



CITY OF FORT LAUDERDALE

Approved.
MEETING MINUTES
CITY OF FORT LAUDERDALE
AFFORDABLE HOUSING ADVISORY COMMITTEE
914 SISTRUNK BOULEVARD, SUITE 100
2ND FLOOR CONFERENCE
FORT LAUDERDALE, FLORIDA 33311
MONDAY, MAY 13, 2024 – 9:00 A.M.

Cumulative

| Committee Members | 2024 Attendance | Present | Absent |
|---|------------------------|----------------|---------------|
| Margi Nothard, Chair | P | 5 | 0 |
| Leann Barber, Vice Chair | P | 5 | 0 |
| Commissioner Dr. Pamela Beasley-Pittman (arr. 9:03) | P | 3 | 2 |
| Pablo Calvo (via Zoom) | P | 5 | 0 |
| William Condon | P | 3 | 2 |
| Mindy Figueroa | P | 3 | 0 |
| Willie McKay | A | 4 | 1 |
| Sister Robin Merrill (dep. 9:58) | P | 3 | 2 |
| Roderick Newkirk (arr. 9:38) | P | 4 | 1 |
| Susan Spragg (arr. 9:03) | P | 5 | 0 |

Staff

Avis Wilkinson, Housing Programs Administrator / Staff Liaison
Rachel Williams, Housing Manager
Akilah Grant, Senior Financial Administrator
Angela Walsh, Administrative Assistant, Housing and Community Development
K. Cruitt, Recording Secretary, Prototype, Inc.

Communication to the City Commission

Motion by Sister Merrill, seconded by Vice Chair Barber, this is a communication to the City Commission, motion made by Sister Merrill, seconded by Ms. McKay, to send a communication to the Commission in response to the letter to us from Commissioner Steve Glassman, that I feel his letter has breached into the area of harassment, intimidation, and bullying, not just of Leann Barber but to all of us who received the letter, because he issued a threat to continue exploring options on how to proceed, it wasn't just a complaint forwarded to this Committee. [Original communication states that in a roll call vote, the motion passed 7-1, Chair Nothard dissenting.] In a roll call vote, the **motion** passed 5-4 (Chair Nothard, Mr. Condon, Ms. Figueroa, and Ms. Spragg dissenting).

I. ROLL CALL / DETERMINATION OF A QUORUM

Chair Nothard called the meeting to order at 9:01 a.m. Roll was called and it was noted a quorum was present.

It was noted that a motion would be necessary to allow Mr. Calvo to attend the meeting via Zoom.

Motion made by Sister Merrill, seconded by Vice Chair Barber, for [Mr. Calvo] to be virtual. In a voice vote, the **motion** passed unanimously.

Commissioner Dr. Beasley-Pittman and Ms. Spragg arrived at 9:03 a.m.

II. APPROVAL OF MINUTES – April 8, 2024

Motion made by Sister Merrill, seconded by Commissioner Dr. Beasley-Pittman, for discussion. [The **motion** was approved by consent.]

Ms. Spragg noted a correction to page.3, paragraph 7: change “incidences” to “incidents.”

Motion made by Sister Merrill, seconded by Commissioner Dr. Beasley-Pittman, to approve. In a voice vote, the **motion** passed unanimously.

III. OLD BUSINESS

• Affordable Housing Trust Fund Update

Ms. Wilkinson reported that while the balance of the Affordable Housing Trust Fund remains \$0, funds are anticipated from a payment in lieu. Ms. Williams added that at present, there will be approximately \$9 million in the pipeline if all projects are approved.

• Habitat Update

Ms. Williams advised that the Habitat for Humanity project continues to make progress. The City has sent a funding agreement to Habitat, which is expected to be returned for execution within the next few weeks. Once this is done, and the project has been approved by the Development Review Committee (DRC), it should be ready for groundbreaking by August 2024. She provided a brief overview of this project for the Committee’s newer members, noting that the City Commission has approved \$1.5 million in funding to ensure that the project is affordable.

• Communication to City Commission Discussion

Chair Nothard advised that the Committee members had received a letter from the Deputy City Attorney on this issue, and asked if there was any discussion on that correspondence.

Sister Merrill stated that she would like to revisit the Committee’s communication to the City Commission made at the February 12, 2024 meeting. She added that she felt the Deputy City Attorney’s letter was oppressive and infringed upon the Committee members’

freedom of speech and their rights as a Committee. She concluded that in her opinion, the letter constituted “intimidation and harassment.”

Motion made by Sister Merrill to bring the entire motion back that we voted on back in January or February, whatever it was, and I want it submitted as a communication as is unless anyone wants to make additions to it. [The **motion** died for lack of second.]

Chair Nothard asked if the earlier motion would need to be restated in today’s meeting. Sister Merrill noted that the motion had been voted upon at a previous meeting, and that she believed it never should have been rescinded. She added that at the March 2024 meeting, the motion was pulled, which she described as incorrect, as it had already been voted upon at the previous meeting.

Chair Nothard requested further clarification of the issue, stating that she had understood the motion to have been changed. Vice Chair Barber recalled that Deputy City Attorney D’Wayne Spence had indicated, at the April 2024 meeting, that while the communication to the Commission had not been sent, the minutes would reflect the Committee’s discussion; however, she felt the final February 12, 2024 minutes did not reflect the communication as drafted.

Ms. Wilkinson read the letter to the Committee sent by Deputy City Attorney Spence regarding the discussion from the April 8, 2024 meeting. The Deputy City Attorney’s letter indicated that, upon listening to the audio recording of the February 12, 2024 meeting, he had found the draft communication to accurately reflect the motion approved by the Committee. The letter also reiterated that the communication approved by the Committee at the February meeting was outside the scope of the Committee’s purpose.

Chair Nothard stated that because the minutes were found to have accurately reflected the communication requested by the Committee, and have been approved by the Committee, she did not agree with the assertion that the communications were inaccurate.

Motion made by Sister Merrill, seconded by Vice Chair Barber, to take the original communication which we voted on to approve minus one person and that we resubmit that as a communication to the Commission.

Mr. Condon asked how the communication would be transmitted to the City Commission. Sister Merrill replied that it would be sent to the Commission as a part of the meeting minutes and would be read out loud at their meeting.

Mr. Condon asked if there was another alternative, as the Deputy City Attorney had indicated the communication is not part of the Committee’s purpose. Sister Merrill stated that the Deputy City Attorney had said at the April meeting that it is within the Committee’s legal rights to send the communication.

Sister Merrill continued that Vice Mayor Steve Glassman had “overstepped and overreached” into the Committee, and did not have a right to intimidate the Committee members. She added that although the Deputy City Attorney had informed the Committee that Vice Mayor Glassman’s letter did not constitute intimidation, harassment, and bullying, the Deputy City Attorney did not have the right to tell another individual that they should not feel bullied, harassed, or intimidated, and that doing so constituted oppression from the City Attorney’s Office.

Ms. Figueroa requested clarification of the intent of the February communication, noting that she did not perceive it as harassment. Sister Merrill asserted that this was because Ms. Figueroa was not present as a member when the communication was drafted. She added that her intent in re-sending the communication was to have it placed on the public record and read aloud by the Commission.

Ms. Figueroa asked again for the motive behind re-sending the communication. Sister Merrill advised that her intent was to support the Committee’s fundamental right to freedom of speech.

Commissioner Dr. Beasley-Pittman clarified that she has not heard any letters read aloud by the Commission at Conference Agenda meetings, although there has been acknowledgement that letters or communications are part of the record.

Sister Merrill clarified that her intent was to re-send not only the first but the second motion which was sent as a communication from the February meeting. She also stated that the Committee had previously requested the communications be attached to the meeting minutes as a separate attachment, so it would appear both in the meeting minutes and as a separate document.

Chair Nothard emphasized the need for greater clarity on what the motion would be.

Ms. Spragg stated that she had not been able to hear the full audio recording of the February 2024 Committee meeting. She advised that while she had believed the communication to include significantly greater detail, there was no indication that a separate letter would be drafted.

Ms. Spragg continued that she felt re-sending the Committee’s communication addressing the Vice Mayor’s treatment of the Vice Chair would not be useful, nor was it within the Committee’s scope. She was, however, in favor of making sure that the communication endorsing Vice Chair Barber in her role as Vice Chair would be sent to the Commission.

Ms. Williams stated that when a Committee sends a communication to the City Commission, they are reflected in that month’s minutes under the heading “Communication to the City Commission.” Staff is not able to prepare a letter on behalf of the advisory body: a Committee member would have to prepare a letter him- or herself.

Ms. Spragg pointed out that communications from City advisory bodies are sent to the Commission on a regular basis. Ms. Williams confirmed this, but emphasized that if a Committee member wishes to prepare anything in the form of a letter, they would have to draft the letter separately and send it to Staff for attachment to the minutes.

Mr. Calvo asked if there is an administrative rule which prohibits City Staff from writing “something disparaging about the elected City officials.” Ms. Williams clarified that this was not accurate, and stated again that communications to the Commission must come directly from the board or committee, as they are not within the scope of Staff’s responsibilities. This is the case regardless of the communication’s content.

Ms. Williams continued that if the Committee wishes to include more detail than what is noted in the minutes, it is the Committee’s responsibility to draft that communication and provide it to Staff.

Sister Merrill **restated** her **motion** as follows: this is a communication to the City Commission, motion made by Sister Merrill, seconded by Ms. McKay, to send a communication to the Commission in response to the letter to us from Commissioner Steve Glassman, that I feel his letter has breached into the area of harassment, intimidation, and bullying, not just of Leann Barber but to all of us who received the letter, because he issued a threat to continue exploring options on how to proceed, it wasn’t just a complaint forwarded to this Committee. [Original communication states that in a roll call vote, the motion passed 7-1, Chair Nothard dissenting.]

The **motion** was previously seconded by Vice Chair Barber.

Mr. Newkirk arrived at 9:38 a.m. Ms. Williams briefly reviewed the discussion of the **motion**.

In a roll call vote, the **motion** passed 5-4 (Chair Nothard, Mr. Condon, Ms. Figueroa, and Ms. Spragg dissenting).

- **Preparation for the completion of the 2024 Affordable Housing Incentive Plan**

Ms. Wilkinson explained that the Affordable Housing Incentive Plan includes 11 strategies which are tactics that can be used to preserve and increase affordable housing; however, if the Committee has additional ideas, they may also include those in the Plan.

Each Committee member has been provided with both an electronic and a hard copy of the Affordable Housing Incentive Plan. Ms. Wilkinson advised that the Committee is asked to look at the incentive strategies the City has already put into place and determine if and how those strategies can be improved. A letter from the Department of Sustainable Development (DSD) was provided as well to show where the City stands with regard to adoption of these strategies.

Ms. Wilkinson recalled that in 2023, the Committee had discussed how accessory dwelling units (ADUs) might be used as an alternative means of affordable housing. The Committee will need to develop a plan for how this might be done.

Each Committee member will be assigned one of the 11 incentive strategies. If the City has taken no action on a particular incentive, this can serve as an opportunity for the members to suggest how that incentive might be implemented. The intent is to continually improve what the City is doing in support of affordable housing. All municipalities which receive at least \$350,000 per year from the state of Florida in Strategic Housing Initiative Partnership (SHIP) funds are required to submit an Affordable Housing Incentive Plan each year.

Ms. Wilkinson encouraged the Committee members to review their manuals closely, followed by additional research into the individual strategy they are assigned.

Chair Nothard advised that the process of preparing the Affordable Housing Incentive Plan lasts from May through July, with the draft Plan to be completed in August. This is followed by a public hearing and Commission approval in September. Once approved by the Commission, the Plan is typically submitted to the Florida Housing Finance Corporation in October, ahead of its formal deadline in December.

Chair Nothard recalled that in the past, the Committee has requested that their presentation of the Plan to the City Commission be a more interactive process.

Ms. Wilkinson noted that the three-year Local Housing Assistance Plan (LHAP) includes all the strategies created for the City's use of SHIP funds. The Committee will review the draft document, which will be due in May 2025. She estimated that the document should be submitted to the City Commission for approval by March 2025. Copies of the current LHAP will be sent to the new Committee members.

Ms. Wilkinson continued that the current LHAP will also include an attachment reflecting foreclosure strategies, which will be used to help the City spend all of its allocated funds from 2021-2022. The next LHAP will be 2024-2025.

Sister Merrill advised that she will resign from the Committee due to work and would not be able to select one of the incentives.

It was noted that Mr. Calvo will also resign from the Committee in the future, but will postpone his resignation for 30 days in order to research the topic he is given.

Sister Merrill left the meeting at 9:58 a.m.

IV. NEW BUSINESS

- **Lottery for assignment of the 11 Affordable Housing Incentive Strategies**

The Committee members were assigned the following incentives via lottery:

- Ms. Spragg: Incentive #10
- Mr. Condon: Incentive #7
- Commissioner Dr. Beasley-Pittman: Incentive #6
- Ms. Figueroa: Incentive #11
- Mr. Newkirk: Incentive #9
- Vice Chair Barber: Incentive #5
- Mr. Calvo: Incentive #8

Ms. Wilkinson stated that new Committee members will be seated in the future and will be assigned incentives as well.

Ms. Figueroa requested additional information on how to proceed regarding the assigned incentives. Chair Nothard explained that each Committee member is tasked with researching their assigned incentive and presenting information on that incentive to the Committee.

Ms. Spragg asked if the members may reach out to other City Departments for more information. Ms. Wilkinson recommended that the members who wish to do this contact Staff, who will contact the appropriate individual or Department on their behalf. She also encouraged the members to look at what other municipalities are doing with regard to the incentive strategies.

Ms. Spragg also asked when the members will look at the recommendations from 2023 to determine what has or has not been enacted. Ms. Wilkinson replied that Staff will ask this question and inform the Committee members of the response.

- **Election of New Officers for 2024**

Ms. Wilkinson advised that once she has received letters of resignation from the Committee members who are leaving, new members will be seated. Ms. Spragg recommended that the Committee elect a Chair and Vice Chair from among the current members, as they will have greater experience and continuity of knowledge.

Mr. Newkirk suggested Commissioner Dr. Beasley-Pittman serve as Chair. Commissioner Dr. Beasley-Pittman declined the nomination, explaining that her role with the Committee includes the responsibilities of ensuring that the Committee can meet with the Commission when requested, as well as to contribute input to the Committee's conversations.

Ms. Spragg nominated Leann Barber for the position of Chair. The Committee elected Ms. Barber as Chair by consensus.

Ms. Figueroa nominated Susan Spragg for the position of Vice Chair.

Mr. Newkirk stated that he was also interested in the position of Vice Chair.

Both candidates for Vice Chair briefly addressed the Committee regarding their experience and qualifications.

In a secret ballot, Ms. Spragg was elected Vice Chair by a 6-2 vote.

- **Lottery for AHAC members to attend the FHFC Annual Conference August 26-August 28, 2024 in Orlando, Florida.**

Chair Nothard explained that the City can send two Committee members to the upcoming Florida Housing Finance Corporation Annual Conference, which is scheduled for August 26-28, 2024, in Tallahassee. If more than two members are interested in attending the conference, they will be selected by lottery.

Ms. Spragg gave a brief overview of the 2023 conference, which included keynote speakers, breakout sessions, exhibits, and other topics of interest. Ms. Wilkinson added that the City will provide the two members with hotel rooms, travel expenses, and food expenses.

Mr. Newkirk and Ms. Figueroa expressed interest in attending the upcoming conference.

V. GOOD OF THE ORDER

Chair Nothard requested that members of the public present at today's meeting introduce themselves. Caroline Cozzi, Felicia S. Newkirk, and Eugene Greene introduced themselves at this time.

Ms. Wilkinson thanked Chair Nothard for her work as Chair and her years of service to the Committee. Chair Nothard thanked Staff for their work as well.

Ms. Wilkinson informed the Committee that the City Commission's priorities for 2024 include the following:

- Economic development
- Housing accessibility
- Infrastructure and resilience
- Public places
- Public safety
- Transportation and traffic

Ms. Spragg recommended the book *Escaping the Housing Trap* to the other Committee members, and advised that she would provide more information at the next meeting.

Ms. Spragg also requested an update on the Affordable Housing Trust Fund policy recommendation. Ms. Wilkinson replied that she will bring this update before the Committee when it is ready.

Ms. Spragg also recalled that at the April meeting, there had been a reference to an upcoming presentation on ADUs by the Department of Sustainable Development. Ms. Williams explained that no one from that Department was available for a presentation on today's date; however, they hoped that a Staff member will be available next month.

Ms. Spragg noted that the City Commission is considering extending the City's Northwest Community Redevelopment Agency (CRA) rather than allowing it to sunset, and asked how this decision might affect the Committee. Ms. Williams replied that she did not believe this would have an impact on the Committee, pointing out that current streams of funding for the Affordable Housing Trust Fund are not tied to CRA funds in any way. While the Committee had discussed submitting a recommendation that would allow 15% of CRA tax increment financing (TIF) funds to be placed in the Trust Fund if the CRA sunsets, this had not been transmitted as a formal recommendation.

Commissioner Dr. Beasley-Pittman stated that the City Commission and Budget Advisory Board are currently working to prepare the City's next budget. At the most recent Commission meeting, she had pointed out that funding is needed from the City to assist with affordable housing. She asked for talking points from the Committee members which they would like to see addressed.

Ms. Spragg requested a timeline by which the Commissioner would need the talking points. Commissioner Dr. Beasley-Pittman replied that the Commission is reviewing the budget at present and will discuss it further at their last meeting in June.

Ms. Williams suggested the example of developing an Affordable Housing Master Plan for the City, which was discussed by the Committee at a previous meeting. Chair Nothard requested that other recommendations be brought by the Committee members to their June 10, 2024 meeting.

Mr. Newkirk requested clarification of how CRA funding is used. Ms. Williams replied that the legislation creating each CRA specifies its purpose and intent and establishes what they can and cannot do. A portion of the revenues from each CRA goes back into the community for development purposes. Ms. Wilkinson concluded that a representative of the CRA can address the Committee at a future meeting.

VI. NEXT SCHEDULED MEETING DATE – June 10, 2024

VII. ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 10:46 a.m.

Affordable Housing Advisory Committee

May 13, 2024

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Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]