

City of Fort Lauderdale

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Meeting Minutes

Tuesday, November 7, 2024

1:30 PM

**Broward Center for the Performing Arts - Mary N. Porter Riverview
Ballroom - 201 SW 5th Avenue, Fort Lauderdale, Florida 33312**

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

STEVEN GLASSMAN Vice Mayor - Commissioner - District II

JOHN C. HERBST Commissioner - District I

PAM BEASLEY-PITTMAN Commissioner - District III

WARREN STURMAN Commissioner - District IV

SUSAN GRANT, Acting City Manager

DAVID R. SOLOMAN, City Clerk

D'WAYNE SPENCE, Deputy City Attorney

PATRICK REILLY, City Auditor

CALL TO ORDER

Mayor Trantalis called the meeting to order at 1:43 p.m.

COMMISSION QUORUM ESTABLISHED

Commission Members Present: Commissioner John C. Herbst, Vice Mayor Steven Glassman, Commissioner Pamela Beasley-Pittman, Commissioner Warren Sturman, and Mayor Dean J. Trantalis

Also Present: Acting City Manager Susan Grant, City Clerk David R. Soloman, Deputy City Attorney D'Wayne M. Spence, and City Auditor Patrick Reilly

COMMUNICATIONS TO THE CITY COMMISSION

[24-1032](#)

Communications to the City Commission - (Commission Districts 1, 2, 3 and 4)

***Fire Rescue Advisory Committee (FRAC)
September 9, 2024***

A copy of the FRAC Communication to the Commission is part of the backup to this Agenda item.

Mayor Trantalis recognized William Brown, 112 N. Birch Road, and FRAC Chair. Mr. Brown explained the FRAC Communication. He confirmed that the Fire-Rescue Department conforms with Broward County Code. Mr. Brown confirmed the FRAC's request for a two (2) year extension. Further comment and discussion ensued.

In response to Commissioner Beasley-Pittman's question, Mr. Brown explained why the FRAC requested a two (2) year extension. He noted the board's involvement with the Fire-Rescue Department's recertification process and expounded on related information. Commissioner Beasley-Pittman confirmed her support of a two (2) year extension of the FRAC. Further comment and discussion ensued.

Vice Mayor Glassman remarked on the need for the FRAC to have a strategic plan. In response to Vice Mayor Glassman's question, Mr. Brown discussed the FRAC's plans and efforts supporting the Fire-Rescue Department. Vice Mayor Glassman confirmed his support of a two (2) year extension for the FRAC. Further comment and discussion ensued.

Homeless Advisory Committee (HAC)

October 17, 2024

A copy of the HAC Communication to the Commission is part of the backup to this Agenda item.

Mayor Trantalis recognized Paula Yukna, 2701 N. Atlantic Boulevard, HAC Chair. Ms. Yukna explained the HAC Communication.

Mayor Trantalis commented on the Commission's position to not criminalize homelessness. He remarked on the City's coordination with Broward County to adhere to the State mandate and expounded on his perspective and related information.

Commissioner Sturman acknowledged the HAC for its efforts to address homelessness. Further comment and discussion ensued regarding the need for Commission appointees to the HAC.

NEIGHBOR PRESENTATIONS

NP-1 [24-0930](#)

Dennis Ulmer - Remembering and Honoring Our Veterans

Mayor Trantalis recognized Dennis Ulmer, 1007 NW 11th Place. Mr. Ulmer gave a Neighbor Presentation entitled *Remembering and Honoring Our Veterans*.

Mayor Trantalis invited the community to the November 11, 2024, Veterans Day Ceremony on the Riverwalk at the Sandy Nininger Statue at 11:00 a.m. hosted by the American Legion.

NP-2 [24-1040](#)

Michael Ray - Lead Analysis at FXE Airport and Adjacent Neighborhoods

Mayor Trantalis recognized Michael Ray, 6130 NW 33 Terrace. Mr. Ray gave a Neighbor Presentation entitled *Lead Analysis at FXE Airport and Adjacent Neighborhoods*.

A copy of the presentation has been made part of the backup to this Agenda item.

Mayor Trantalis remarked on his understanding of Staff efforts related to this topic. Mr. Ray discussed residents' requests for quarterly status reports on Lead Analysis Reports (Reports) and concerns regarding related access agreements. Further comment and discussion ensued. Acting City Manager Susan Grant confirmed those quarterly Reports

are available on the City's website. Further comment and discussion ensued.

Mayor Trantalis recognized Rufus James, Fort Lauderdale Executive Airport (FXE) Director. Mr. James provided an overview of Staff efforts, which included contacting area homeowners associations, working with the consultant, and preparation of a proposed access agreement.

Commissioner Herbst commented on the input of area homeowners associations related to property access.

In response to Commissioner Herbst's questions, Deputy City Attorney D'Wayne Spence discussed the importance of obtaining authorization to test properties. Further comment and discussion ensued.

Commissioner Herbst remarked on his recollection of other environmental litigation involving the City and cost. He said that an access agreement should not be a precondition to environmental testing, recommended that Staff develop a less onerous access agreement, and work with neighbors to find a path forward. Further comment and discussion ensued.

Commissioner Herbst expounded on his perspective regarding soil testing in the areas around FXE and cited examples. Commissioner Herbst urged Staff to expedite the process and move forward.

In response to Commissioner Beasley-Pittman's question regarding including Redeeming Word in soil testing efforts, Mr. James confirmed Staff will follow up.

NP-3 [24-1090](#)

Suzanne Jacob - FXE Airport Runway 9-27

Mayor Trantalis recognized Suzanne Jacob, 3220 NW 62nd Street, Lofts at Palm Aire Village Homeowner's Association Vice President. Ms. Jacob gave a Neighbor Presentation entitled *FXE Airport Runway 9-27*.

Ms. Jacob explained her background and qualifications related to Fort Lauderdale Executive Airport (FXE) runway expansion, the need to start planning for noise issues and non-standard operations, and neighborhood petitions to reduce the noise impact. Ms. Jacob discussed recommended solutions.

Commissioner Herbst remarked on his viewpoint regarding FXE and noted emails from concerned residents. He discussed the need for

inclusive workshops involving residents from all impacted neighborhoods. Further comment and discussion ensued.

Mayor Trantalis commented on his understanding of Ms. Jacob's concerns. In response to Mayor Trantalis' question, Ms. Jacob explained the opportunity to standardize flight patterns, mitigate noise, and discussed related information.

Mayor Trantalis recognized Rufus James, FXE Director. Mr. James discussed FXE aircraft operations and noise mitigation improvements from new aircraft technology and explained related information. Further comment and discussion ensued. In response to Mayor Trantalis' question, Mr. James confirmed that aircraft attrition will eventually mitigate neighbor concerns.

In response to Commissioner Sturman's question, Mr. James explained aircraft operations refer to takeoff and landing, which average three hundred (300) to seven hundred (700) per day depending on the time of year. Mr. James expounded on related information, and commented on comparisons to other area municipal regional airports. Further comment and discussion ensued.

CONFERENCE REPORTS

CF-1 [24-0984](#)

Discussion on Applications for Utility Services, Owner vs. Tenants - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Linda Short, Finance Department Director. Ms. Short narrated a presentation entitled *Outstanding Utility Billing Accounts Receivable Discussion*.

A copy of the presentation is part of the backup to this Agenda item.

In response to Mayor Trantalis' question, Ms. Short explained that per State Statute, neither the landlord nor a new tenant are responsible for a previous tenant's delinquent utility service bill. City policy allows refunds of utility service deposits following one year of on-time payments.

In response to Mayor Trantalis' question, Ms. Short explained Staff's recommendation that property owners open utility bill accounts for their rental units, which may require them to incorporate utility bills into a tenant's lease.

In response to Mayor Trantalis' question, Ms. Short said water and

sewer utility service accounts receivable (accounts) are approximately \$22,000,000 as of September 30, 2024, and explained related details and history. In response to Commissioner Sturman's questions, Ms. Short said approximately \$5,900,000 of those accounts relate to inactive tenant accounts and explained information included in the presentation. Further comment and discussion ensued.

In response to Mayor Trantalis' question, Ms. Short noted the ability to place a lien on a property that has outstanding tenant utility service bills.

In response to Mayor Trantalis' question, Deputy City Attorney D'Wayne Spence remarked on the ability to foreclose on properties with delinquent accounts. Further comment and discussion ensued.

In response to Commissioner Sturman's question, Ms. Short explained the annual averages of delinquent bills since 2020. Further comment and discussion ensued regarding responsibilities of owners and tenants. Deputy City Attorney Spence explained the property owner's responsibility for payment of utility bill accounts.

In response to Mayor Trantalis' question, Deputy City Attorney Spence noted under State Statute, the ability of the City to foreclose on properties with delinquent owner accounts, and explained the need for the property owner to have directly benefited from the utility service provided to a tenant. Further comment and discussion ensued regarding pursuing foreclosure actions, related costs, and issues that could arise in multi-tenant buildings.

In response to Commissioner Sturman's question, Ms. Short confirmed that a tenant could pay a delinquent property owner's account. Further comment and discussion ensued. Deputy City Attorney Spence commented on a tenant deducting account payments from the rent.

Vice Mayor Glassman recommended the Commission move forward with Staff's recommendation that only the property owner can open a utility service account with the City. In response to Mayor Trantalis' question, Ms. Short confirmed that City utility accounts only encompass water and sewer services, not electrical services.

Mayor Trantalis confirmed the Commission's direction to Staff to move forward with their recommendation.

CF-2 [24-1056](#)

Fort Lauderdale Executive Airport Runway 9-27 Extension Project
Public Information Workshop Update - (Commission District 1)

Mayor Trantalis recognized Rufus James, FXE Director. Mr. James introduced Cody Parham, HDR, FXE Consultant on this project. Mr. Parham explained details and information included in the backup to this agenda item. Mr. Parham narrated a presentation entitled, *FXE FORT LAUDERDALE ~ EXECUTIVE AIRPORT Runway 9-27 Extension Project (Project) - EA Process Schedule*.

A copy of the presentation is part of the backup to this agenda item.

In response to Commissioner Sturman's question regarding the Project's distance from the Prospect Lake Water Treatment Plant, Mr. Parham remarked that it was approximately 2,000' to 3,000' feet and said that the Project's impact on surrounding properties will be studied.

In response to Commissioner Herbst's questions regarding the Project's impact and future use by larger aircraft, Mr. Parham explained the Study has not progressed far enough to weigh in on the fleet that will be using the new facility. Justification Statements accepted by the FAA indicates that the existing fleet is not changing. Mr. James explained the Project's positive impact.

In response to Mayor Trantalis' questions, Mr. James explained how the Project would enhance efficiency for the existing FXE fleet and remarked on new and enhanced aircraft technologies. Further comment and discussion ensued.

Mayor Trantalis recognized Marshal Myles, 1525 NW 56th Street, on behalf of FXE Executive Jet Center. Mr. Myles spoke in support of the Project.

Mayor Trantalis recognized Jon Tonko, 5360 NW 20th Street, on behalf of Banyan Air Service. Mr. Tonko spoke in support of the Project.

Mayor Trantalis recognized Donna Mergenhagen, 3034½ NW 69th Court. Ms. Mergenhagen discussed her viewpoint regarding this Agenda item, the impact of air traffic on her neighborhood, and recommended a resident from the impacted community be a member of the Aviation Advisory Board.

Mayor Trantalis recognized Suzanne Jacob, 3220 NW 62nd Street, Lofts of Palm Aire Village Association Vice President. Ms. Jacob pointed out noise related concerns associated with the Project and recommended including noise mitigation components such as an

earthen berm into the Project.

In response to Commissioner Herbst's question, Mr. James confirmed that an earthen berm would be considered as part of the Environmental Assessment Study (Study). Commissioner Herbst discussed his recommendation to proactively include an earthen berm in the Project. Mr. James confirmed it would be included in the Study.

CF-3 [24-1067](#)

City Homeless Initiatives Update - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Chris Cooper, Acting Assistant City Manager. Mr. Cooper provided an update on the status of service requests submitted to the City related to homelessness. He narrated a presentation regarding homelessness efforts.

A copy of the presentation has been made part of the backup to this Agenda item.

In response to Mayor Trantalis' question regarding costs per individual pallet unit, Mr. Cooper noted \$20,000 plus additional costs for communal facilities. Further comment and discussion ensued.

Mayor Trantalis discussed concerns related to the cost. Mr. Cooper remarked on Broward County and the United Way funding and said that the United Way will present a funding proposal and would share with the Commission when received. Mayor Trantalis discussed his perspective regarding operational costs and commented that Broward County and the United Way should participate.

In response to Mayor Trantalis' question regarding the timeline for funding, Mr. Cooper explained Staff efforts to identify funding sources, discussed funding alternatives, and cited examples.

In response to Mayor Trantalis' question regarding homeless individuals who refuse services, Mr. Cooper explained the need to provide additional shelter beds and discussed related information. Mayor Trantalis remarked on the number of service requests versus available resources and discussed his perspective.

In response to Mayor Trantalis' question, Mr. Cooper said the United Way anticipates providing firm details regarding the timeline for the homeless pallet shelters in ninety (90) days. Mr. Cooper expounded on Staff efforts to comply with Florida House Bill 1365 (HB 1365).

Commissioner Sturman remarked on the limited resources of pallet homes and inquired about a similar concept with container homes. Mr.

Cooper explained pallet homes would indicate if those concepts work. Further comment and discussion ensued regarding occupancy in pallet homes and the ability to include pets.

In response to Commissioner Beasley-Pittman's question, Mr. Cooper remarked on the United Way's plan for transitional living arrangements ranging from six (6) months to two (2) years and then on to permanent supportive housing and cited examples.

Vice Mayor Glassman remarked on the need to increase resident awareness of the City's efforts to address homelessness with consistent neighbor communication on this topic.

In response to Vice Mayor Glassman's question regarding meeting the requirements of HB 1365 by January 1, 2025, Mr. Cooper confirmed that Staff is working to meet those requirements and is refining efforts to improve responsiveness to meet community expectations. Mr. Cooper expounded on related information and cited examples.

Vice Mayor Glassman suggested that *The Current*, Strategic Communications Division's publication mailed to residents, include the City's homelessness efforts and cited examples. Mr. Cooper concurred.

In response to Mayor Trantalis' question, Vice Mayor Glassman explained Flagler Village Civic Association's (FVCA) feedback regarding the City purchasing a building in Flagler Village for Community Court and Homeless Services (Community Court), which indicated their amenability to this location as a temporary solution. Vice Mayor Glassman noted additional feedback, including the need to clean up the area, address safety concerns, and cited examples. Vice Mayor Glassman expounded on his viewpoint and confirmed his impression that area neighbors would like additional information and discussion on related plans.

Mayor Trantalis remarked on his perspective regarding using the property as a temporary site for the Community Court and making the property aesthetically pleasing. In response to Mayor Trantalis' questions, Acting City Manager Susan Grant commented on the ability to address neighbor concerns. She remarked on the ability to sell the building at a later date and expounded on related information. Vice Mayor Glassman expounded on the perspectives of developers in the area and his viewpoint. Further comment and discussion ensued.

Commissioner Beasley-Pittman discussed her viewpoint regarding using Northwest-Progresso-Flagler Heights Community

Redevelopment Agency (NWPFH CRA) funds to purchase the property. Acting City Manager Grant explained details of funding efforts under review. Commissioner Beasley-Pittman said she did not object to buying the building, clarified her position regarding the use of NWPFH CRA funds, and finding another funding source.

Vice Mayor Glassman noted that this building is in the NWPFH CRA and remarked that typically, NWPFH CRA funds would be used. Further comment and discussion ensued.

Commissioner Herbst remarked on the need to be mindful of Community Court's impact on future development plans in the area.

Mayor Trantalis recognized Ted Inserra, 901 SW 19th Street. Mr. Inserra discussed his viewpoint regarding the need to improve the City's approach to homelessness and cited examples.

Mayor Trantalis recognized Donna Mergenhagen, 3034 1/2 NW 69th Court. Ms. Mergenhagen discussed her viewpoint and recommendations to address homelessness.

Mayor Trantalis recognized Noah Bachou, 11 N. Andrews Avenue. Mr. Bachou discussed his perspective regarding addressing the needs of people experiencing homelessness and remarked on increased costs should the City purchase the property.

In response to Vice Mayor Glassman's questions, Mr. Bachou discussed his perspective regarding why the property has been on the market and remains unsold, noting the reasons it is not attractive for development. Further comment and discussion ensued.

Mr. Cooper explained details regarding the City's updated lease agreement for Community Court that expands current usage.

Vice Mayor Glassman noted the need for additional Commission discussion regarding purchasing the property.

OLD/NEW BUSINESS

BUS-1 [24-0360](#)

Amendments to Chapter 17 - Noise Control Ordinance -
(Commission Districts 1, 2, 3 and 4)

Two or more members of the City of Fort Lauderdale Noise Control Advisory Committee may participate in the discussion of this item.

Mayor Trantalis noted that two (2) or more members of the Noise

Control Advisory Committee can participate in this Agenda item discussion.

Mayor Trantalis recognized Alfred Battle, Development Services Department Acting Director. Mr. Battle introduced this Agenda item.

Mayor Trantalis recognized Katrina Johnson, Development Services Department Code Compliance Manager. Ms. Johnson narrated a presentation entitled *Noise Control Advisory Committee Ordinance Amendment Recommendations* (Ordinance).

A copy of the presentation has been made part of the backup to this Agenda item.

In response to Commissioner Beasley-Pittman's question regarding the timeline for Ordinance implementation, Ms. Johnson explained that the timeline is based on the Commission's recommendation to provide a period of time for businesses to become acclimated to the Ordinance.

Commissioner Herbst recommended a ninety (90) day timeline rather than a six (6) month timeline. Commissioner Sturman agreed and expounded on his viewpoint.

Mayor Trantalis remarked on excessive noise hot spots. In response to Mayor Trantalis' question, Ms. Johnson explained Ordinance amendments that include mechanisms to address sound level limits and proactive noise readings. Further comment and discussion ensued.

Vice Mayor Glassman agreed on the need to shorten the timeline and expounded on his viewpoint.

Mayor Trantalis recognized Eugenia Ellis, 429 SE 13th Street, Noise Control Advisory Committee (NCAC) Chair. Ms. Ellis discussed Staff efforts to develop the Ordinance, remarked on what the Committee learned during the process, and the Committee's recommendation for the Commission to move forward with adoption of this Ordinance.

Mayor Trantalis recognized Jeffrey Chircus, 333 Las Olas Way, Las Olas River House Condominium President. Mr. Chircus discussed concerns regarding the Committee's composition and explained his viewpoint.

In response to Commissioner Sturman's question, Mr. Battle commented on the number of non-business owner residents on the

Committee.

Mayor Trantalis recognized Stan Eichelbaum, 411 N. New River Drive. Mr. Eichelbaum concurred with Mr. Chircus' comments, remarked on concerns regarding impartial Committee appointees, discussed his viewpoint regarding the Ordinance, and cited examples. Further comment and discussion ensued.

Commissioner Sturman remarked on efforts to address noise abatement, which included a District 4 Townhall Meeting. In response to Commissioner Sturman's questions, Mr. Eichelbaum explained additional concerns and cited examples. Further comment and discussion ensued.

Mayor Trantalis recognized Dev Motwani, 2415 Delmar Place, NCAC Member. Mr. Motwani discussed his involvement as a member of the NCAC, expounded on efforts to develop the Ordinance, and cited examples.

In response to Commissioner Sturman's question, Mr. Battle said that anyone making a noise complaint could not remain anonymous and must provide their name. Commissioner Sturman noted that is a concern and remarked on the merits of proactive efforts to address noise.

Mayor Trantalis recognized William Brown, 112 N. Birch Road and Central Beach Alliance (CBA) President and NCAC Vice Chair. Mr. Brown noted that most residential noise complaints emanate from short-term rental properties. He discussed NCAC's efforts and challenges to find proactive solutions.

Mr. Battle explained that Staff will present the Ordinance to the Commission for adoption at the next Commission Meeting, incorporating the Commission's feedback.

In response to Mayor Trantalis' question, Mr. Battle confirmed the Ordinance does not address vehicle noise. Further comment and discussion ensued.

Commissioner Herbst noted noise concerns in District 1 related to high base-level noise decibels and acknowledged efforts to address that in the Ordinance.

Commissioner Sturman discussed similar excessive noise from a business on State Road 84 impacting the Edgewood Neighborhood. Mr. Battle confirmed that Staff is aware of that business and will

monitor and address. Further comment and discussion ensued. Commissioner Sturman requested a second District 4 Townhall Meeting.

Commissioner Beasley-Pittman remarked on an excessive noise issue in District 3 located at NW 19th Street and NW 31st Avenue. Mr. Battle confirmed.

Mayor Trantalis recessed the meeting at 4:43 p.m.

Mayor Trantalis reconvened the meeting at 9:22 p.m.

BUS-2 [24-1073](#)

City Attorney Recruitment - (Commission Districts 1, 2, 3, and 4)

Discussed during Regular Meeting Agenda item R-3.

CITY COMMISSION REPORTS

Members of the Commission announced recent and upcoming events.

CITY MANAGER REPORTS

MGR-1 [24-1080](#)

City Commission Follow up Action Items - (Commission Districts 1, 2, 3 and 4)

None.

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 9:33 p.m.