or questions about the calendar? May I have a motion to --

MAYOR STERMER: Move approval.

CHAIR CASTRO: -- approve? I have a motion to approve --

COMMISSIONER LONG: Second.

CHAIR CASTRO: -- and a second. All in favor? Any opposed? Hearing none, carries unanimously.

**VOTE PASSES UNANIMOUSLY.**

MS. BOY: Thank you. And then the final item is just at the Land Use/Trafficways Executive Committee combined meeting, we had an overview of the seven highlighted regional issues for Broward Next. And you can anticipate the Public Hearing process starting for that at your -- at your June meeting. So it'll be -- the way that the agendas are looking right now for over the summer, lighter on the land use side, but plenty of homework for the Broward Next implementation and the vision pieces.

CHAIR CASTRO: Now, the presentation you gave today was distributed widely, as we discussed before, or?

MS. BOY: It was on the Dropbox link, so if --

CHAIR CASTRO: Right.

MS. BOY: -- people check that, but I will make sure, we'll send it back out today just so that people have a copy of it and it's kind of fresh in your email inbox.

CHAIR CASTRO: Especially if they don't have the Dropbox interest. Please review all this carefully, because now we're -- again, we're getting to the point of no return. Whatever the framework is, the framework is at this point. We can't go back and -- and start anything over. I just think so far it's coming together really nicely, and I know the team and Mr. Sniezek's team who -- Mr. Sniezek, where is he? Did he leave? He was promoted. There he is.

UNIDENTIFIED SPEAKER: He's in the back. He's hiding.

CHAIR CASTRO: He was promoted. Congratulations to Henry.

MAYOR STERMER: Congratulations, Henry.

CHAIR CASTRO: He and Ms. Blake Boy and the rest of the team and Planning Council, his team have done a phenomenal job. This was really a Herculean effort throughout the County, and they have really done just wonderful to reach out to the communities, find out what everybody's interest is. And so far, it's going along really well, and we don't want it to come off the track at this point. So thank you very much.

MS. BOY: Thank you. That's it. That concludes the Executive Director's Report.

### **PUBLIC HEARING**

MS. BOY: For the Public Hearing items, the only members of the public are signed in for questions only.

### **AGENDA ITEM PH-3 - THE APPLICANT/CITY OF DEERFIELD BEACH HAS REQUESTED THAT THIS ITEM BE TABLED.**

MS. BOY: Item 3 was requested to be tabled by the City of Deerfield Beach.

CHAIR CASTRO: May I have a motion to table Item 3 until August?

VICE MAYOR MACK: So moved.

UNIDENTIFIED SPEAKER: Second.

CHAIR CASTRO: Until August, time certain August. We have a motion -- who -- who motioned? Okay. Thank you. Second?

MR. DIGIORGIO: Second.

CHAIR CASTRO: Over on this side. You have those, Nancy? You good?

THE REPORTER: You said –

CHAIR CASTRO: No.

THE REPORTER: Oh, Ms. Mack.

CHAIR CASTRO: Yes, Commissioner -- Vice Mayor Mack -- Commissioner Mack. And who over here seconded? There you go. Mr. DiGiorgio.

THE REPORTER: Thank you.

CHAIR CASTRO: All in favor? Any opposed? Hearing none, carries unanimously. So Item 3's been tabled.

**VOTE PASSES UNANIMOUSLY.**

**AGENDA ITEM PH-1 - RECERTIFICATION PCR 16-8**

**AGENDA ITEM PH-2 - RECERTIFICATION PCR-16-9**

CHAIR CASTRO: Now, are there any other pulls? 1, 2, 4, 5, 6?

MAYOR STERMER: I'll move PH-1, PH-2, PH-4, and PH-5, leaving PH-6 on the agenda.

CHAIR CASTRO: Okay.

MS. GOOD: Second.

MS. GRAHAM: I -- I would -- I want to ask to pull 4, 5, and 6. Okay?

CHAIR CASTRO: Okay. So we're going to move 1, 2, and 3?

MAYOR STERMER: Yeah.

CHAIR CASTRO: Okay.

MAYOR STERMER: 1, 2, and 3, just tabled 3.

CHAIR CASTRO: Right. Tabled 3.

MAYOR STERMER: 1 and 2.

CHAIR CASTRO: 1 and 2. Thank you. Do I have a motion and a –

MAYOR STERMER: Yes.

CHAIR CASTRO: -- second --

MS. GOOD: Yes.

CHAIR CASTRO: -- to move 1 and 2? All in favor? Any opposed? Great. Hearing none, carries unanimously.

**VOTE PASSES UNANIMOUSLY.**

**AGENDA ITEM PH-4 - AMENDMENT PC 16-1:**

CHAIR CASTRO: Now we're going to go to 4.

MS. BOY: Do -- do you want an overview, or do you want to --

CHAIR CASTRO: Either one. Overview or do you want to just --

MS. GRAHAM: Madam Chair, I just wanted it pulled so I could vote no like I did when it was first before us a few months back. Thank you.

CHAIR CASTRO: Okay. That's fine.

MR. MELE: Could I say something?

CHAIR CASTRO: If you want to.

MS. BOY: He had signed in to speak.

MR. MELE: I did sign in.

CHAIR CASTRO: Okay. That's fine.

MR. MELE: I just wanted to make a -- Dennis Mele, 200 East Broward Boulevard, representing the applicant. You may recall when we were here for the first reading, we had a number of people in the audience that were opposed. There was a lawsuit that had been filed. The lawsuit has since been settled. There is no more dispute. The item was approved, I believe unanimously, at the city, I think it was last week, Commissioner?

UNIDENTIFIED SPEAKER: Yes.

MR. MELE: And I don't -- I believe -- I had heard, I wasn't at the meeting, that there was no further opposition. So I just wanted to give you that update.

CHAIR CASTRO: Thank you.

MR. MELE: Thank you very much.

CHAIR CASTRO: Do I have a motion on PH-4?

MAYOR STERMER: So moved.

CHAIR CASTRO: Do I have a second?

MR. FINK: Second.

CHAIR CASTRO: Thank you. Did you get the second, Nancy?

THE REPORTER: Yes, ma'am.

CHAIR CASTRO: Thank you. Would you please call the roll?

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Yes.

THE REPORTER: Commissioner Mark Bogen. Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Yes.

THE REPORTER: Mr. Neal de Jesus. Mr. Thomas H. DiGiorgio.

MR. DIGIORGIO: Yes.

THE REPORTER: Mr. Charles F. Fink.

MR. FINK: Yes.

THE REPORTER: Mr. Michael Friedel.

MR. FRIEDEL: Yes.

THE REPORTER: Commissioner Bill Ganz. Commissioner Michelle J. Gomez.

COMMISSIONER GOMEZ: Yes.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Yes.

THE REPORTER: Ms. Mary D. Graham.

MS. GRAHAM: No.

THE REPORTER: Mr. Richard Grosso.

MR. GROSSO: No.

THE REPORTER: Commissioner Michael S. Long.

COMMISSIONER LONG: Yes.

THE REPORTER: Vice Mayor Rita Mack.

COMMISSIONER MACK: Yes.

THE REPORTER: Mr. Robert McColgan.

MR. MCCOLGAN: Yes.

THE REPORTER: Mr. Bernard Parness.

MR. PARNES: Yes.

THE REPORTER: Mayor Michael J. Ryan.

MAYOR RYAN: Yes.

THE REPORTER: Mayor Daniel J. Stermer.

MAYOR STERMER: Yes.

THE REPORTER: Ms. Anne Castro, Chair.

CHAIR CASTRO: Yes. Ayes have it. The motion carries.

**VOTE PASSES 14 TO 2 WITH MARY D. GRAHAM AND RICHARD GROSSO VOTING NO.**

**AGENDA ITEM PH-5 - AMENDMENT PCNRM 16-1:**

CHAIR CASTRO: We're up to PH-5.

MS. BOY: PH-5 is the first Public Hearing. It's the annual update of the -- of the wetlands map. This data's provided by the Environmental Protection and Growth Management Department on an annual basis, and this is the update. And it provides the -- there's a table as Attachment 1 -- the additions to the Broward County wetlands map. Planning Council staff recommends approval.

CHAIR CASTRO: Ms. Graham.

MS. GRAHAM: Thank you, Madam Chair. Have there been any decreases in the wetlands designations? I just want this on the record in the minutes because the backup wouldn't necessarily be part of the minutes for the general public.

MS. BOY: Not -- not that staff is aware of.

MS. GRAHAM: Thank you.

CHAIR CASTRO: Okay. Do I have a motion on PH-5?

MR. GROSSO: Madam Chair, I have --

CHAIR CASTRO: Oh, sorry, Mr. Grosso. That's fine.

MR. GROSSO: -- one question. What -- can you give us 30 seconds on what the designation as a wetland means for development or land use plan amendments for any property then that's trying to develop or whatever?

MS. BOY: Sure. For -- as far as the Broward County Land Use Plan and amendments related to that, part of the environmental review, if there's jurisdictional wetland already on site that's determined, or if it's unknown, that's included in your -- in the amendment report and review. So we usually, if that's the case and it's identified as a potential wetland or an already jurisdictional wetland, it's that the determination either has to be made or that you have to comply with all of the wetlands policies.

So when that occurs, we get a statement from the applicant that they are going to comply with any requirements of that jurisdiction.

MR. GROSSO: Can I ask a follow up, Madam Chair? As part of the whole re-analysis of things related to the Climate Compact and sea level rise, are we -- are we making more stringent our wetland protection requirements? Where --

MS. BOY: We're --

MR. GROSSO: -- where does that all lie?

MS. BOY: -- it -- it's all -- it's all being maintained.

So we have a pretty -- we actually refer to the National Resource Protection Policies as kind of world class as it is, in the seven highlighted regional issues for Broward Next. And so the -- we're anticipating to maintain the wetlands policies as they are today.

MR. GROSSO: If I could follow up, why would we not be working off the science that says all opportunities for flood maintenance and for natural area protection are important for climate --

MS. BOY: Sure.

MR. GROSSO: -- and sea level rise?

MS. BOY: And that --

MR. GROSSO: Why wouldn't we be ratcheting up our wetland protection?

MS. BOY: -- and that -- that is actually -- that is part of the strategies. I mean, I was just looking at the narrow wetlands, but all of those are pieces of the climate resilience planning and the national resource protection, maintain -- promoting and maintaining more efficient water supply, and those are all tools that are used to achieve that.

MR. GROSSO: But we're not making it harder to develop wetlands as part of that strategy?

MS. BOY: Well, that actually -- I mean, that's not part of the -- the Land Use Plan. The actual development, that lays in the -- the Land Development Code --

MR. MAURODIS: That's in the Land Development --

MS. BOY: -- and in the -- in the Chapter 27. And those -- that is updated from time to time. I mean, I would -- if you want to have a really detailed discussion of it, I actually would request that, you know, we bring the County staff in -- I don't know if they're available for -- for this meeting -- to a future meeting --

MR. MAURODIS: Yeah, this is –

MS. BOY: -- for a presentation on that.

MR. MAURODIS: -- that's Chapter 27 in the Land Development Regulations that are not your jurisdiction other than making recommendations when they adopt new ones as to consistency with the Comprehensive Plan. But that is a different -- that's not part of a Land Use Plan. It's part of (inaudible).

CHAIR CASTRO: I would -- I would go ahead and put that on, set it for an agenda.

MS. BOY: We -- we could certainly –

CHAIR CASTRO: Yes.

MS. BOY: -- do kind of an informational presentation –

CHAIR CASTRO: Yeah.

MS. BOY: -- about it.

UNIDENTIFIED SPEAKER: Right.

MS. BOY: A presentation –

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. BOY: Well, I don't know (inaudible) – is – it's here, but, I mean, not for a presentation. I think for any --

MR. GROSSO: Well, great.

MS. BOY: -- (inaudible).

MR. GROSSO: Well, I appreciate the -- the indulgence. I certainly think, since the LDRs have to be consistent with the plan, to me, it is a plan issue, how well we're protecting wetlands. So I appreciate the indulgence and I –

MS. BOY: No, no, not at all.

MR. GROSSO: -- I'd like to hear it. Thanks.

MS. SUNDERLAND: Hi. I am Linda Sunderland. I'm the Aquatic and Wetland Resources Manager out at GC West, so I will try to answer any

questions that I can for you.

CHAIR CASTRO: Do you have a specific one you want to –

MR. GROSSO: Well, I mean, that was my -- I guess my -- my question is should we -- should we not be amending our plan to make it harder to develop wetlands as one of our climate and sea level rise resilience strategies.

MS. SUNDERLAND: That's something we can certainly look into doing. We have a pretty strong plan as it is in -- in Chapter 27. The applicants have to really justify why they have to impact the wetlands. They have to provide avoidance and minimization efforts before they can impact wetlands. And if they absolutely have to impact the wetlands, they have to provide offsetting mitigation. So there's a no loss function overall.

MR. GROSSO: I -- I'd be interested in getting maybe citations to the actual language of the code and any –

UNIDENTIFIED SPEAKER: Sure.

MR. GROSSO: -- the relevant policies in our plan, if that's not a lot to ask.

CHAIR CASTRO: No. No, not at all.

UNIDENTIFIED SPEAKER: No.

CHAIR CASTRO: We can do that.  
But I will -- I will concur with her from -- from a municipality standpoint. When I was on the Dania Beach Commission, obviously, a lot of developers came in. And there is a review, and if somebody wants to build in a wetland area, over a wetland area, they have to replace it.

MS. SUNDERLAND: Right.

CHAIR CASTRO: And it's very costly, but, oh, well. So I think where you're trying to head now, and I don't disagree, is the creation of additional wetlands. Because right now, she's right, we have a no loss policy, theoretically, on the wetlands. Now, I don't know if that's what happens every time, because you know how things go in government.

But the idea is you don't ever sacrifice or give any up. If you -- if you're going to take some, you have to replace it. Having said that, I -- we've talked about -- a couple years ago here, we had a whole water subcommittee for a while about what was constituting open space and green space. And my argument

was when we do these new developments, I like the ones that create the wetlands, like the ones out in -- some in Miramar or whatever, where they add the grass, the water.

It's really water retention for the big development, but it ends up becoming an oasis. It becomes a wetland. And it gathers more water and it gathers more wildlife and things like that, and it's actually beautiful, natural, and it's in the middle of this residential neighborhood, and it's gorgeous.

So I think you're right. The policy could go stronger to creating wetlands in areas that we probably wouldn't have thought of. Just like we could probably create farms or plants or organic, or, you know, vegetables and fruit things in neighborhoods that we don't currently think of, either. So I'm -- I'm -- you know, go for it. I think we should bring her back and have her do a presentation and answer some questions and go through it, if you don't mind.

MS. SUNDERLAND: I don't mind.

CHAIR CASTRO: You and Barbara can work out a schedule, maybe next month, the month after, whatever's convenient or whatever.

MS. SUNDERLAND: Okay.

MS. BOY: And in the interim, I'll also put together a package of information to distribute to all the -- all the members as kind of the background info. I'll work with Ms. Sunderland on that.

CHAIR CASTRO: Ms. Graham, you had a question?

MR. GROSSO: Thank you all.

MS. GRAHAM: And thank you, Madam Chair. I agree with Mr. Grosso on this, only because we have some additions that have been added to the wetlands, and the largest parcel is 12 acres. All of the other ones are usually less than an acre. And maybe you can include how these came to be, whether it was part of the mitigation where the developer had to buy and -- and locate it somewhere outside of their property they were developing. And then also to go over the map, because he's absolutely right, the percolation areas, which, again, if it's a wetlands, it's already wet, so we're not going to be increasing that much more percolation, but it really has to go hand-and-hand with the -- with the drainage issues that the County faces. And it doesn't just happen on the east side of the County. I mean, it's as bad out west in some areas, as they find, when we have heavy rain. But if that could be included so that -- because it would be the first time in all the time I've been on the -- on the Council that this would be presented to us. It would be good

for the public. Thank you.

CHAIR CASTRO: Any other questions? No? Anybody else?

MAYOR STERMER: Move approval of PH-5

CHAIR CASTRO: Got a motion.

COMMISSIONER GOMEZ: Second.

CHAIR CASTRO: Have a second? I have a second. All in favor? Anybody opposed? Hearing none, it passes.

**VOTE PASSES UNANIMOUSLY.**

**AGENDA ITEM PH-6A - AMENDMENT PCT 16-1**  
**AGENDA ITEM PH-6B - AMENDMENT TO THE ADMINISTRATIVE RULES**  
**DOCUMENT: BROWARD COUNTY LAND USE PLAN**

CHAIR CASTRO: PH-6.

MS. BOY: PH-6. Good morning, again. There's two pieces to this item. There's an A and a B. A is Policy 1.07.07, and that's an update of that policy for a Broward County Land Use Plan text amendment. The second piece, B, is an update to Article 10 of the Administrative Rules Document, which is the implementing article for Policy 1.07.07.

So your first Public Hearing on Policy 1.07.07 was in December, and I'll go through that time line in just a second. Piece B, the Administrative Rules Document piece, only requires a single Public Hearing, because that doesn't go through the state review agency process. So this is the -- the only Public Hearing that will be for that. When the Planning Council and County Commission adopted that piece in 2014, the County Commission also has to adopt that Administrative Rules article piece, as well.

So I'm going to give you an overview of what Policy 1.07.07 review is, and then what the Administrative Rules piece will do. As, as you may recall, you had a very extensive discussion at your Land Use/Trafficways Committee meeting at the December 17th meeting. And Policy 1.07.07 is really -- it's structured to require proactive participation and cooperation by Broward County in cooperation with the municipalities regarding affordable housing programs and policies when a Broward County Land Use Plan amendment is proposing to add more than 100 new residential units to the Broward County Land Use Plan.

So this isn't when a plat just comes in and there are already permitted uses. These are brand new units to the Broward County Land Use Plan. This policy was adopted by the Planning Council and County Commission, recommended for approval by the Planning Council and adopted by the County Commission in 2006. And it's had -- it's had a pretty successful run. During the -- kind of the housing bubble, it wasn't really -- the policy really didn't come to the forefront, but for any amendment that was filed, it was always reviewed for satisfaction of that policy.

We call it -- kind of call it the menu of options policy. If you're adding this more than 100 new units to the Broward County Land Use Plan, there's a variety of options to demonstrate how you're meeting that policy. The other piece of it is really the demonstration of how -- what your affordable housing situation is for the municipality. So you have the demonstration -- the demonstration of that, and then the other piece is what policies do you have in place or are planning to have in place to promote and maintain your affordable housing supply.

So through the years, there's been a variety of methodologies that have been submitted because, as the policy exists today, the policy states professionally accepted methodology. So what this Land Use Plan amendment -- what this text amendment, sorry, would do is it would remove that professionally accepted methodology as your base methodology and, in its place, what I'll refer to as kind of the Robert Von study. You may recall he gave a presentation at your December meeting.

And that takes the American Community Survey data, the most recent data that we have access to, and drops it kind of into a spreadsheet. And it takes a look at the owner and the rental -- owner and rental for very low, low, and moderate affordable housing, and gives kind of just a quick take of what the affordable housing situation, what the demand is in your municipality. Right now, through 2014 is the most current American Community Survey data that we can utilize.

So Attachment 14 of your backup material actually has a summary of what that data looks like for each of the 31 municipalities. And it's pretty clear when you take a look at that that the affordable housing, where the crisis situation seems to be is for very low rental housing opportunities. There's a deficit, by this account, of 68,000 units. That's countywide. You know, there's a breakdown by municipality. So the only thing that Policy 1.07.07 is asking to change, that as opposed to a municipality or a developer who hires someone to give something to the municipality, it replaces that professionally acceptable methodology with this data set as your base amount.

So that's the first piece. That's the -- the text amendment. You may recall

that the Planning Council recommended that the County Commission not take further action on this until it's tied in with Broward Next and that process. The County Commission considered the transmittal of the item to the state in January, and recommended transmittal. It came up again at your January 28th meeting, two days later.

We submitted correspondence, and Ms. Castro submitted a letter to Mayor Kiar including the minutes of the Planning Council meeting. There was a discussion at the -- at the next meeting about whether or not they wanted to rescind the action that had been taken at their January 26th meeting. The motion failed 4 to 4. There was eight members present. So Planning Council staff prepared the agenda materials for transmittal to the state review agencies. That's a plus 30-day review. The review agencies have their opportunity to say if there's any regional issue impact.

There were no comments received. When the -- that was received back from the state, we took the opportunity to once again submit this information to the municipalities to give them another chance to provide comments, aside from the ones that had been submitted before the December meeting. We only received one comment, and it was from the City of Weston, just reiterating their original comments.

So here we are in May, and Planning Council staff -- bless you -- is making a recommendation -- Planning Council staff continues to recommend approval of the proposed amendment. So that's the first piece. The second piece is the Administrative Rules Document Article 10. And that basically just goes through the article and replaces the professionally acceptable methodology with this Robert Von study, the Meridian Proposal Appraisal Group methodology.

And the other addition that Planning Council staff proposed to Article 10 was to ensure that municipalities -- because there was some impression and some discussion, that by going to this one standard database that municipalities would not be able to submit the additional information about the unique circumstances that are occurring within the boundaries of their local government, so we just put a -- put clarifying language in there that municipalities and local governments are still able to provide that additional information for -- to clarify their unique circumstances.

So the policy itself stays as -- as it is, with the change to the professionally acceptable methodology only, and the menu of options is still there to demonstrate how you're achieving and promoting and maintaining affordable housing supply within your local government.

CHAIR CASTRO: Thank you. Mayor Stermer.

MAYOR STERMER: Thank you, Madam Chair, and thank you, Madam Executive Director. And members that were here back in December will recall we had a rather extensive conversation about this and pushed forth the recommendation to the County Commission that they take no action, to defer action and let it -- let this item be wrapped into Broward Next, understanding what was going on.

The County Commission took the position at the time they at least wanted to transmit it to the state for their review to see if they had any comments, understanding, and I think it was pretty clearly stated, well, it's going to come back and need to come through a second time. Well, this is that second time. So at the appropriate time, Madam Chair, I'd like to make a motion to table Item 6A and 6B, not to a date certain, but to lay it on the table, to be pulled off the table when this Council determines it wants to hear it again. I don't think anything has changed since our December conversation. This is a question of methodology, and there is question as to the methodology proposed, taking away what currently exists, which was a negotiated settlement between the County, the cities, and, actually, the Broward County League of Cities, because there was actually an ad hoc subcommittee created that dealt with certain issues dealing with 1.07.07.

So this change, which was County Commission generated, is moving -- moving its way through, understanding there have been comments raised by a number of cities and comments raised on this dais as to the issue of the methodology, because what it does is it currently, then, if this passes, would remove the ability of a developer or a city, either in -- disjointedly or together, to come up with a analysis with regard to affordable housing, and any application would be required, absent unique circumstances, to show why this -- to use this methodology.

And there are questions out there about the methodology. And if we are in the process of doing everything we're doing in Broward Next with regard to densities and redevelopment and changing in unit counts, shouldn't this all be done at the same time? Because things may change that impact it. So, at the appropriate time, Madam Chair, I will move to incorporate the entire discussion from the December meeting so we -- so it's in the record when it gets re-transmitted back to -- back to the County, as well as I would ask, Madam Chair, that the -- all of our backup from our December meeting, which was pretty significant, related to this issue be included. And, at the appropriate time, after further discussion, I'd move to table this item.

CHAIR CASTRO: Thank you.

COMMISSIONER CASTILLO: Point -- point of order.

CHAIR CASTRO: Mr. Parness? Oh, wait, Mr. –

MR. PARNES: Second.

CHAIR CASTRO: -- Commissioner Castillo, your second, okay.

COMMISSIONER CASTILLO: Point of order. There's been a motion and second, so we can't discuss it.

MAYOR STERMER: That's why I didn't -- I said at the appropriate time. I didn't -- I would make a motion to –

COMMISSIONER CASTILLO: All right.

MAYOR STERMER: -- I purposely didn't, because that would end debate.

COMMISSIONER CASTILLO: The point of order is, okay, so we have this item –

UNIDENTIFIED SPEAKER: Turn your mic on.

UNIDENTIFIED SPEAKER: Turn your mic on.

COMMISSIONER CASTILLO: Sorry. So we have this item. We had it once before. We didn't think it was a good idea. It went up to the County. It got a 4-4 vote, so that transmitted it. The state didn't –

MS. BOY: Sorry. It had a unanimous vote at the first meeting to transmit it, and then it was brought back –

CHAIR CASTRO: To reconsider.

MS. BOY: -- to the County Commission for consideration to rescind that first action, and that's the motion that failed.

COMMISSIONER CASTILLO: So now we're going to lay the item on the table. Does that get transmitted to the County?

MR. MAURODIS: That would -- no, it would not be transmitted –

COMMISSIONER CASTILLO: Okay. So –

MR. MAURODIS: -- to the County.

COMMISSIONER CASTILLO: -- then -- so then -- so then where -- where's the County with the item that they --

CHAIR CASTRO: They're waiting for us.

MS. BOY: Waiting for --

MAYOR STERMER: They're waiting for it to come back.

MR. MAURODIS: They're waiting -- they're waiting for the (inaudible). Now, they -- they may choose to exercise -- declare that they have authority under Chapter 163 that, after a sufficient period of time, that they may make a determination that they -- since no recommendation has been made, that they -- that they could take action at that particular point. However, it would be -- our view would be we have not offered a recommendation. Since it's been laid on the table, we haven't fulfilled that part of the Chapter 163 process.

COMMISSIONER CASTILLO: You. You.

MR. MAURODIS: That's just -- yeah.

MAYOR STERMER: That's why we do this.

COMMISSIONER CASTILLO: Thank you.

CHAIR CASTRO: Commissioner Gomez.

COMMISSIONER GOMEZ: Yeah, I just wanted to clarify something, because I thought one of the items that was an issue was Commissioner Bogen said that some of the backup wasn't there, and that's why they voted to move it forward, and had they maybe had the backup, they wouldn't. That's why there was the emergency rush to add the backup, the 4-4 split, because of whatever it was, and they still transmitted it over. So I was just putting that in for -- for a clarification point.

CHAIR CASTRO: Thank you. I -- I'm back to my original -- I'm going to step in real quick. You know, this is my bailiwick these days. You know, normally, process can be independent of results, to some degree. You know, in other words, people are worried about the study and what study is used. I get that. I'm more worried about the fact that, whether the study is used or not, I don't feel the affordable housing component is where it needs to be yet to solve the problem.

So my concern is -- and that's why, in the beginning, we were advocating,

most of us, or all of us, that this go along with Broward Next, because Broward Next isn't done yet. And I don't know what tools are going to be in the toolbox yet with Broward Next. We're going to keep talking about what else can we do? What else can we put in the affordable housing component? You know, can we get a commitment on CRA funding of some kind, or other special funding, or, you know we talked about the doc stamp issue that you all have raised. We talked about the -- the linkage fees that were brought up and all that.

And I don't see the complete picture yet, so I'm not sure what the rush is. If the only thing we're changing is the methodology, or at least making it consistent across the board to determine we need affordable housing, that's kind of like at this point a moot point. Everybody knows we need affordable housing. Now, do we know what we need by city-by-city? Maybe not, but we're 68,000 unit light -- light units in the County anyway. So what's the rush for this?

So I'm going to support the motion to table it until such time as we draw out a little bit more of the Broward Next process and maybe wake some people up about what is and isn't, you know, included or not included or referenced or arms wrapped around to find a solution to the problem, rather than just worrying about how we're measuring the problem. Does that make sense? Okay.

MR. GROSSO: I could --

CHAIR CASTRO: Mr. Grosso.

MR. GROSSO: -- thank you. I could certainly use a little more context, not having the benefit of sitting on a city council like so many of you. Is there any reason to think that the methodology for determining need is going to change through the Broward Next process?

MS. BOY: In my -- in my opinion? No. I mean, in my -- in staff's opinion -- so staff is supporting this methodology to provide the same baseline method for every municipality, because right now, if you're a municipality and you have a Land Use Plan amendment proposing to add units to the -- to the Land Use Plan, the way that it's structured now is professionally acceptable methodology. So Mr. Sniezek and Mr. Stone, as the County staff for housing, they have to take a look at what's submitted, make a determination is this professionally acceptable, and then, as I was saying before, this is not going to prohibit municipalities from continuing to layer on and demonstrate their compliance with the menu of options that's in the plan.

So the differentiation, really, between what's happening now, what's

occurring today, and what would be occurring if this was adopted is the base number for the methodology for demonstrating what the -- what the need is for affordable housing.

MR. GROSSO: If I may follow up, is there -- could you categorize the disputes with the methodology? Is there -- is the concern that this is going to yield a number for need that under-represents the real need or is the concern that this is going to somehow over-represent the -- the real need?

CHAIR CASTRO: There -- there's two camps. Some, it over-represents. Then there's other camps, and I've had this discussion, that some cities have a need, but we have no resources. The cities don't have any resources. And the methodology isn't going to help us get there. And I've said, if you will include in the methodology something that, okay, you want to put up capital redevelopment funds or, you know, you want to put up something at the County that people can go draw off of, then let's put something in the plan that says municipalities that have a higher need get first crack at those funds, or get in line first --

MR. GROSSO: Right.

CHAIR CASTRO: -- right? But none of that's in the methodology.

MR. GROSSO: Does the -- but does the methodology speak to just the need, or does the methodology also say, because this need, this is what you must do?

CHAIR CASTRO: No.

MR. GROSSO: So my response to that would be what's the harm in adopting the methodology, and then what that methodology means you need to do when you make development decisions, that's the second question to be decided through Broward Next. I'd like to hear why that doesn't make sense. And the last thing I'll say on this is methodologies, whether it's affordable housing or wetlands or whatever, are always subject to dispute. I'm hesitant to say you can't go forward until there's unanimity on the methodology, because that rarely happens in our business. So I -- reactions to that -- that line of thinking.

MAYOR STERMER: I think it's important to note that, as a result of the ad hoc steering committee that existed between the Board of County Commissioners, the Planning Council, and the Broward League of Cities, it was agreed upon that Dr. -- what's his name?

UNIDENTIFIED SPEAKER: Von?

MAYOR STERMER: No –

UNIDENTIFIED SPEAKER: No.

MR. MAURODIS: Murray.

MS. BOY: Murray.

MAYOR STERMER: Dr. Murray's methodology was the acceptable methodology to be used, and his algorithm would be supplied to each city. Then came forth a very specific project in a very specific city in the center of this County that created this issue, so now the County Commission wants to change the methodology because they didn't like what happened on a given project, because it didn't result in what they wanted it to result in.

So we had a methodology that we all said we would work with, and it didn't result in what they wanted. They came back within, I think, it's six months to say, we don't like that methodology anymore. We want to change it to another methodology. That's the facts.

MR. GROSSO: Did they say it didn't give us enough affordable housing or gave us too much?

MAYOR STERMER: It didn't give us enough, because they didn't like the independent third party housing study that was done by the developer and accepted by the city. That's what created this current push to change the methodology to a uniform –

MR. GROSSO: Right.

MAYOR STERMER: -- thing. Because the negotiated, acceptable methodology became unacceptable when it got applied to something and they didn't like the result.

MR. GROSSO: But if the County Commission is saying, we have a crisis, we need to do something bold about it, I'm assuming that that's what -- where the staff's coming from with this methodology. We have an affordable housing crisis. We need to do something bold. We need to do something that's going to result in more affordable housing. Why isn't that a priority that says let's go with staff's recommendation?

CHAIR CASTRO: Go ahead.

MR. GROSSO: That's probably not a question for staff. I don't know, but –

CHAIR CASTRO: That's all right. Well –

MR. GROSSO: -- I mean –

MS. BOY: I -- I would just -- I would just add to this discussion that the piece that this Land Use Plan amendment is proposing to change is for the -- for the base data alone. So the structure of the affordable housing policy for the County, for Policy 1.07.07, it's Attachment 1 in your backup, remains the same. So the structure for if you're -- if you're proposing a Land Use Plan amendment, the structure remains the same. You are able to still identify what programs and policies, because that's really the key piece of do you meet the policy or not.

This methodology piece, it's really just a statement of this is what -- this is what the affordable housing looks like within your -- your local government. And if you have a deficit only -- if your municipality has a deficit only of very low rental, it's not saying that policy doesn't say, well, now you have to build very low rental. It says, what are the policies and programs that you have in place that are promoting and maintaining affordable housing in your -- in your municipal boundaries.

CHAIR CASTRO: Yeah, Ms. Blake Boy –

MS. BOY: So this just changes –

CHAIR CASTRO: -- how many cities in Broward County are not entitlement cities?

MS. BOY: Well, I think -- are there 19 entitlement cities?

UNIDENTIFIED SPEAKER: Half.

MS. BOY: Half.

CHAIR CASTRO: So have of them are not entitlement, which means the other half only get money through the County through the SHIP funds, if you get it. So then the city has to come up with their own, quote, program to address affordable housing. That's a problem. The second aspect of it is the methodology doesn't talk about quality of housing. There are many cities here, and we all can raise our hands, who have an abundance of affordable housing. Why? Because the quality of the housing sucks. That's what makes it affordable. And there's no mechanism in the methodology or the solution to address that.

COMMISSIONER CASTILLO: That's a legal term, by the way.

CHAIR CASTRO: Thank you. So I –

MAYOR STERMER: Said by a –

CHAIR CASTRO: -- think again –

MAYOR STERMER: -- lawyer.

CHAIR CASTRO: -- we're -- we're -- putting out a ruler, and we don't even know what we're measuring with that ruler. And I have a real problem with that, because it sounds like we're solving a problem, and it sounds really good, let's pat ourselves on the back -- and I'm not talking about this group, but maybe another group -- and they're not getting us anywhere. They're not moving the ball forward. They're not even getting to the real issue. It's kind of a little hypocritical, quite frankly.

UNIDENTIFIED SPEAKER: Yes.

CHAIR CASTRO: And, you know, I'm sorry. I'm real passionate about this, because I've watched it for ten years and, like I said, now I'm in it every day. And I get frustrated with our Board of County Commissioners, who talk about it and talk about it, and this is the best we've got?

UNIDENTIFIED SPEAKER: Yeah.

CHAIR CASTRO: And Commissioner Gunzburger's right. We've never addressed the quality of housing. So we need to get a bigger -- wetlands, resiliency? Absolutely. Big, huge problem. And we should all be wrapping our arms around that, too. The same with affordable housing. You know, Maslow's hierarchy of needs. Your basic thing is shelter and -- and food and water. And we're not getting there. So I don't want to move any ball forward and give everybody a reason to be complacent and sit back and say, okay, great, we've solved the problem, because we haven't. I'm sorry. Commissioner Blattner. And I'm not going to say any more, because, as I said, I'm very emotional about this –

COMMISSIONER BLATTNER: Well, don't be –

CHAIR CASTRO: -- so I'm going to –

COMMISSIONER BLATTNER: -- don't be sorry.

CHAIR CASTRO: -- back off a little bit. Somebody is going to have to reel

me in over here.

MAYOR STERMER: No, I'm fine. It's fine.

COMMISSIONER BLATTNER: You should never apologize for that. Actually, I think we've discussed this before. There is a very big difference between what is affordable in Hollywood and Dania Beach and what is affordable in Sunrise or Parkland. And it's -- it has to do with it also has to do with even if you can identify what's affordable, realtors told me recently that you can't buy a house in Hollywood for less than \$200,000. Well, how in the world does that ever get to be affordable?

The problem is affordable housing is not affordable. And it's not affordable because people can't make down payments. I talked to a young gentleman who works in our IT, department who said to me, I really want to buy a house in Hollywood, but everything that I find is junk or I can't afford it. And I said -- and so I played the game, and I said, okay, let me ask you a question. Let's say you -- you found a house that was a hundred thousand dollars. And I don't know if he could. I said, what's keeping you from getting that house?

He said, I can't come up with the down payment. So we need to figure out what -- what's available in down payment assistance to put people in affordable housing that is safe and so forth. And the answer is, there isn't any.

CHAIR CASTRO: Nothing.

COMMISSIONER BLATTNER: There's nothing available. I don't -- I think that's a part of what this package needs to address is, among other things, I won't say one, two, and three, but certainly what is the definition of affordable. And it has to almost be on a city-or-city or in a zone or district-by-district. I don't even care if it's by County Commission district basis. And when it is, okay, now we've identified that, how do we put people in it. When 19 cities are direct recipients of funds from Sadowski and HUD, and those numbers don't get bigger every year, it really becomes an almost unachievable issue. And for many cities, older cities, and I am an older city, it just makes the older cities older.

MS. BOY: I just wanted to mention that Ralph Stone and Mr. Sniezek would like -- whenever you have an opportunity --

CHAIR CASTRO: That's okay.

MS. BOY: -- to get on the queue.

CHAIR CASTRO: And -- and I'm going to go one step further, because Commissioner Blattner hit the nail on the head, and I want to -- I saw Mr. Stone came in, and I was glad he came in -- I want to thank him, because as a housing authority director, I've tried for two years running, I'm going for a third year, to get the nine percent deal from Tallahassee. Now, I'm sitting on five acres of HUD property. HUD owns it, okay? So if I get a developer in there, it's -- there's no land cost per se. You have to lease it, so there's a -- there's a pro forma factor in there.

I have 39 three bedroom, two bath units on five acres. And I've got ten people, at least, every day calling me looking for housing. Having said that, we are trying everything. I've tried sales. We're trying every mechanism we can, but we're holding out for the nine percent because of what Commissioner Blattner said. Just building on that five acres isn't enough. I need to make that five acres create an income stream for either zero interest rehab loans for the old houses in Dania Beach, or first time buyers' assistance program. So, in other words, pay it forward. So -- but to get that built, you would think I'm asking for a miracle from the good lord himself, because you can't find any way to get it done. And so you can methodology me until the cow comes home. I know what my problem is. I know we lack affordable housing, and I know we lack quality housing. But throwing this methodology out here right now doesn't -- I don't want people to stop thinking about it, then, and stop acting on it. That's my concern. That's it in a nut shell. And I'm sorry, Mr. Parness, and then who else did I have?

MR. PARNES: Well --

CHAIR CASTRO: Commissioner Castillo --

MR. PARNES: -- from what --

CHAIR CASTRO: -- Ms. Graham.

MR. PARNES: -- from what I've heard from all of you is that this needs to be tabled. So, if necessary, I'll make the motion to table it.

COMMISSIONER GOMEZ: Second.

UNIDENTIFIED SPEAKER: We're not done with our discussion.

UNIDENTIFIED SPEAKER: Oh.

CHAIR CASTRO: Well -- well, I have a motion and a second for purposes of discussion, but first we'll let Mr. Sniezek -- and I still have Commissioner Castillo and Ms. Graham. Mr. Sniezek, Mr. Stone.

MR. MAURODIS: Well, yeah, a motion to table can't be discussed here.

CHAIR CASTRO: Oh, then, well -- well, would you all mind removing your motion?

MR. PARNES: Sure.

CHAIR CASTRO: Thanks. We'll come to it in a second.

MR. SNIEZEK: Thank you. Good morning. Henry Sniezek, Environmental Protection and Growth Management Department for the County. Just wanted to address a couple things in the discussion. You know, this was -- this amendment is supposed to address a narrow issue in the policy. It's not going to solve the affordable housing problem, and no one's ever represented that from the County side.

One comment that was made is about Dr. Murray's study, the FIU study. That's never been required by the County for anybody to use. Just I thought maybe I heard that that was the case. That's not the case. What the County Commission did is they paid a consultant, Robert Von, to study that, the FIU methodology and the methodologies that have been used by the municipalities, because there's a lot of confusion, sometimes at this Board, and mostly at the Commission, obviously, what's the best methodology to use.

So Dr. Robert Von was hired. He did a report on the methodology, and he also identified a methodology that could be used as a baseline to use. It's a very easy -- it's a spreadsheet. It's the most available information, and it costs the municipalities nothing to use. They don't have to hire a consultant if they don't want to. So that is the recommendation, to just add that in as a baseline to be used.

There's nothing -- I also thought maybe I heard -- there's nothing in this policy that would require or actually prohibit a municipality from submitting their own information or a developer from submitting their own information. We'll still look at that. It's just we just needed to establish a baseline so everybody's on the same page. We're not talking about implementation. I think Mr. Grosso brought this up. This is just the information that we'd receive. Then there is an analysis about the programs and policies a municipality would use, and that is not a part of this. That would still continue separately from that.

So using this methodology doesn't mean that you have to solve your -- you have to -- you know, if it says that you have a deficit of a hundred very low

income units, there's no requirement says you have to provide that. It's just what are your policies to address that in the short and long term, that's all. And, as a member of County staff, I'd ask you to reconsider your motion to table and to transmit this to the County Commission, which is the role of the Planning Council to provide a recommendation, even if it's denial.

CHAIR CASTRO: Can I ask a quick question –

MR. SNIEZEK: Thank you.

CHAIR CASTRO: -- on methodology? Again, just measures the number of units based on a income basis; correct?

MR. SNIEZEK: Yeah, it measures a surplus or a –

CHAIR CASTRO: Or a shortfall.

MR. SNIEZEK: -- deficit at the -- for very low, low, and moderate incomes.

CHAIR CASTRO: Based on certain income levels.

MR. SNIEZEK: Yes.

CHAIR CASTRO: Again, it doesn't address anything about the quality of the stock.

MR. SNIEZEK: It -- it does not. No, it does not.

MAYOR STERMER: And does the current review delineate between the various levels of affordable housing, different to the degree the proposed methodology does?

MR. SNIEZEK: I'm sorry?

MAYOR STERMER: We -- you just talked about low -- gradations – stratific-- my word, stratification of affordable housing, which this study's methodology speaks to –

MR. SNIEZEK: Right.

MAYOR STERMER: -- differently than the methodologies we've used currently; correct?

MR. SNIEZEK: It is different than –

MAYOR STERMER: Correct.

MR. SNIEZEK: -- like the FIU study, and -- and -- I keep calling him Dr. Von - Robert Von studied that. He studied all those methodologies, and this is his recommendation to use. It's very -- it's a very clean methodology. I know Ralph would like to say a few words, also.

MAYOR STERMER: But -- but -- agreed. But the current reviews talk about the number of affordable housing units as a grouping compared to, again, my word, the stratification between low, very low, and very, very low.

MR. SNIEZEK: In general.

MAYOR STERMER: This does that almost to a point where accepting that methodology now can give certain elected officials the ability to say you may be doing affordable housing, but we don't like this gradation here. We want you to satisfy this requirement because of this deficit.

It creates potential for further arm twisting, my word of deals that are created and agreed to between developers and cities once it comes to this building, because it may be -- may be addressing affordable housing, but it's not, potentially, the level of affordable housing that a certain member of the Commission may want addressed in a certain community. And this sets forth clearly the gradi -- levels or the stratification of affordable housing compared to now it's a rolled up number across the County and across the cities.

MR. SNIEZEK: It does -- I can confirm that it does provide information by bands of housing. And often we do get that from municipalities --

MAYOR STERMER: Understood.

MR. SNIEZEK: -- and I -- and I believe Dr. Murray's study does the same thing. And I'll also just add that we have been informally using Robert Von's study, and it's worked out very well so far, so I will just throw that out there. So I know Ralph would probably like to say something, also.

CHAIR CASTRO: Mr. Stone, thank you for coming in.

MR. STONE: You're welcome. Just a couple observations. As we've walked the linkage fee option around, it's been interesting in terms of the response. I'm not a big fan of the linkage fee. It absolutely takes money out of the pocket of the developer in terms of their profitability. No doubt about it. And it doesn't generate a lot of money. 2,000,000 a year. But in -- across the board, as we've talked to the cities, many of your Commissions, and the business community, there's been unanimity in recognizing the fact that we

are in an affordable housing crisis in Broward County. And what I have always said -- many of you may have heard me make a presentation -- affordable housing is a real estate deal with a subsidy. It doesn't matter what the strategy is, you've got to come up with some resources to balance the books and to create the subsidy for someone to live in safe, decent housing. Today, again, almost weekly I get an article or a professional university academic treatise on where we stand nationally.

The National Income Housing Coalition is releasing their annual report today on rental affordability. Florida's at the bottom of the heap. The Harvard Joint Center, we're worst in the country as far -- as far as cost burdened, spending more than 30 percent. The Furman Institute, worst in the country as far as severely cost burdened, more than 50 percent. And there is a study that when you combine transportation and affordable housing, up to the moderate income levels, 120 to 140 percent, those families are spending 72 percent of their income on the combination of housing and transportation in Broward County, the worst in the nation.

So my simple perspective, in terms of the methodology, is it doesn't matter whose study we use. We know there's a really serious national leading problem. It's a debilitating problem because the resources are so significant that -- that are required to get at it and to make some headway. But what would be valuable to me is to have some uniformity to kind of look across the cities and see what's going on.

Now, you can say to me, you've got -- you've got the thing. It takes five minutes. Go do it yourself. Well, we did, and we -- we can update it every day of the week, every year as the -- the American Community Survey is updated. It's a five year moving set of data, so it's not going to be always just perfect.

And I guarantee you that there are very talented professionals out here that work for the development community or will work for you that will come up with a set of data that may be more favorable, if you want to use that term, for your particular perspective. And that's okay. I think Mr. Sniezek mentioned that the proposal allows you to do that. And I would not disregard that. You know, we've had gentlemen with Ph.D.'s come and explain to us why their approach is better or sets a more accurate perspective as far as the situation in an individual city.

And I think everyone would have to agree that -- that we -- and I think the Board has been very fair in recognizing that in spite of whatever study it is, the magnitude of the problem is one that we can't expect the cities and the County to resolve in a particular Land Use Plan amendment. We're just trying to make some what I call lay ups, some singles. We're not going to hit the

home run.

So I think there's some value in getting to a uniform methodology. The other -- the other only thing I'll leave you with is there's only one business model that creates new multifamily rental units in the state, and that's the nine percent tax credit deal, as Ms. Castro explained. The Board is the only entity in this County that is doing the tax credit matches, in spite of the fact that we've asked every entitlement city, all other 15 of them, to do it if it's in their city.

It used to be a quarter of a million bucks. We have about 10, 15 applications a year, so we come out of pocket, the Board comes out of pocket to provide those matches, because without them, you can't get a perfect score. Without a perfect score, you can't even get your ping pong ball in the bucket. And that's how many -- that's how competitive it is at the state. It's a lottery. So we get a set aside for a project a year, a couple hundred units, and maybe another ping pong ball.

So we're -- we're making progress at two to 400 units a year when our deficiency, just at the 60 percent level, which is the tax credit cutoff, is over 60,000 units. So I would just offer a perspective to you -- well, one other thought. The Board, every year that I've been here, about ten years, has had in their legislative package a request for the Legislature not to put in place, but to allow the Board to create a countywide referendum to ask our constituency if they would like to have a local doc stamp -- stamp process like they have in Miami-Dade, which is the only other -- only county in the state that has it, which would generate in a -- in an average year, about 30,000,000 bucks so that we could do those deals like they're doing.

While we're doing a hundred, 200 units a year, they're doing a thousand, 2,000 units a year, only because they take those unselected tax credit deals that go up to the state and they bring them back home and they've got the match to make it work. It -- it's a -- it's a debilitating problem. The resources are just staggering. But in terms of making some sense about where we all stand, for the life of me, I can't understand how this methodology is going to create a problem. I just don't get it.

CHAIR CASTRO: I think Mr. DiGiorgio, Commissioner Castillo, Ms. Graham.

MR. DIGIORGIO: I'm just going to -- one, I support to table the motion, and I don't want to reiterate everything that's been said already. It's been said and stated very eloquently. Addressing the issue, if it's -- if it's as innocuous as we're led to believe, I would leave the language we have in now, professionally accepted methodology and/or the study that we're talking about. And then you -- then a municipality can look at both and look at them.

You said they can -- in unique circumstances, they can submit other backup to be considered.

You know, when you look at every profession in the development community, you have everything from landscape, site planners, civil, structural, and all of these things, there's nothing dictated except there's a basic code that goes by, and then the professionals take responsibility for providing how they're getting there. Here, we're taking that away. We're saying, now, even with some other backup, that the professional who signs and seals that set of plans is responsible for the methodology they're using for their project. It's then approved by the local city, the local governing agency.

Here, we're basically saying you can give that data, but if -- really, we're going to consider it based on what we're telling you to consider it on, but we'll take into consideration your unique circumstances. So just on that point, if it - - if it is as innocuous as Mr. Stone and Mr. Sniezek said, that it just basically gives us a good baseline to start from, but you can give other information, I don't really see, then, why we actually need it, quite frankly.

But, beyond that, the much bigger picture is it really does give a pass on the big issue of affordable housing, which I think we need to consider completely as a whole, take it as part of Broward Next, and -- and not just move little -- little steps down the road and say we've done something when we really haven't, because I think you said it really well, Madam Chair, is we're measuring something, we're not really sure what we're measuring. So thank you.

CHAIR CASTRO: Thank you. Commissioner Castillo.

COMMISSIONER CASTILLO: I brought up my point of order because I wanted to know whether or not it -- it was in fact in order to -- to defer, and it appears that it is, although --

MAYOR STERMER: To table.

COMMISSIONER CASTILLO: -- to table, excuse me. And it appears that it is, though it's been suggested we not do that. Nonetheless, it appears to be in order. I'm going to vote in favor of that, and I'm going to tell you why. We have two very respected professionals who have both told us that we have -- and we've heard it from others -- that we have an affordable housing crisis in Broward County. Yet, despite the word, crisis, this community has not ascribed the level of seriousness to the problem that a crisis should demand. I can only -- I -- I'm entitled to say that because in my city, Pembroke Pines, we have 800 units of affordable housing that are city owned and operated.

And I have to tell you that the rents offset the costs, and it cost the people of Pembroke Pines nothing to have that asset. Maybe tomorrow we sell it, maybe tomorrow we do something else with it, but right now, we have 800 units. I don't know if there are other cities -- I hope that there might be another that -- that is using that model. But it pays for itself.

Now, I've heard about nine percent low income housing tax credits. Why would we do that when bonds are less than four percent? Why would we -- why would we do that, except -- except that we're so desperate to develop this housing that we're going after nine percent financing when financing is available at so much less. All we have to do is -- is use the models that exist. If we need -- what was the number, Henry? 56,000 units that we're low?

MAYOR STERMER: Sixty-eight.

CHAIR CASTRO: Sixty-eight, yeah.

COMMISSIONER CASTILLO: I'm sorry. 68,000 units. We're not going to -- we're not going to make a dent in that with this. And I'm saying no to it not because I don't think it would hurt. Yeah, I think it would help. But it's just not enough. It -- it's -- it's almost insulting to the magnitude of the problem. And so I'd rather -- I'd rather us just go back to the drawing board and come up with something that makes sense. If we have a problem, let's ascribe the seriousness to solving it that the problem demands. And this let's kick the can down the block stuff with this penny ante policy making just doesn't -- just doesn't cut it for me. So if -- if the way-- if the way to promote that is through a procedural action, as the Mayor has suggested, I embrace that.

CHAIR CASTRO: Ms. Graham.

MS. GRAHAM: Thank you, Madam Chair. If I may ask, and Mayor Stermer or any of the other board members can tell me this cannot be disclosed, you had talked about the city that brought this whole project and -- and calculations to the forefront. Was this the project in Plantation?

MAYOR STERMER: Yeah.

MS. GRAHAM: Okay. Thank you. Because for some of the board members that haven't been here that long, they're not going to know. But this goes back a couple years, and was a good project, and I voted for it, and yet other things happened that haven't been brought up, and I don't know if we can revisit that.

MAYOR STERMER: Well, but I think part of it is also important that, at the time, the Executive Director, pursuant to the current code, make a

recommendation of denial for certain -- a different project that -- in Plantation. So there've been a couple of projects bubbling through Plantation. One of them dealt with affordable housing. A separate project dealt with unit counts and could, under today's redevelopment units, be used in a certain way, or more units compared to what the code permitted.

And the Executive Director and the staff made a recommendation of denial, knowing that's what the code required compared to what today's standards would be. So that's why I'm suggesting part of this wait and it all be done as part of Broward Next, because so many different things are being done together that why not continue to keep the entire thing together. And Mr. Stone and Mr. Sniezek know, because Mr. Stone knows my city has done a whole -- we -- we've done at least two agreements with the County in an effort to maximize the dollars that are available to my city but we don't administer, and we've entered interlocal agreements with the County for them to use our dollars. So it's not about understanding there's a need. We all agree there's a need. We want to find a solution.

Part of my concern, Mr. Grosso, to your -- really, to answer your question, there's been a constant negotiation between the County and the cities on this, and their current way of doing it is to do it through this Council, through a County Commission-generated amendment, as compared to saying, we want to change the methodology, which was, in some respects, agreed to at a subcommittee, and then we all agreed to do it, and now they're doing it differently because they didn't like what happened. That -- all the cards on the table, it's that simple. It's not about necessarily the methodology. It's the County's methodology for trying to make this happen.

MS. GRAHAM: And then just to close -- thank you very much, Mayor Stermer, so that it's on the record and the newer board members have a little bit of history now that they can look into further. In our backup, it states that the -- and I'm speaking now for City of Fort Lauderdale, the City of Fort Lauderdale did not support the proposed amendment.

And I'm going to go along with the motion to table this, but I just want to bring up that the letter from City of Fort Lauderdale in our backup is signed by Jenni Morejon, which is no longer with the City of Fort Lauderdale, and it's dated December 1st, 2015. And if the city still has that position, if someone wants to agree that that is still the City of Fort Lauderdale's position from December 1st.

MS. BOY: Yes, and I would -- I would assume that it is still the city's position, because, as I said, I sent this back out to all the municipalities for an additional opportunity to review, and didn't receive any additional comments.

MS. GRAHAM: And we have someone here from the City of Fort Lauderdale, but, again, if they don't want to say anything, then I'm just going to say that this is the way it is. Thank you. Thank you, Madam Chair.

CHAIR CASTRO: Just by way of information, the methodology is published and it's out there, and I guess the County's been using it in a pilot-type program or at least, you know, in the background to see how it works out. There's nothing to keep any County Commissioner from looking at that methodology on any items that come up before them right now, is there?

COMMISSIONER CASTILLO: No.

CHAIR CASTRO: And they could vote any way they want, regardless. Even if the methodology says, you know, Fort Lauderdale has no affordable housing, and they want to put 5,000 units on the ground, and they don't want any affordable, a Commissioner, County Board of Commissioner member can sit up here and say I'm good with that; yes? Or would this stop them?

MS. BOY: This methodology doesn't stop any decision from being made. It's just a base data, as Henry said, very narrow. It's just about what is the affordable housing situation in that municipality based on the American Community Survey and this methodology that's been established.

CHAIR CASTRO: And we have that at the Land Use Plan by virtue of meeting the goal of 1.07.07.

MS. BOY: Right. Policy 1.07.07 –

CHAIR CASTRO: Right.

MS. BOY: -- says that you're going to demonstrate what your affordable housing needs are. And then the second piece is, which is the more -- I think the more important piece, which will still be continued to be permitted, is what are your policies and how are you promoting and maintaining affordable housing within your municipality.

As we've seen Land Use Plan amendments reviewed, you know, through the past ten years this policy's been in place, it was -- it's very few times the -- most of the times that a municipality did not meet the policy was because they didn't want to submit any information about their policies in promoting and maintaining. Whenever that information has been submitted, you know, using the -- using whatever their projected need -- or, I'm sorry, what their need is, it's been accepted, you know, by County staff as part of their -- the review process.

CHAIR CASTRO: So the burden is on the municipality to demonstrate to you they're meeting their need or they have a plan to meet their need.

MS. BOY: Right. And –

CHAIR CASTRO: And pretty much, those are universally accepted unless they don't respond at all.

MS. BOY: Right. Unless they don't respond at all. And, a lot of times, they've asked for additional information. County staff has said, okay, great, well, you've given us this, but what about this piece of it? You know, if you're trying to meet the A through J of the policy, is there additional information that you can give us regarding this piece of the policy? And I would say -- you know, I can't say a hundred percent of the time, but a -- 99.9 percent of the time, the municipality's able to submit that information to demonstrate its programs and policies.

CHAIR CASTRO: Okay. Here's -- here's -- again, stepping forward with the methodology. First of all, I think Mr. Stone has to have a tool to do comparisons. That's his job. So he has to have something to show him, on a regular basis, what's going on in the County in the various areas or municipalities or, as somebody suggested, even by, you know, Commissioner zone or whatever.

And the reason I like the precinct by Commissioner is regardless of what's in the -- in the plan, or regardless of what methodology's being used or anything, any Board member of the County Commission can ignore it all and vote a different way anyway.

And so if you're going to hold their feet to the fire, it'd be nice to have it by the precinct, if you will, by each of the Commissioners sitting up here, so they could be held accountable for their votes. Having said that, he could be using it today, and it's okay. He -- the Board wanted to look at apples and apples. And I agree with that. So they have a methodology to do that.

I'm going to ask again, why does it have to be adopted to the Land Use Plan right now as opposed to waiting for Broward Next when they could be using it today and it doesn't matter? Right?

MS. BOY: Right. As the staff has said, they've been informally using it, most recently with the Miramar Regional Activity Center addition of the units. That was the methodology that was used to present the information –

CHAIR CASTRO: And -- and I think it's –

MS. BOY: -- for that.

CHAIR CASTRO: -- important for them to give it to the Board members who want it, because the Board members want to check what the municipality is submitting. Isn't that the real goal of the methodology?

MS. BOY: Right. They want everyone to have the same -- the same baseline.

CHAIR CASTRO: But --

MS. BOY: That's what this is all about.

CHAIR CASTRO: -- but the baseline is, do you have enough affordable housing or not. And if -- whether you do or not, the city or the municipality could submit something to you saying, well, I don't, but here's my plan. Well, we've already agreed nobody has enough affordable housing in all of the County.

MAYOR RYAN: In that category.

CHAIR CASTRO: In that category. So, you know, again, I think the Board should be holding everybody's feet to the fire on affordable housing and worry less about the methodology and just assume that there aren't enough wetlands, assume that the sea level's going to rise, assume that they have to have the affordable housing or a really good program that there's affordable housing. Right? I mean, I don't know. That's -- and -- and, again --

MAYOR STERMER: (Inaudible) the -- the executive --

MS. BOY: Wait.

MAYOR STERMER: -- the Executive Director's in a really bad spot, putting forth the staff recommendation that's really on behalf of County staff and --

MR. MAURODIS: And I'm advising her not to answer any more questions (inaudible).

MR. PARNES: Can we call the question?

CHAIR CASTRO: Okay. I have a call the question, so I think we have to make a motion. We stopped the motion because we -- I'm sorry. Commissioner Gomez.

COMMISSIONER GOMEZ: Well, actually, there's a lot of stuff that you've

just brought up, and it's been used in customary practice, and if that's still the case, it can still be used in customary practice to keep the level line. It happens all the time. When -- but once you put something into a set procedure, policy, as been discussed before, people hold onto it like gospel. But I wanted to kind of ask -- call the question, but a -- a clarification, because I believe it was to table until --

MAYOR STERMER: Until we pull it -- until we pull it off the table.

COMMISSIONER GOMEZ: Well, I wanted to do possibly a friendly amendment to that --

MAYOR STERMER: Sure.

COMMISSIONER GOMEZ: -- because I know that things have to have a -- a wrap-up date --

MAYOR STERMER: Sure.

COMMISSIONER GOMEZ: -- so it's not just hanging out there. So maybe we could do that we table it until three months or so after Broward Next is resolved, and then we can determine at that time if it's even needed or not?

MAYOR STERMER: Andy, let me ask you this. And I appreciate that, but I have a feeling then the County Commission may just avoid that say -- what if we tabled it to our first meeting after the summer break?

MR. MAURODIS: Well, again, just to -- I'm going to answer your question. It's our recommendation that it not be tabled --

MAYOR STERMER: Understood.

MR. MAURODIS: -- because you have a responsibility to make the recommendation.

MAYOR STERMER: Thank you for that.

MR. MAURODIS: The County may -- the County Commission may exercise their authority to move forward because --

MAYOR STERMER: It's --

MR. MAURODIS: -- of that, anyway. But I would recommend that -- I would not have a floating date. I would have a -- either a specific date or just the table is -- it would have to be taken off the table -- be laid on the table with

indefinite.

CHAIR CASTRO: So –

MAYOR STERMER: Madam Director, we're off for what months?

CHAIR CASTRO: We may not be off at all.

MS. BOY: Right now, none.

MAYOR STERMER: Okay.

MS. BOY: Well, right now, I mean, it really -- it depends on how the -- how the flow goes through the summer. You know, we're planning on definitely June and July. We may need August. I guess we could maybe need September. So maybe toward the end of the year you may be looking at it. I don't have a -- we don't have that date like we usually do.

MAYOR STERMER: So I move to table to our July meeting.

CHAIR CASTRO: And -- and –

MAYOR STERMER: You want a date certain? I'll say our July meeting.

MR. MAURODIS: That would be a deferral to the –

MAYOR STERMER: Move to –

COMMISSIONER GOMEZ: Is that long enough?

MR. MAURODIS: -- for -- yeah, now you're deferring it.

MAYOR STERMER: We can always to continue to defer it again.

CHAIR CASTRO: And can I add something to his motion, if he doesn't mind? If the County Commission should decide not to weigh us out or not to give us the opportunity, and I know this is difficult for you, but I assume it has to be on an agenda somewhere, would you please go to that County Commission meeting and stand at the podium and kind of summarize what our concerns and issues are?

MAYOR STERMER: I -- I would ask even further, even -- I would ask that the Planning Council be notified that -- the entire Planning Council be notified if the County Commission takes up this item while we have it deferred.

CHAIR CASTRO: But I'd still like you at the podium at that point. We can all get to the podium, too, but -- okay? Is that (inaudible).

MAYOR STERMER: Yeah.

CHAIR CASTRO: Okay.

MR. DIGIORGIO: Madam Chair?

CHAIR CASTRO: Yes.

MR. DIGIORGIO: I have -- I have a question.

CHAIR CASTRO: Mr. DiGiorgio.

MR. DIGIORGIO: Regarding the table, the issue of the table versus deferral, because now we're changing it to deferral, it sounds like, the table, again, it is indefinite by the definition of the table. But any one of us who vote in favor of this can pull it off the table at any time. I am still in favor of tabling this motion rather than the deferral because it is exactly what we're trying to do. A deferral is kicking the can again down the road.

MAYOR STERMER: Listen, I'm -- I'm okay with that. But what I'm trying to do is almost heed to some of what Mr. Maurodis is saying to us, understanding we're not doing what he wants -- what he's giving legal advice to do. Not that Andy wants us to do anything except --

MR. MAURODIS: If -- if -- if you're more comfortable with a table --

MAYOR STERMER: Yeah, I'm -- I'm comfortable with --

MR. MAURODIS: -- (inaudible).

MAYOR STERMER: -- a table and pulling it off when we want it off.

MR. DIGIORGIO: I am, too.

UNIDENTIFIED SPEAKER: Okay.

MR. MAURODIS: But then the -- once you make that motion to table and it's seconded, the discussion ends.

MAYOR STERMER: I understand. That's why I --

CHAIR CASTRO: Mr. Friedel.

MR. FRIEDEL: Which method gives us the quickest way to take action should we need to?

CHAIR CASTRO: Tabling.

UNIDENTIFIED SPEAKER: The table.

MR. MAURODIS: Well, if you -- if you -- if you take it off the table, then you'll probably have to re-notice it to the next meeting. So that's like a two month - - you know what I'm saying? That's not a quick action. That's a -- that's an action that takes (inaudible).

MR. FRIEDEL: And if we continue to defer, we can just go month to month, should that --

MR. MAURODIS: You -- you could --

MR. FRIEDEL: -- be needed.

MR. MAURODIS: -- you could defer it to the -- to the next month, and defer it and defer it and defer it, I guess. And, again, against our recommendation.

MR. FRIEDEL: Yes.

MR. MAURODIS: But they -- they have advantages and disadvantages based upon what your goal is.

MAYOR STERMER: At this time, I'll move Item 6A and 6B to be tabled.

COMMISSIONER GOMEZ: Second.

CHAIR CASTRO: Okay. We have a motion and a second. You said all discussion ends. Vote. All in favor? Any opposed?

MR. GROSSO: No.

CHAIR CASTRO: Anybody else? Thank you.

UNIDENTIFIED SPEAKER: Mr. Grosso.

CHAIR CASTRO: Mr. Grosso.

THE REPORTER: Who said no? I didn't see.

CHAIR CASTRO: Mr. Grosso. That's why I called out. Not that I wanted to call him out. I knew you needed to know a name. One day. The -- the ayes have it.

**VOTE PASSES 15 TO 1 WITH RICHARD GROSSO VOTING NO.  
OTHER BUSINESS**

CHAIR CASTRO: Anything else before we adjourn? Thank you all again very much. Have a good day. Stay safe out there.

(The meeting concluded at 11:25 a.m.)