

APPROVED
SHORT TERM RESIDENTIAL USE COMMITTEE
THURSDAY, APRIL 28, 2011, 3:30-5:15 P.M.
CITY HALL, 100 NORTH ANDREWS AVENUE
CITY COMMISSION CHAMBERS, 1ST FLOOR
FORT LAUDERDALE, FL

**CUMULATIVE
MEMBER**

		MAR 2011 / FEB 2012	
		Present	Absent
Marilyn Mammano, Chair	P	2	0
H. Collins Forman, Jr., Vice Chair	P	2	0
Genia Ellis	P	2	0
Larry Isakowitz	A	0	2
Dwight Ledbetter	P	2	0
Ronald Mastriana	P	2	0
Lula Myers	P	2	0
D.J. Parker	P	2	0
Annette Ross	P	1	1
Peter Witschen (arr. 3:49)	P	2	0

At this time there are 10 appointed members to the Board, which means 6 would constitute a quorum.

Staff

Adrienne Ehle, Liaison, Planner III, Planning and Zoning Department
D'Wayne Spence, Assistant City Attorney
Cheryl Felder, Service Clerk, Planning and Zoning Department
Barbara Hartmann, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. Call to Order

Chair Mammano called the meeting to order at 3:35 p.m.

II. Roll Call

Roll was called and it was noted a quorum was present. Ms. Ehle introduced the City Staff members present.

III. Approval of March 24, 2011 Minutes

Vice Chair Forman noted a correction to p.14.

Chair Mammano referred to the discussion regarding the sending of a communication to the City Commission in order to bring a member of the Broward County Appraiser's Office to an upcoming meeting. She did not feel the minutes accurately reflected the Committee's desire to have this presentation made, and stated if this was still the Committee's wish, perhaps an official communication should be sent to the City Commission.

Vice Chair Forman asked if a motion would be required to send a communication to the City Commission. Ms. Ehle said the Committee could make such a motion at today's meeting, and the communication would be reflected in the minutes of this meeting and would be sent to the City Commission.

Mr. Mastriana advised he was under the impression that individual Committee members would reach out to their contacts at the Appraiser's Office. Ms. Ehle stated this had been her understanding as well. Chair Mammano said if this was the general consensus of the Committee, she would withdraw her concern regarding the March 24 minutes.

Motion made by Ms. Myers, seconded by Vice Chair Forman, to approve the minutes of the March 24, 2011 meeting. In a voice vote, the **motion** passed unanimously.

IV. New Business

a. Election of Chair

Ms. Ehle advised that this Item should be omitted.

b. Liaison Update

Ms. Ehle said she had received two rounds of input from the members, and wanted to ensure that these had been included in their packets. She had sent comments to the members on April 8 and again on April 15. She continued that Ms. Ellis had forwarded an article which was sent to the Committee members along with the March 24 minutes.

Ms. Ehle continued that she had also brought the index of the items in the public information file to today's meeting. This file includes all information exchanged among the members and her office since the inception of the Committee, as well as information from City Commissioners, Staff, and members of the public. She explained that the file index is a draft in progress, and recalled that it had been requested by the Committee at the March meeting.

c. Chair / Vice Chair Update

Chair Mammano stated she had reached out to the Broward County Appraiser's Office, and asked Ms. Ehle to distribute copies of a memo Chair Mammano had prepared about her conversation with that office's Community Outreach department. She read the memo into the record at this time, noting that any property rented in the long or short term is disqualified from homestead exemption. The memo also clarified that appraisers do not take income derived from residential property into account when that property is appraised; in addition, should the City require that these properties provide the appraiser with information about this income, the property would be appraised as "residential properties rented for longer terms." Chair Mammano said it was her opinion that this practice raises policy issues affecting the tourism industry and contributes to the destabilization of residential neighborhoods.

She continued that this practice also provides a windfall for property owners who rent in the short term rather than the long term, and places commercial properties such as hotels and motels at a disadvantage due to the taxes they are required to pay. In addition, should properties be purchased for the purpose of short-term rental, Chair Mammano said higher prices will be paid for them, which drives up the appraised value of all homes in the neighborhood and creates higher taxes for all homeowners in that area. She concluded that she believed the economics of short-term rentals are driving family-oriented residential neighborhoods "into extinction," and that the City Commission should be made aware of these issues.

Mr. Witschen arrived at 3:49 p.m.

Mr. Mastriana said he had spoken to Lori Parrish of the Appraiser's Office, who said she was available to address the next Committee meeting. He had forwarded the appropriate email to Ms. Ehle. Ms. Ehle said she would add this topic as an Agenda Item for May once she has confirmed availability.

Vice Chair Forman said all properties that collect rent, including short-term rentals, are supposed to pay both a 6% sales tax and a 5% tourist tax. He noted that the head of the Convention Visitors' Bureau has commented to the press on this issue, and suggested it could also be instructive to have her answer questions for the Committee at a future meeting.

He also reported that he had received an email from Beth Benkowski, who had previously addressed the Committee. Ms. Benkowski had informed him that she had received a notice of violation for renting her house as a short-term residential property. Vice Chair Forman recalled that many short-term rental owners and/or agents have identified themselves as such at meetings, and were encouraged to provide input on this issue. He said Ms. Benkowski felt the notice was retaliatory, as she has rented the property since 2002 but had never received a notice until

she recently spoke to the Committee. Vice Chair Forman asserted it was extremely inappropriate for anyone to target any individuals who spoke to the Committee for action from Code Enforcement.

He continued that he brought this issue to the Committee's attention in the hope that until this issue is resolved, those individuals who address the Committee should receive "safe harbor," unless they are committing an offense that clearly violates neighborhood peace and tranquility, such as traffic, noise, public intoxication, or other problems. He stated that it is wrong to call in a Code violation on an individual who had sufficient integrity to provide the Committee with her name and address, and this action not be tolerated. He concluded that he felt the Committee should ask the City Commission to create a safe harbor for members of the public who speak on this issue.

Ms. Myers asked if this was an isolated incident, or if this had happened to other individuals. Vice Chair Forman said it was the only such incident of which he was aware. Chair Mammano confirmed that the property in question is shown on the most recent inspection sheet provided to the Committee.

Ms. Ellis advised that Code Enforcement allows individuals to find out who called in an alleged violation as a matter of public record. She strongly suggested that Ms. Benkowski take this action. Vice Chair Forman said Ms. Benkowski had taken this step, and another individual who recently attended a Committee meeting had been identified.

Ms. Ellis said while she did not condone the action, speaking in a public forum assumes some risk, and she was unsure that the Committee could request a safe harbor. She proposed that Ms. Benkowski make an appeal based upon the nature of how the alleged violation was reported.

Ms. Ross asked how soon the alleged violation was reported after Ms. Benkowski addressed the Committee. Ms. Benkowski estimated it was within one week. Chair Mammano said records showed the call was made on March 3.

Ms. Benkowski said she must now file a lawsuit to fight the City, which she felt was a misuse of her money when she has been exemplary in terms of the individuals to whom she rents.

Mr. Witschen said he would be troubled if the Committee asked the City Commission to place a moratorium on similar enforcements, as he felt this would be changing the law that is under discussion by the Committee.

Mr. Ledbetter said the Committee has been trying to "get at the root of" the needs of the City and its residents; if people cannot come forward and speak honestly on this issue, they will not be able to make a fully informed decision.

Chair Mammano said the only way to resolve the issue of short-term rentals was for the City Commission to take a position and make recommendations on how to deal with these rentals. She said the best course of action is to prepare the Committee's recommendations and send them to the City Commission in the hope that the Commission will "take expeditious action" to deal with the issue. She did not feel there was any other action the Committee could take.

d. Discussion

Committee Members' Individual Lists of Recommendations

Chair Mammano asked if the comments submitted by individual Committee members are also available to the public. Ms. Ehle said these documents were included as part the public record, and could be forwarded to any person who requests to see this material.

Mr. Mastriana said he would like to hear Ms. Ehle's input on how to proceed to the next step of their proposed recommendation to the City Commission. Ms. Ehle suggested the Interim Outline could be used as a framework on which members can add any new recommendations. She suggested that the items on which there is consensus could be identified; for the items on which the Committee is divided, they could state the differing opinions, as well as reflecting the differing viewpoints the Committee has heard from the public.

Vice Chair Forman suggested that the Committee try to discuss some of the "core issues" on which they agree, such as a desire to prevent houses from being rented out for third-party weddings or parties, or a restriction requiring rentals to be one week or longer. He said there also seems to be a general frustration that Code Enforcement has not been able to deal with those properties that present problems, and suggested that the Committee could propose augmenting Code Enforcement's ability to respond to these problems so residents can see these concerns addressed in a timely manner. They could then move on to "the harder issues," such as the expectations of individuals who purchased properties for rentals.

Chair Mammano said she had also noticed there are areas of common interest, such as the registration and licensing of rental properties. She said the Committee may be able to agree on a number of issues, assuming that they took the position that short-term rentals are a reality and should be dealt with as such.

Mr. Witschen said he is not a supporter of regulation and registration of properties due to the bureaucracy this would create. He also hoped that the Committee would not make recommendations with the currently distressed economy in mind, which could lead to "unintended consequences" that could be problematic later on.

Mr. Mastriana said he found rentals of one week to be “totally intolerable” in a single-family neighborhood. He felt a period of three months might be more suitable.

Chair Mammano recalled that the Committee had asked the City Attorney’s Office to comment on the Florida Senate Bill currently under discussion, as it would affect the definitions of vacation rentals and how they are regulated. She asked Attorney Spence to discuss the issue at this time.

Attorney Spence said there are currently two bills pending, Senate Bill 476 and House Bill 883. Both bills have “a broad preemption” of any local regulation on vacation rentals. He read two sections of the bill(s) into the record at this time, advising that local ordinances or regulations may not restrict, prohibit, or regulate vacation rentals based solely on their classification, use, or occupancy. However, this preemption would not apply to any law or ordinance adopted prior to June 1, 2011. The bill defines a vacation rental as a unit or group of units in a condominium, cooperative, time share, or individually or collectively owned single-, two-, or four-family dwelling unit that also serves as a transient public lodging establishment.

Attorney Spence summarized that the proposed bills would preempt any local government regulation of short-term rentals if local regulation was not “on the books” by June 1, 2011. The proposed legislation would also preempt rules or ordinances that are strictly based on the classification, use, or occupancy of such properties. The City Attorney’s Office has interpreted this to mean if there are other guidelines on which to base rules, there is potential for the regulation of short-term rentals by local government.

He added that the bill is currently in committee. The Senate and House bills, which were once very different, are now “mirror images” of one another, which Attorney Spence said is often an indication that the legislature is reaching “some kind of consensus.”

Vice Chair Forman said he felt an important aspect of the proposed bill is a provision that states if a short-term residential unit is located in a residential neighborhood, that unit cannot be classified as a commercial use. Attorney Spence confirmed this, noting that the bill would consider it a residential use. Vice Chair Forman continued that the term “transient public lodging establishment” is defined “by 509,” which means the property is rented more than three times per year for less than 30 days. He stated this meant the City could dictate that short-term rentals could not be rented for “more than ‘x’ times per year.”

Attorney Spence agreed that the City could still stipulate the time of rental, but would have to determine whether or not this fits within use and occupancy. He also advised that the City Attorney's Office felt ordinances can still be crafted to regulate use without being based upon classification, use, or occupancy.

Chair Mammano said transient public lodging speaks to the frequency with which a facility is rented. Attorney Spence said this depends upon how the regulation is crafted and how restrictions are included. A city may not restrict the use of or prohibit vacation rentals, but may regulate them based upon factors other than classification, use, and occupancy. In addition, the reasons behind regulation based on other factors would have to be investigated.

Mr. Spence said the bill could also affect zoning, as it would prohibit new regulation from stating a use cannot be located in a particular district, such as a single-family residential district. He concluded that the Committee's discussions of regulation based on zoning could "go out the door" if the legislation passes; however, other ideas may remain potentially viable.

Mr. Mastriana said it could be best to wait until the legislation passes or does not pass in order to learn what authority the City would have to regulate short-term rentals. Attorney Spence said the City would be able to draft regulations, but would need to remain mindful of the areas in which they would be preempted if they tried to base regulations on these areas. He read the proposed bill once again for greater clarity.

Vice Chair Forman noted that the word "restrict" is not defined. He suggested that this means the City could not, for example, state that no vacation rentals can occur in a particular zoning district; however, it does not mean the City cannot require the owner of a vacation rental in that particular district to "do certain things" or behave in a certain way. He concluded that this meant the Committee must "change [its] approach."

Chair Mammano recalled that the Committee had originally discussed definitions, such as what constitutes a short-term rental. She said her understanding of the proposed bill is that "the State legislature is ready to tell us what constitutes a short-term rental." Attorney Spence clarified that the bill would define a vacation rental.

Mr. Mastriana asked if the term "occupancy" referred to the number of people or the time frame of a rental. Attorney Spence said it had not yet been defined.

Chair Mammano said her concern was not only for regulating problem rentals, but "the proliferation" of these rentals. She stated if there is no way to limit the number of houses in a given single-family neighborhood that are converted to

short-term rentals, there would cease to be residential neighborhoods because “the economics are so compelling” to use the properties for short-term rentals.

Ms. Ellis said the fabric of any community consists of those residents who are present most of the time. She agreed that to arbitrarily say short-term rentals cannot be restricted in a neighborhood raises a serious question. She advised that the City’s neighborhoods are very cohesive and work together to improve their communities and property values, and stated that a lack of restriction on short-term rentals could undermine this quality.

Vice Chair Forman disagreed, stating there is a market factor that will naturally limit short-term rentals, as there are only so many people who would pay for a vacation rental in Fort Lauderdale. He suggested if the market is flooded with these rentals, the price would be driven lower, and it would no longer be economically feasible for all short-term rentals to remain in the market. Ms. Ellis said this would also drive down surrounding property values for homes.

Chair Mammano said she felt if people had the option of making money on short-term rentals without being taxed at a higher rate than long-term rentals, it would provide an economic incentive. She asserted that if rentals were unrestricted, “you don’t have a residential neighborhood any more, you have an entertainment district.” She was very concerned that the State’s position on this issue would make it difficult to deal with the potential concentration of short-term rentals.

Mr. Mastriana requested copies of the bills along with their current status. Attorney Spence agreed to distribute these.

Ms. Parker said one reason the Committee had been convened was the occurrence of wedding rentals in “an otherwise peaceful, tranquil neighborhood” by an individual who derived income from these rentals. She noted that most large assemblies or groups are required to get a permit, and asked why this was not the case in a residential neighborhood. Attorney Spence said this was an issue of private property rights, and explained that there is “a sliding scale” as to the size of an event that could be regulated in an individual’s home. Chair Mammano clarified that the Committee is not interested in regulating the use of a home by a homeowner for weddings, parties, charity events, or other uses.

Ms. Parker continued that if a property is homesteaded, there is no excuse for using it as a rental property; this would be abusing the privilege of homesteading. Chair Mammano agreed with this.

Mr. Ledbetter advised that they should address the lack of accountability through regulation. He concluded that no one would care how a neighbor uses his or her property unless that neighbor has done something to make them unhappy. Vice Chair Forman agreed with this.

Ms. Ehle returned the discussion to the format of the Committee's report. She recalled they had specifically mentioned accountability of property owners and quick resolution of issues in the Interim Outline. She suggested sending this Outline to the members so they revisit the information already identified and can agree or disagree with these issues or add something new; she could provide a format by the next meeting that shows which members are "on board" with specific items, and which items still show some division of the Committee.

Vice Chair Forman said he did not believe the Committee would complete their final report on schedule if they waited until another meeting to compile the material. He felt accountability was a major issue as well, and proposed that the Committee work on this issue until the end of today's meeting.

Motion made by Vice Chair Forman, seconded by Mr. Mastriana, to dispense with the public portion and continue with the meeting.

Chair Mammano agreed that rather than addressing the global issues raised by the bill, the Committee should attempt to reach consensus on some of the immediate issues facing neighborhoods.

Ms. Ellis called the question.

Chair Mammano offered the **amendment** to the **motion** that the Committee would continue with the meeting and allow public comment if any time is left. Vice Chair Forman accepted the **amendment**.

Mr. Mastriana suggested that any members of the public present could submit their comments in writing.

Chair Mammano restated the **motion** as follows: to dispense with the public portion of the meeting so that they can continue with the meeting; however, if there is time at the end of the meeting, the Committee will be happy to take public comment; if there isn't, everyone who wants to comment is certainly encouraged to submit written comments.

In a voice vote, the **motion** passed 8-1 (Ms. Parker dissenting).

Mr. Mastriana suggested in addition to registration of short-term rentals, the Committee also look at "remedies for violation of some of those provisions." He said they should also recognize that some owners will not comply with regulations if the penalty for violation is low. Chair Mammano said while this can be part of the discussion, she would like to reach a consensus on the concept of registration.

Mr. Witschen said he is in favor of “a close set of parameters and impacts,” and considers time frames to be important as well; however, he was not certain he wanted to “create a bureaucratic nightmare” by heavily involving Code Enforcement. He agreed that it is also important that violations be enforced, particularly against egregious violators.

Vice Chair Forman recalled that Ms. Myers had asked more than once to discuss how the city of Destin manages short-term rentals. He suggested they could refer to this city’s model, as they have a registration process to ensure accountability. The city is aware that a property is a short-term rental, and there were specific requirements, such as insurance; in addition, Destin requires that a 24-hour contact number be posted on the property for a contact person in the event of a problem with the renters. The registration process would also ensure that the Property Appraiser’s Office is aware that the property is not homesteaded. The registration fee would go toward offsetting the cost of Code Enforcement personnel who might be called to the area.

Ms. Ellis said registration would assist the City in enforcing other regulations, but she objected strenuously to “branding a property” with a sign, as she did not want nearby houses in her residential neighborhood identified as short-term rentals. She advised that this is an aesthetics issue in some neighborhoods, and felt there should be better ways of identifying the properties in question.

Chair Mammano asked how neighbors would know who to call in the event of the problem. Ms. Ellis said in that case the property should not be rented.

Chair Mammano emphasized the need for neighbors to know whom to call to address a problem. If there is no sign posting a contact number for neighbors, she said a third party would need to have contact information in order to make it available to homeowners. While it would be possible to present two points of view on this issue to the City Commission, Chair Mammano said she felt there could be consensus that neighbors must be able to find out whom to call in the event of a problem.

Ms. Ellis said she felt there should be “a City-designated place to call,” so the City could decide who would be the custodian of this information. She suggested that this would be Code Enforcement, the Police Department, or both.

Vice Chair Forman suggested that the solution could be “an unobtrusive sign.” Ms. Ellis reiterated her objection to a sign on the property. Vice Chair Forman explained that it would be much better for issues to be resolved among neighbors themselves than involving enforcement entities.

Mr. Witschen proposed posting contact information on the property’s website. Ms. Parker agreed with this. She also agreed with Vice Chair Forman’s

suggestion of a small, unobtrusive sign, as it would constitute “labeling” of the property owner.

Ms. Ellis said she had an issue with posting the information on a website as well, as it would also place the burden of confrontation on another property owner. She stated that violation of a City regulation should be the City’s responsibility to enforce, and pointed out that if a call is made to a City entity, it becomes a matter of public record.

Mr. Witschen said he did not want to “[create] a government that regulates civility,” which he felt should be handled between neighbors. He said the government must be there for issues that cannot be decided between individuals. Ms. Ellis said allowing neighbors to address these issues themselves led to subjectivity, as one person may believe a regulation has been violated but another person may not.

Chair Mammano offered the example of a raucous after-hours party at a rental property, stating that the first call would be to the Police Department for disturbing the peace; however, as it may take time for them to respond, the next call would be to the rental agent responsible for the property. The agent would then be expected to contact the renters. Chair Mammano said she felt it was important for members of the community to have conversations of this nature with the responsible party. Ms. Ellis said she felt this response would be “threatening and... [not] appropriate.”

Mr. Ledbetter said while he has had to call the Police Department to deal with unruly neighbors, he has always tried to reason with those neighbors first. He felt there should be a means of accountability through which the responsible party can be contacted directly. He said if a property is registered, they have paid a fee, which could be used to fund a small division of the Police or of Code Enforcement that would address these issues if they cannot be directly resolved. The final mechanism would be similar to the City’s Special Magistrate, which would have “certain powers to...act upon.”

He concluded that a “small, tasteful sign” on a vacation rental would allow for direct contact with the responsible party; if this does not work, there would be two remaining options for neighbors.

Vice Chair Forman said if there were, for example, 200 short-term rentals in Fort Lauderdale, the City could charge a registration fee of \$500 apiece, or something similar. This would raise \$100,000 to help fund regulation of these properties. Ms. Ellis said this would be more appropriately described as a tax instead of a fee, and did not feel a figure of this magnitude would be accepted by the City. Vice Chair Forman said some short-term rental owners would be willing to pay

this or a similar amount in order to avoid the legal fees associated with not registering the property.

Ms. Ellis said many short-term rental owners had said they turned to this source of revenue because they were “upside down” on their mortgages; if this was the case, \$500 would represent a lot of money. Chair Mammano disagreed, stating that whatever amount is ultimately set by the City Commission would provide some money to offset the costs of increased regulation.

Motion made by Ms. Ellis, seconded by Ms. Ross, that if the City should decide to allow short-term rental uses in Fort Lauderdale, that at a minimum what they should do is they should require the short-term residential uses to register with the City; and this registration should include the owner of the property, the [individual] responsible for the operation of the property, including a telephone number that can be accessed 24 hours a day, and any other information that the City deems as necessary in the registration process, because we don’t know everything that the City might require; and that information should be readily accessible to the general public.

Vice Chair Forman pointed out that the **motion** only applies to houses that have obtained the transient public lodging establishment license mentioned in the proposed State statute. He explained that unless the owners are willing to do so, he did not feel they should be afforded the protection of the registration process. Ms. Ellis declined to accept this as a suggested **amendment** to the **motion**.

In a show of hands, the **motion** passed unanimously.

Mr. Mastriana asked what would be the penalty for an owner who did not wish to register his or her property with the City. Chair Mammano advised that they would not be able to operate as a rental.

Motion made by Ms. Ellis, seconded by Vice Chair Forman, that all short-term rental(s) should be registered; if they are not registered with the City of Fort Lauderdale, the City should determine an appropriate consequence for that action; to register, there should be a fee that’s determined by the City Commission that is appropriate to support the implementation of a registration program.

Chair Mammano commented that this would advise the City to manage the registration process without attempting to determine what the fee might be.

In a show of hands, the **motion** passed unanimously.

Motion made by Vice Chair Forman, seconded by Ms. Ellis, that along with the registration, that a license should be issued [by] the City which shows that that

owner is entitled to do short-term rental at that location, and if there is a number of bona fide violations of Code Enforcement items on that property, to be determined by the City Commission, within a certain period of time to be determined by the City Commission, that that person's license will be revoked.

Mr. Mastriana suggested if the property owner is conscientious and immediately addresses the issue him- or herself, the issue "goes away" and is no longer a problem for the neighborhood; however, if the owner or agent displays "complete avoidance" of the violation until it ends on its own, this should be dealt with separately.

Vice Chair Forman advised that the registration process is intended to alleviate this issue: if the party responsible for the property does not respond, the second call would be to the Police Department or Code Enforcement. Chair Mammano noted that this would encourage the responsible party to respond before a call is made to a City entity, at which point it would count toward the number of violations that could result in losing the license for that property.

Mr. Ledbetter pointed out that Code Enforcement works on a "nine-to-five" schedule, which is part of the problem with the existing system: no one from this Department can respond after hours. He asserted that "something like a public safety aide" must be funded in order to facilitate after-hours responses to address the complaint. Chair Mammano recommended that this be part of a separate motion.

In a show of hands, the **motion** passed unanimously.

Chair Mammano suggested the Committee discuss Mr. Ledbetter's proposal. Mr. Ledbetter explained that this would be a separate small division of Code Enforcement officers who would respond in a timely manner to violations by short-term rentals. Not only would they address these issues, they would also help determine if a particular problem, such as a noise violation, exists. The division would be funded by the registration or licensing fees. If the problem is deemed larger than a set number of officers can handle, the fees would be increased to cover the salary of an additional officer or officers.

He advised that this process would allow for immediate resolution of issues, as the Police Department is likely to be handling larger problems at any given time, and Code Enforcement does not respond after dark. He emphasized that this, along with the registration process, would provide both accountability and a timely response.

Mr. Mastriana noted that it is sometimes difficult to know whether to call the Police Department or Code Enforcement for a certain violation, such as a noise disturbance. He pointed out that if the violation occurs at night, Code

Enforcement is not available, and the Police Department may advise that the problem is “a Code issue” and the caller is told to speak to Code Enforcement the following day. Mr. Witschen said this should be a matter of “City employees talking to each other” and a protocol being developed between Code Enforcement and the Police Department.

Motion made by Ms. Ellis, seconded by Ms. Ross, to request that the City Commission assign adequate support to be available to react within a 90-minute period to any call placed under the short-term rental challenge/consequences of short-term rental.

Vice Chair Forman suggested that the **motion** be tabled until the next meeting, at which time it could be discussed at greater length.

Mr. Witschen advised that it would be easier to fund overtime for existing enforcement officers than to dedicate an officer, although the dedication of an officer was possible.

Ms. Ellis restated her **motion** as follows: that the Committee requests that the Commission assign adequate enforceable support that allows police, Code Enforcement, [or] public service aides, whoever the City determines is licensed to do that, to be able to react within a 90-minute period of a call to make a determination of the complaint. Ms. Ross **seconded** the restated **motion**.

In a show of hands, the **motion** passed 5-3 (Vice Chair Forman, Mr. Ledbetter, and Ms. Parker dissenting).

Ms. Ehle advised that she could insert the **motions** made at today’s meeting into an updated version of the Interim Outline, which she would forward to the members in advance of the May meeting; members could then comment or offer suggestions to the document.

Chair Mammano recommended that interested residents contact their State legislators and ask that they oppose any changes to the law that would preempt local regulation of short-term rentals.

e. Public Comment

Chair Mammano apologized for the lack of time for public comment at today’s meeting.

f. Set Agenda for Next Meeting

Ms. Ehle recalled that there had been discussion of a guest speaker from the Broward County Property Appraiser’s Office at the May meeting. She asked if the

Committee would like to add any other items to the Agenda at this time. Chair Mammano stated that the Committee would like to invite Appraiser Lori Parrish to address the meeting with regard to tax issues; she also requested an update on the progress of the State bill, and a continuation of the discussion of "other issues related to short-term uses" that could be forwarded to the City Commission.

g. Other New Business

None.

V. For the Good of the Committee

None.

VII. Communications to the City Commission

None.

VII. Announcements

It was noted that the next meeting is scheduled for May 26, 2011.

VIII. Adjournment

There being no further business to come before the Committee at this time, the meeting was adjourned at 5:40 p.m.

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