

MINUTES

BROWARD COUNTY PLANNING COUNCIL

April 26, 2018

MEMBERS Mayor Daniel J. Stermer, Chair
PRESENT: Thomas H. DiGiorgio, Jr., Vice Chair
School Board Member Patricia Good, Secretary
Commissioner Richard Blattner
Robert Breslau
Commissioner Felicia Brunson, via telephone
Commissioner Angelo Castillo
Vice Mayor Michelle J. Gomez
Mary D. Graham, via telephone
Richard Grosso
Commissioner Heather Moraitis
David Rosenof
Richard Rosenzweig
Mayor Michael J. Ryan
Commissioner Michael Udine
Vice Mayor Beverly Williams

MEMBERS Mayor Bill Ganz
ABSENT: Brion Blackwelder

Also Present: Barbara Boy, Executive Director
Andy Maurodis, Legal Counsel
Maribel Feliciano, Assistant Director, Broward County Planning and Development Management Division
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, April 26, 2018.

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

CALL TO ORDER: Chair Daniel Stermer called the meeting to order.

CHAIR STERMER: Good morning, everybody.

UNIDENTIFIED SPEAKER: Good morning.

CHAIR STERMER: I'd like to call to order the April 26, 2018 meeting of the Broward County Planning Council.

ROLL CALL:

CHAIR STERMER: Ms. Cavender, please call the roll.

THE REPORTER: Mr. Brion Blackwelder. Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Here.

THE REPORTER: Mr. Robert Breslau.

MR. BRESLAU: Here.

THE REPORTER: Commissioner Felicia Brunson.

COMMISSIONER BRUNSON: Here.

THE REPORTER: Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Here.

THE REPORTER: Mr. Thomas H. DiGiorgio, Jr.

MR. DIGIORGIO: Here.

THE REPORTER: Mayor Bill Ganz. Vice Mayor Michelle J. Gomez.

VICE MAYOR GOMEZ: Good morning.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Here.

THE REPORTER: Ms. Mary D. Graham. Mr. Richard --

MS. GRAHAM: I'm here, on the telephone.

THE REPORTER: -- Mr. Richard Grosso. Commissioner Heather Moraitis.

COMMISSIONER MORAITIS: Here.

THE REPORTER: Mr. David Rosenof.

MR. ROSENOF: Here.

THE REPORTER: Mr. Richard Rosenzweig.

MR. ROSENZWEIG: Here.

THE REPORTER: Mayor Michael J. Ryan.

MAYOR RYAN: Here. You may not be able to see me because I don't have what Zuckerberg had to sit on.

(Laughter.)

MR. ROSENOFF: Let the record reflect --

MAYOR RYAN: No, I have the lowest seat here today.

THE REPORTER: Commissioner Michael Udine.

COMMISSIONER UDINE: Here.

COMMISSIONER CASTILLO: Somebody get the Mayor a phone book, please.

(Laughter.)

UNIDENTIFIED SPEAKERS: (Inaudible.)

MR. ROSENOFF: For the record, note Mayor Ryan has joined the meeting.

UNIDENTIFIED SPEAKER: And do we have a bib for the Mayor?

THE REPORTER: Vice Mayor Beverly Williams.

VICE MAYOR WILLIAMS: Here.

THE REPORTER: Mayor Daniel J. Stermer, Chair.

CHAIR STERMER: Here. Good morning, Ms. Blake Boy.

MS. BOY: Good morning. I just wanted to report, Mr. Blackwelder sent in an excuse for a -- a request for an excused absence late yesterday afternoon. He had a court appearance that he needed to make at 10:00 a.m. this morning, so he requested an excused absence. And then, as you heard, Commissioner Brunson and Ms. Graham

are joining us telephonically.

CHAIR STERMER: And we'll add Mr. Blackwelder to C-4 when we get to C-4, along with Mayor Ganz.

PLEDGE OF ALLEGIANCE:

CHAIR STERMER: At this time, I'd like to ask everyone to please rise for the Pledge of Allegiance, to be led this morning by Ms. Nancy Cavender.

(THE PLEDGE OF ALLEGIANCE WAS LED BY NANCY CAVENDER.)

CHAIR STERMER: Thank you. Please be seated.

CONSENT AGENDA:

AGENDA ITEM C-1 - APPROVAL OF FINAL AGENDA FOR APRIL 26, 2018

AGENDA ITEM C-2 - APRIL 2018 PLAT REVIEWS FOR TRAFFICWAYS PLAN COMPLIANCE

AGENDA ITEM C-3 - APPROVAL OF MINUTES MARCH 22, 2018

AGENDA ITEM C-4 - EXCUSED ABSENCE REQUESTS

CHAIR STERMER: We're now up to the Consent Agenda portion. Is there a motion with regard to the Consent Agenda, understanding under C-4 we're going to add in addition to Mayor Ganz, Mr. Blackwelder? Is there a motion with regard to the Consent Agenda?

VICE MAYOR GOMEZ: So **moved**.

MR. DIGIORGIO: I'll move it.

CHAIR STERMER: Moved by Commissioner Gomez, seconded by Vice Chair DiGiorgio. All those in favor, signify by saying aye. All those opposed? Consent Agenda passes unanimously.

VOTE PASSES UNANIMOUSLY.

REGULAR AGENDA:

AGENDA ITEM R-1 - FISCAL YEAR 2019 BUDGET PROPOSAL

CHAIR STERMER: We are now up to the Executive Director's Report. Madam -- I'm sorry. Item R-1, fiscal year 2019 budget proposal. Madam Executive Director.

MS. BOY: Good morning. This item was presented to the executive committee immediately preceding your meeting this morning. The core budget proposal for fiscal year 2019 is presented for your consideration. The core estimate came in from the County's Office of Management and Budget at 1.124 million dollars.

It's a little bit of an increase over last year's budget, due to a couple of one-time-only merit increases that were requested by the Council last year for staff, and then also at the staffing level, we had a part time position that we were able to keep in the budget. So that's where the major part of the increase happens.

I wanted to bring to your attention that the revenue estimate for the next fiscal year and for this fiscal year, this fiscal year, we actually -- we adjusted it based on what we're seeing in the trends. And we believe as part of the adoption of Broward Next last year, we are starting to see a trend of hopefully fewer Broward County Land Use Plan amendments due to the change -- many of the changes that were made.

So while the revenue estimate has increased due to the fee adjustment that was made last year, approved by you and approved by the County Commission, we are hopefully going to see a trend of, you know, some fewer County amendments due to that. The executive committee recommended approval and forwarding the recommendation to the County Commission as part of their budget package.

CHAIR STERMER: And not only did it recommend approval, it unanimously recommended approval of the item when it was at the executive committee meeting, as the Executive Director said.

COMMISSIONER UDINE: I'll **move** the item.

CHAIR STERMER: Moved by Commissioner Udine --

MR. ROSENZWEIG: Second.

CHAIR STERMER: -- seconded by Mr. Rosenof. Any further discussion -- oh, I'm sorry, with regard to -- by Mr. Rosenzweig. My apologies. Any discussion with regard to Item R-1? All those in favor, signify by saying aye. All those opposed? Motion carries unanimously.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM R-2 - BROWARD NEXT 2.0 PRESENTATION

CHAIR STERMER: Folks here from County staff with regard to --

MS. BOY: Yes, on Item R-2, the Broward Next 2.0 presentation, Maribel Feliciano, I

believe, is going to make the presentation this morning.

CHAIR STERMER: And let the record reflect that Mr. Grosso has joined us. And, Maribel, thank you for the patience in --

MS. FELICIANO: Good morning.

CHAIR STERMER: -- getting before the Council. It's been a little hectic the past few months. So we appreciate you understanding.

MS. FELICIANO: Thank you for the opportunity to present. Good morning, everyone.

CHAIR STERMER: Good morning.

MS. FELICIANO: As you all know, Broward Next included the update of two very important policy documents, the Land Use Plan, which was adopted last year, and the land use -- the Comprehensive Plan elements. We have 18 elements on the Comprehensive Plan.

So today I'm going to talk to you about Broward Next 2.0 is what we're calling it, and that's the update of the elements. This background shows you our Comprehensive Plan. Broward County is unique in that our Comprehensive Plan includes two policy documents. It includes the Land Use Plan, which has countywide authority, and then it has the Comprehensive Plan elements. And then we have the -- the policy documents from all the municipalities which are the Comprehensive Plans for every single municipality in Broward County, the 31 municipalities. And all those plans needs to be consistent with each other. And, of course, as you know, they are required by our Florida state statutes.

You're also very familiar with the changes that we experienced over the last few years at the state level, where a lot of the state requirements for comprehensive planning have been reduced and eliminated. The evaluation and appraisal report was reduced to a letter, and 9J-5 was eliminated. So we make sure that our new elements include all those new requirements or -- or, again, updates to those references to the state statutes and so on.

What we did when we started Broward Next, we started looking at all of our policy documents at the state level, regional level, and local level. So, as you can see, these are just a few examples. We look at the archives, the regional climate action plan, 750, a lot of our water resources management documents, transportation documents, and so on, to ensure that the policies we are recommending are consistent with these regional plans.

Additionally, our elements, we make sure we streamline them to use plain language, to

ensure that they focus on priorities, eliminate duplicate policies, and then we want to provide policy examples. So we're providing throughout the documents examples of policies that have been implemented, because we want the general public to understand the value of our comprehensive planning process.

This is the new format of our elements. In the past, it was just text. Goals, objectives, and policies in hundreds, thousands of words. So now the element looks like this. It has a general overview of what the element is about, so your neighbor can understand what this document is about, the value.

It has examples of policies that have been implemented. As you can see here on the housing element, we have -- we're highlighting housing projects that promote affordable housing, public/private partnerships, and so on. It has a policy history section that provides an overview of policies that have been adopted over time. Focus areas. And then it has hyperlinks to the state statutes, because we want, again, the -- the users of these documents to have resources. So they can click on the links and go to the state statute, see what the state requirements are. We also have hyperlinks throughout the document where people can access best practices, regional plans, and so on.

So I'm going to briefly go over some of the focus areas of these elements. The climate change element, as you know, Broward County has been a leader in climate resiliency over many, many years. Our focus areas basically focus on continue to ensure that our infrastructure resiliency is included as part of our infrastructure investments, promote renewable energy, water efficiency, and reduce the impact on our natural resources. This is just one of the examples that is highlighted in the element, and that's the PACE program. And many of you are familiar with that. So it's basically an overview of the success of the program during the first year.

The conservation element, again, the focus areas is continue to promote energy efficiency, reduce greenhouse gas emissions, and protect and improve our air quality, protect our wetlands, and our manatee protection program, continue to highlight and support those programs.

Coastal management elements, continue to protect our wetlands, increase our shorelands and -- and consider post- -- pre- and post-disaster planning, which is so critical for our infrastructure, and restore our beaches. Natural disaster, again, limit our capital improvements in the high hazard areas, protect our residents from these natural disasters. Something new on this element is to develop a new countywide recovery plan. So we're going to be working with all of you to -- to do that. And then continue to integrate climate resiliency as part of our local mitigation strategy.

Water management, something new we did this year is we are combining three elements of the Comp Plan into one. So we are integrating potable water, sanitary sewer, and drainage into one element that is going to be a water management element.

And this is streamlining significantly a lot of these elements. Policies that were duplicate are now in one element, and it's -- it's really focused on our current priorities and planning for our future. So as part of the water management element, as you can see, we continue to focus on planning for our water resources, ensuring appropriate quality and quantity of our resources, coordinating with our stakeholders at the state and federal level and the local level to ensure that we're effective and that we allocate the funding resources that are needed to advance our goals.

As many of you know, the way the comprehensive planning process is designed at the state level, the capital improvement element is the element that is used to fund those goals, objectives, and policies, so we just want to make sure that -- that our priorities focus on climate resiliency, ensuring that we reduce the impact on our resources and that we look to look at the long-term benefits.

Housing, through all these elements, we make sure that all of our policies, of course, are consistent with the Land Use Plan policies that you adopted last year and recommended to the Board, and the Board adopted. Continue to promote affordable housing, establish a dedicated funding -- fund for affordable housing, ensure safe, attractive, and well-maintained neighborhoods --and this is particularly for our BMSD, which is the Broward Municipal Services District, which we call the unincorporated Broward -- and continue to promote energy efficiency.

This is one example of one of the policies that have been implemented in the BMSD. We have a lot of programs to promote infill housing and eliminate blight, so we have been able -- we've been very successful on advancing infill housing developments, single family homes. And the picture to the right is our ribbon cutting ceremony for Franklin Park Estates. We have 18 new homes built in central County at the corner of Sunrise and 27th. So we're very proud of -- of all of those accomplishments. And this is another policy that all of you are familiar with, and -- and that's that the Broward County Charter Review Commission is recommending this dedicated funding source for affordable housing as part of the general election ballot in November of this year. So we continue, again, to highlight some of those policy recommendations throughout the various elements.

Transportation, also a real -- a real important element for -- for all of us. Again, it's just in line with all the multimodal vision that you have as part of your plan to ensure that we continue to promote multimodal transportation systems, ensure that our transportation decisions for funding are equitable, promote economic development, and take into consideration all these emerging technologies that we are exposed to at this time. Also, align the transportation funding with these mobility goals is critical.

This is one example. Another example that we like to highlight is BMSD walking school bus program. It has been very successful in our -- in our neighborhood, and we partnered with BSO and the School Board and -- and our community to make sure that

our students can walk safely to -- to their schools. The schools facilities element, again, continue to coordinate with our municipalities, the County, the School Board to implement a ILA, the interlocal agreement, and ensure that we coordinate our resources as it relates to sharing resource -- resources whenever feasible. This is an example of one of the policies that we are promoting, and it's basically to continue to establish connectivity through our greenway system, because those routes can be used by our students to walk to and from school.

The regional -- the recreation and open space element, one of the really important policies here, which is also new, is the development of a new regional master plan. So our recreation -- our division is going to be working with all our municipalities and stakeholders, local stakeholders, to develop a regional master plan that will take into consideration sustainability and climate resiliency as part of our park system.

Historic preservation is a new component. As many of you know, the County has a new historic preservation program, so we developed a new historic preservation component that addresses all the goals, objectives, and policies of our program, and provide assistance to our municipalities that are under the certified local government program.

And lastly, this is our intergovernmental coordination element, with all of your logos here. And, again, this highlights all of the coordination that is really important between federal agencies, local agencies, municipalities, and -- and all our stakeholders to ensure that we're able to advance the policies that are being proposed through all the elements within the plan.

Something I wanted to share briefly is we have a new BMSD plan. A state requirement is the future unincorporated land use element. So what we have done is we have expanded that -- that element to include individual plans for each one of our BMSD neighborhoods. And this map, I'm sure many of you are familiar with the remaining areas that are unincorporated.

As you can see, number one is central County. That is four different neighborhoods near the Sistrunk area. Number two is Broadview Park. That is on 441 and 595. And then number three is Hillsboro Pines, Hillsboro Ranches, and that's in Coconut Creek. So that's the remaining unincorporated neighborhoods. We have some parcels left in the Wedge that -- that's number eight, that many of them have already been incorporated into Parkland, but there are some remaining there. So the BMSD element is basically focusing on the priorities and needs of those specific neighborhoods. They all have unique priorities and needs, so that's what the element is all about.

We had a series of workshops with our communities last summer and in the winter, December of last year, and we obtained really excellent feedback from the communities. So we want this BMSD plan to be a plan from the community, by the community, to be implemented and advance their priorities. We encourage you to go to browardnext.org,

the same website we used for the first phase of Broward Next, and you will be able to see all the documents.

We -- this year, we did something new. We were able to establish an online portal that looked like this to obtain feedback from the community, and we -- we received very good feedback. Over 228 comments were submitted through this portal where people were able to just add comments to the different documents. It's like a PDF editor, and then you could like the comments of other folks and -- and it was very interactive. So it was an excellent tool that we implemented new this year. This is what it looked like.

So, again, we're really happy with the feedback that we obtained from the community, and our timeline is to transmit to the state review agencies June of this year, and we expect adoption by the end of the year. Thank you.

CHAIR STERMER: Appreciate it. Thank you. Anybody have any questions?
Commissioner Castillo.

COMMISSIONER CASTILLO: This may actually be beyond the -- the subject of -- of -- that was touched on, and maybe there'll be an opportunity to explore this some more. But it's always bothered me that there -- you know, and I'm talking about this water intrusion, the --

MS. FELICIANO: Saltwater --

COMMISSIONER CASTILLO: -- saltwater --

MS. FELICIANO: -- intrusion?

COMMISSIONER CASTILLO: -- intrusion, that we have this -- we have this goal, and I don't know how many millions of dollars, Commissioner, the County and cities are forced to pay -- by the way, I represent a far west --

MR. FELICIANO: Pembroke Pines.

COMMISSIONER CASTILLO: -- community, but I still care about the beach. I don't know how many dollars we've paid for beach renourishment, but it's always bothered me -- and -- and it's necessary -- but it's always bothered me that we have to spend that money, bring -- bring that sand on, and then it washes away, and then next year, we do it again. I don't know how many millions, and it goes back out.

There are other communities that -- that are doing different things with engineering, and they've had to. Like Venice has had to do certain things with lochs. I was in southern California, and they have piers that, in addition to providing economic development and beach enhancement for tourists, also help to retain the sand there. Do we have any

effort at all about putting together engineers to come up with a menu of possible solutions to this, things that we can actually do instead of just talking about resiliency, actually become more resilient, that are economic, that -- that are economic, environmentally friendly, that would be effective in doing this?

It just seems to me that we're talking about the problem. We're not really like working it. And I know -- I know we have Commissioners from -- from cities that have beach areas. How satisfied are you that we're actually -- have a plan to -- to confront this rather than sort of talk about it and say, yeah, you know, this is out there and I'm kind of worried about it, but, okay, let's move on.

UNIDENTIFIED SPEAKER: (Inaudible.)

COMMISSIONER CASTILLO: Are we actually doing stuff to figure this out? Are there plans for what we should be doing now in order to avoid this catastrophe? I saw -- I was at -- I forget where it was, Mr. Chairman. I was at somewhere, and they were talking about alternative architecture. Maybe it was even here. I'm not sure. And what they were saying was, okay, so in the future, when the -- when the water comes -- I mean, it's already assumed -- what we'll do is we'll start building on pylons, you know, pylons, and they had, like, you know, sidewalks on pilings and all that other kind of -- kind of -- it's like this little water world. And it was just assumed that that was just going to happen. Are we actually bringing together engineers to look at -- and has anyone ever looked at what we have to do in order to fight this thing off?

MS. FELICIANO: Yes, we are looking at all those aspects as part of the regional compact, the County is, and is working with Miami-Dade and Palm Beach on -- they have a -- they have done it three years already in a row. It's called climate redesign workshops. And they bring multi -- all the disciplines that you're talk -- speaking about with the engineers, the building officials, the architects, to discuss --

COMMISSIONER CASTILLO: Environmentalists?

MS. FELICIANO: -- yes, to discuss options. And they have done pilot studies in various areas of Miami-Dade and Broward County. So we'll be glad to share that information with --

COMMISSIONER CASTILLO: I would love to --

MS. FELICIANO: -- staff so you can see those reports.

COMMISSIONER CASTILLO: -- I don't know about the rest -- I would love to see that, because I know right -- right now, what we're doing is we're just digging out sand and bringing it forward, and next year, we have to do it again. It's many, many millions of dollars. And we have to do it. I'm not saying we don't have to. But I'm -- I'm just hoping

there's a better mouse trap there.

MS. FELICIANO: We can share the information --

COMMISSIONER CASTILLO: Thanks.

MS. FELICIANO: -- with you.

CHAIR STERMER: Anybody else have any comments with regard to the presentation?
Commissioner Moraitis.

COMMISSIONER MORAITIS: Thank you. Am I on?

CHAIR STERMER: Yes.

COMMISSIONER MORAITIS: Sorry. This is so far away. In response to your comment, Commissioner, in Fort Lauderdale, we are addressing -- we were just talking about it yesterday -- seawalls and raising our seawalls. It's definitely part of our priorities.

You know, the sea level rise coming over the seawalls is one thing, but it's also coming up in areas that are west, like you, because we're built on limestone. So it's really just not a coastal issue. It really affects all of us in Broward County. Miami-Dade, Palm Beach, obviously. So it is a regional issue.

And I know the state, you know, has given us money over the years for tidal valves, also. That's a big thing coming up in Fort Lauderdale, too, to reduce the -- or help the drainage, obviously, with our high King Tides. So we're looking at it, but I think it is a County issue. In addition to your seawalls, you also have it coming up.

CHAIR STERMER: You're right. Anybody else? Mr. DiGiorgio.

MR. DIGIORGIO: Quick comment. First of all, excellent presentation. Thank you very much. It's exciting. I liked looking through the document. You made it extremely user friendly. I like the resources that you put in there so you can click on it, takes you directly to a link. I think that's fantastic. I would encourage you, and I don't know if you have any plans to do further outreach with the municipalities based on the 2.0 Broward Next. Is there anything happening before the June submittal?

MS. FELICIANO: We had a regional workshop in May where we had attendance from all municipalities. We have been doing presentations for the last eight months to many of our advisory boards, the Climate Change Task Force, the Historic Preservation Board, many boards. And we'll be glad to come to your cities if you want to -- us to make a presentation as well.

MR. DIGIORGIO: Fantastic. I'll be reaching out to you. Thank you.

MS. FELICIANO: Thank you.

CHAIR STERMER: Anybody else? Thank you very much. Appreciate it.

MS. FELICIANO: Thank you.

AGENDA ITEM R-3 - COUNSEL'S REPORT

CHAIR STERMER: Item R-3, Mr. Maurodis.

MR. MAURODIS: Yes. Actually, just one item dealing with action by the Legislature, keeping on Commissioner Castillo's beach theme. A fairly significant act. Now, this affects beach municipalities, but we all use the beach, so it's going to affect all of us in Broward County.

There had -- in the early 1970s, as a result of a case in the -- Daytona Beach, the court had to grapple with the interaction of private beach property and the public's use of the beaches. And it would surprise people to know that vast areas that appear to be public beaches actually have private ownership. One of the cities that I represent, well, we knew about it, and we had to -- had to deal with it, and we're continuing to have to deal with it.

And in the early '70s, a doctrine of customary use was evolved or created. And it's not - - it's not an easement. It doesn't transfer property rights, but the court ruled that if the public had been using private beach property and their use was, as they -- as only a court would come up with, ancient and consistent -- now, we don't know what ancient means, but we know it's a long time -- and that the public's customary use of that beach property would be protected.

So, for instance, if people had always, you know, for 50 years in a certain area had been going out on that part of the beach, sitting down, doing their thing, that had to be protected. It did not take the property away from the private property owner, but this customary use has to be protected, so the private property owner could make use of its property -- I don't know how -- at the same time the public was using it. They had to kind of somehow integrate that.

So this was the use of customary use, which has been created. And it was actually a help to a lot of municipalities. I've had the opportunity to use it. And then, what cities started to do, some cities started to do, was create a customary use ordinance. So, in essence, creating all the area that they felt was customary, and creating an ordinance there protecting it, and imposing those obligations on the private property owner. Well,

the Legislature decided that they didn't like the way this was being done, so you can no longer just -- a beach municipality can no longer just adopt a customary use area. Even though they can see that this use has been there for all this time, they cannot create -- create it.

What had to be done, and it's kind of consistent with some judicial decision and a number of Attorney Generals' opinions, that if you -- that if this municipality wants to invoke this doctrine of customary use, they have to get a court determination of it. That - - if that wasn't enough, what they -- the Legislature created a whole set of procedures which require -- I'll just go through them very quickly -- formal notice. So you have to do kind of a resolution saying we're going to do this. Announce it to the world. And that each property owner has to get a notice. So you're going to, you know, let them know that this is going to happen. And within 60 days of the formal notice, they have to then file a complaint for declaratory relief on the customary use doctrine.

So if a municipality wants to do that, what they're going to have to do is look at all the land that they believe is -- is subject to this customary use doctrine that is private, they're going to have to make this announcement, give the notice, let everyone know that the -- and then file a declaratory judgment action. And then, if the declaratory judgment action finds that that whole swath of beach that is private is subject to that customary use rule, then they can adopt an ordinance protecting the customary use.

So it's something -- it's something new. It's not quite as new. The procedures are new. There were, as I say, some opinions that indicated you really have to do it on a case-by-case basis anyway. But this formalized it, I think overly formalized it, and puts a greater burden on cities in protecting the beach for the public. And cities are going to have to deal with it. Plus, frankly, I think it's -- there are a lot of people who have had beach properties, private beach properties, that picked it -- you know, get it through tax deeds, believe it or not, who are probably going to see this as an opportunity to create some issues for cities. But it's one of the more significant acts for especially areas along the ocean, and I thought you'd like to be aware of that.

CHAIR STERMER: Mr. DiGiorgio.

MR. DIGIORGIO: Andy, a quick question.

MR. MAURODIS: Yeah.

MR. DIGIORGIO: Does that apply to the submerged lands, also? For instance, in the Hillsboro Inlet? Because we just found out that's privately owned also, but it's a customary use. There's traffic with the boats and whatnot.

MR. MAURODIS: You know, I'm -- I do not recall -- in the discussions that we have had, I do not recall that it would, because it specifically refers to beach ordinances and things

of that sort. But I have the whole bill here. I can check that out and we can -- I can try to find that out for you.

MR. DIGIORGIO: Thank you.

MR. MAURODIS: Yeah, I -- you should. It's part of a whole larger act that deals with adverse possession and things of that sort. It's kind of buried in there.

CHAIR STERMER: Anybody else? Thank you, Mr. Maurodis. Everybody mark your calendars. It's April 26th, and Mr. Maurodis gave us a report. We'll all be back next April 26th for his next report.

MR. MAURODIS: I don't like to give a report (inaudible).

(Laughter.)

CHAIR STERMER: So mark -- mark your calendars. Be here next year at this time.

AGENDA ITEM R-4 - EXECUTIVE DIRECTOR'S REPORT

CHAIR STERMER: Ms. Blake Boy.

MS. BOY: Good morning again. Following up on the beach theme, I wanted to offer to ask Dr. Jurado if someone from her division could make a presentation at an upcoming month --

CHAIR STERMER: Sure.

MS. BOY: -- just related to these issues that Commissioner Castillo brought up. If you're all in favor of that, I'll work with her to find an amendable date.

CHAIR STERMER: Yeah.

MS. BOY: Okay. Thank you. Second --

CHAIR STERMER: And hopefully everybody signed up for the upcoming resiliency event that's coming up I think next month, so.

MS. BOY: -- the second thing I just wanted to mention was I had sent everyone an email, we had talked about it last month. The County Commission held an affordable housing workshop last Tuesday, the 17th. And there was an extensive discussion about kind of the future of affordable housing in the County and different approaches that the County Commission is interested in pursuing. Part -- one of the approaches that they're -- that they were talking about is related to what the Planning Council just initiated last

month, and that's a review or the creation of a new land use category that could address kind of these remaining shopping plazas that could have a residential component added to that. So, with your permission, I'd like to invite the County staff to participate. The Planning Council staff is going to be setting up a workshop, so I'd like to invite the County staff to participate in that --

CHAIR STERMER: Absolutely.

MS. BOY: -- in that presentation. And then I think everyone received, hopefully, received the PowerPoint. If you didn't -- or any of the studies, if you didn't get that information, just shoot me an email, and I'll try to get it back out to you if you didn't get that. Also, I just wanted to let you know there are only three speakers signed in, and they're all for questions only on the Public Hearing items. And that concludes my report.

CHAIR STERMER: Thank you. And just so everyone's aware, if you were at, as Commissioner Udine was, the workshop last week, there was significant conversation had about affordable housing. Just so everyone knows, we keep talking about it here, and have been talking about it here.

In the weeks preceding the meeting, I had a meeting with the County Administrator, with certain practitioners representing the development community, to talk about what they perceived and what their beliefs were of what could be done in the development community with regard to affordable housing.

So don't think we just talk about it at meetings and there's no follow up. There was, in advance of the County Commission workshop, you know, and there was some significant conversation that was had, and there's more to come. Just we're trying to cobble together lots of thoughts and ideas before they're sort of just foisted out there.

We know, if you watched the County Commission workshop, there were six or seven different menu items, for lack of a better phrase, and there may be some other conversation about other ways to create what would be a dedicated funding source going forward for affordable housing. But make no mistake, if you didn't listen to the presentations with regard to affordable housing, I would commend you to go online and watch it, particularly those cities that have CRAs.

It's no secret the County's position with regard to CRAs, and they're sunseting, with the thought of X amount of those dollars that are going to be recapturing being used for affordable housing. So, please, it's not a secret out there, and I'm not going to let it be a secret out there, because, you know, we wear many hats when we sit here. But there -- there's a significant and firm County position with regard to CRAs and that -- I won't say may -- it will impact certain cities and what their futures may hold.

So, please, if you haven't watched it, please go watch it. And we're going to have more

conversations in the coming months with regard to it, not only here, but there'll be a host of different venues out there to have those conversations. Anything further, Madam Executive Director?

MS. BOY: No, thank you.

PUBLIC HEARING:

CHAIR STERMER: Understanding we have three people that signed up and they're here for questions only --

MS. BOY: There are now four.

CHAIR STERMER: Four?

MS. BOY: Questions only.

CHAIR STERMER: Questions only. We have PH-1, PH-2, PH-3, PH-4, and PH-5. Is there any member of the Council that would like to pull any of the items?

MS. GOOD: Yes.

CHAIR STERMER: Madam School Board Member.

MS. GOOD: PH-3.

CHAIR STERMER: Anything else?

AGENDA ITEM PH-1

A - RECERTIFICATION PCR 18-1

B - RECERTIFICATION PCR 18-2

AGENDA ITEM PH-2 - RECERTIFICATION PCR 18-3

AGENDA ITEM PH-4 - AMENDMENT PCNRM 18-1

AGENDA ITEM PH-5 - AMENDMENT TO THE PLANNING COUNCIL'S "RULES OF PROCEDURE"

CHAIR STERMER: Is there a motion with regard to Item Ph-1, PH-2, PH-4, and PH-5?

COMMISSIONER UDINE: So **moved**.

MR. DIGIORGIO: I'll move it.

CHAIR STERMER: Moved by Commissioner Udine, seconded by Vice Chair DiGiorgio. All those in favor, signify by saying aye. All those opposed? Motion carries unanimously.

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dh/NC

I keep forgetting there are voices up there.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM PH-3

A - AMENDMENT PC 18-5

B - AMENDMENT PCT 18-3

CHAIR STERMER: PH-3, Ms. Good.

MS. GOOD: Yes, thank you, Mr. Chair. Appreciate the information that was shared with us. Noted in the backup, I guess, is correspondence from I believe it was the city manager of Pompano with regard to the issue of manning the shelter. There was also, I believe, an email back from Mr. Snizek. I guess in the absence of any formal agreement, I was going to request that -- and, again, that the application be subject to a binding agreement between the County and the municipality, and, of course, acceptable to their legal counsels in regard to the manning of the shelter. And, again, I say that in the absence of any other agreement that may happen to come into fruition in the coming days, but -- or weeks. But I just wanted to put that on the record.

MR. MAURODIS: That is something that is often done, Mr. Chair, so it's certainly acceptable.

CHAIR STERMER: Is there a motion with regard to PH-3 accepting the recommendation or the amendment that there be a binding agreement between the city and who?

MS. GOOD: It'd be the County.

CHAIR STERMER: And the County. Just want to make sure who it's with. With regard to the manning of shelters. Is there a second with regard to that?

MR. DIGIORGIO: Second.

CHAIR STERMER: There's a second by Mr. DiGiorgio. Any discussion with regard to the amendment? Is there a motion with regard to the main item?

MR. DIGIORGIO: I'll **move** it.

CHAIR STERMER: It's been moved by Mr. DiGiorgio, seconded by --

MS. GOOD: Second.

CHAIR STERMER: -- School Board Member Good. Any further discussion with regard

to PH-3?

MS. GOOD: As amended.

CHAIR STERMER: As amended. Seeing none, Madam Clerk -- all those in favor, signify by saying aye. All those opposed? The motion carries unanimously.

VOTE PASSES UNANIMOUSLY.

OTHER BUSINESS:

CHAIR STERMER: With no further business before the Planning Council, we stand adjourned.

COMMISSIONER BLATTNER: Mayor, excuse me.

CHAIR STERMER: Oh, Mr. Blattner.

COMMISSIONER BLATTNER: I just wanted to mention, and it's related to the affordable housing you discussed. When I read these items, I always am conscious of the affordable housing issue, whether there's an in-lieu payment made or actual commitment to build units. And so I asked our Executive Director if there is any statistical evidence on the number of units that have been built, the number of dollars that have been committed. And I figured it would take two or three weeks to get that information. It took about five minutes.

And so what I -- I just want to mention, because I'd like to have this on the agenda for discussion next -- at the next meeting, that the actual number of units that have been committed to be built, there are 2800 units committed to be built. The amount of dollars contributed in lieu of is \$16,000,000. I don't know what happened to that money. I don't know how it was used. I know how it's supposed to be used. I know that some cities keep the dollars for their own affordable housing plan, other cities contribute it to the County. And so I'd like to have a more robust discussion of this and the distribution of this terrific document at our next meeting.

CHAIR STERMER: Okay. We can do that. That spreadsheet has been maintained since -- since 2010, I believe?

MS. BOY: 2007.

CHAIR STERMER: 2007. And let's just remember, just because somebody commits to something --

COMMISSIONER BLATTNER: Doesn't mean anything.

CHAIR STERMER: -- doesn't mean it's coming out of the ground.

UNIDENTIFIED SPEAKER: Yeah.

CHAIR STERMER: Those are commitments made, and it could take who knows how long, if ever, for those projects to come out of the ground. So there's a difference between passage and then execution. And if you also look at the last chart that the Executive Director sent out, there's a column that actually computes that if -- yes?

MS. BOY: I only sent that to you.

CHAIR STERMER: Oh. Forget it then. One of the other things we're looking at. I'm sorry about that.

COMMISSIONER BLATTNER: Come on. I can't -- I can't wait to hear the rest of that.

CHAIR STERMER: We've done -- listen, in the variety of things we've looked at, one of them was if there was a dollar a square foot charge, the \$17,000,000 would have been \$65,000,000. So there is lots of different ways that are being reviewed, including, and I'll put this out there, potential creation of an impact fee for every development. We only see developments of a hundred units or more. We don't see anything that's less than a hundred units. And with everything that's going on, there's going to be less and less Land Use Plans coming forward, so the opportunity to generate dollars through what we do is going to start shrinking.

So the question becomes do we create, after the creation and performance of a rational nexus basis test -- I'm looking at Mr. Grosso's face -- underway already, taking place, the potential creation of an impact fee that every developer would pay. And in some respects, then, everything we deal with affordable housing would come out of the Land Use Plan, because then it wouldn't be a project-by-project issue. It would be every project gets it, and therefore, that wouldn't be an issue before this Council or potentially the County Commission, or before necessarily our cities.

So it's -- we are trying to be forward-thinking about how to create this generation of dollars, understanding the legal requirements of it. And this would include commercial as well as residential, so we want everybody to participate, so people understand the cities, because some people believe, maybe some in the media, that this issue is a city-created issue, and it is not. And, Commissioner, I think you know well that certain cities have robust programs that dollars from projects stay locally and get reinvested locally. Other cities, like mine, receive dollars and partner with the County, and our dollars are forwarded to the County for their use by residents by us first.

And all of those things are reported, so everybody does know that if there's a

commitment in dollars pledged, where it is. It might not be out in the public every day, but there is a relationship between the County, the Planning Council, and the cities with regard to commitments made on a loop (phonetic) of things that we know what's going on with that. Anybody have anything else? With that, we'll see everybody next month.

COMMISSIONER UDINE: I brought that up at the meeting --

CHAIR STERMER: I know that.

COMMISSIONER UDINE: -- just so you know.

CHAIR STERMER: Thank you.

COMMISSIONER UDINE: So when you watch the meeting, especially pay attention to that specific part.

(Laughter.)

CHAIR STERMER: Thank you, everybody.

(The meeting concluded at 10:41 a.m.)