

**MARINE ADVISORY BOARD  
THURSDAY, SEPTEMBER 9, 2004  
CITY COMMISSION CONFERENCE ROOM – EIGHTH FLOOR  
CITY HALL  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA**

The regularly scheduled meeting for September 9, 2004 of the Marine Advisory Board was canceled due to the lack of a quorum. The members present choose to here reports on the items appearing on the agenda. No official action was taken.

**Board Members Present**

Richard Duncan  
Joe Hessmann  
Roger McKee  
Norbert McLaughlin  
Rick Schulze  
John Terrell  
Peter Zachary

**Board Members Absent**

Ryan Campbell  
Barry Flanigan  
David McNulty  
Robert Sadowski  
Stephen Tilbrook  
Dr. Geraldine Udell  
Eugene Zorovich

**Staff Present**

Jamie Hart, Supervisor of Marine Facilities  
Ed Udvardy, Public Services

**Guests**

Joanne Becker	Alicia Weinstein
Karen Chess	Kitty McGowan
Steven Chess	Frank Herhold

**CALL TO ORDER**

Vice-Chair Norbert McLaughlin called the meeting to order at approximately 7:50 p.m. and roll call was taken.

Mr. Hart pointed out that the roll call of only 6 board members out of a total of 14 current members appointed to the board with 1 board member not currently appointed to replace Mr. Peterson who had resigned meant that there was not a quorum present tonight. The board could therefore not formally vote on the items scheduled and only a consensus could be reached amongst the members present unless 2 more board members showed up at the meeting.

#### **APPROVAL OF MINUTES – July 1, 2004 Meeting**

Minutes could not be approved from the July 1, 2004 meeting due to there not being a quorum present at tonight's meeting.

#### **REPORTS**

- **Waterway Crime & Boating Safety**

Sgt. Mike O'Connor was not present, and therefore, there was no crime report.

#### **Application for Dock Waiver – Steven Chess, 773 Middle River Drive**

This item would be discussed later on during the meeting since there was not a quorum at this time and a vote could not be taken. Vice-Chair Norbert McLaughlin stated that possibly another member or so of the Board would arrive later on in the evening.

Jamie Hart announced that this meeting would be deemed a conference meeting, but everything would be duly noted in the minutes. No votes could be taken due to the lack of a quorum.

Joseph Hessmann asked if Mr. Chess would have to return before the Board again. Jamie Hart replied that he did not see any reason for him to do so, unless he was otherwise advised by the City Attorney's Office.

#### **Presentation – 2004 Fort Lauderdale Billfish Tournament**

Kitty McGowan stated that she had been running this tournament for the last 5 years at the City docks. She stated that she had been involved in the marine industry for many years and had the pleasure of working with Frank Herhold, Joseph Hessmann and Jamie Hart. She continued stating that she had her own business in running Special Events Programs. She explained that she primarily focused on fishing tournaments. She stated she was the Executive Director of the Fort Lauderdale Billfish Tournament, and also co-owned the Greater Fort Lauderdale Kingfish Tournament which took place in Dania Beach.

Ms. McGowan explained that the Fort Lauderdale Billfish Tournament was the oldest and most prestigious tournament in the area, which had been taking place officially for over 40 years, and longer unofficially. She stated that it had originally began to boost the economy because at that time this was a seasonal community. She stated the tournaments occurred twice a year, the spring and fall. She explained it was a non-profit

organization which was run by a volunteer Board of Directors who worked during the year to promote the City of Fort Lauderdale. She stated they also had a very strong observer program where volunteers were brought in to help with the tournament and maintain the integrity of the event. She continued stating that they also had a very strong kids fishing program where they sent kids to sea camp, and took them fishing throughout the year with local Rotary groups.

Ms. McGowan advised that there was a tremendous erosion of waterfront area that held such events, and everything was becoming a private condo world or marina. As a result the tournament had been moved around over the years, and had fallen on hard times and became disjointed. She explained that for the last 6 years they had been at the Las Olas Marina. She stated that Mike Horn and Jamie Hart had been great help. Due to the stability of having this location, the tournament had grown back to its prestige of previous years. She announced that they had 30 boats in the tournament 5 years ago when she took over, and last year there had been more than 76 boats. She explained that it was a 5-day event where 3,000 to 4,000 people took part in the festivities. She stated they had grown to attract the larger sport fishing boats. She advised that spending was in direct correlation to the size of the boats. She stated that last year they had given away more than \$150,000 in cash and prizes. She announced that this was one of the biggest purses in the area.

Ms. McGowan continued stating that they received national exposure in fishing magazines. She stated they were a qualifying event for the World Billfish Series which provided them with international exposure. She stated that for the past 2 years, they had sold out the marina. She advised if they had more slips, they could definitely fill them. She stated that more than a dozen fishing teams from other parts of the country helped to fill the local hotels and restaurants. She explained it was a 3-day fishing tournament and was a hard-core major event. She stated that this year they also added a 1-day Billfish Tournament on Saturday, in addition to the 3-day tournament so they could encourage new participants to the sport. She stated they were the first Atlantic tournament to add an off-shore fly division. Last year, she explained they had a record day and had released 200 Sailfish in one day.

Ms. McGowan advised that 2 national publications were coming down to fish and publish articles about the event. She further stated that they had an IGFA International Game Fish Association Hall of Fame coming from the Keys to fish and endorse the event. She explained that fly-fishing was an extremely elite demographic. She stated they were also a sanctioned event of Winterfest. She reiterated that the City would get tremendous exposure from the tournament. She advised that they mailed out about 20,000 brochures regarding the event. She stated that they also worked with the County in placing ads in boating publications to promote the tournament and the City.

Ms. McGowan stated that they had not asked for much from the City in the past, other than the ability to use the facilities. She stated it had become harder over the last couple years to hold the function in the City due to the expense. She advised that the City last year had more than quadrupled their rate to use the parking lots. She stated they had gone from \$1,400 to over \$6,400 for use of the lot. She stated further that had been more than a 400% increase. She stated some of the increase was due to growth, but that had not been 400% worth. She advised that this had taken place right before the

tournament, and therefore, they had no opportunity to make any type of shift. She continued stating that \$6,400 to a non-profit event that was trying to get on their feet, killed them.

Ms. McGowan advised that a couple of years ago, they had stopped utilizing the services of the City's Show Mobile due to the expense. She explained they had been using the City of Deerfield's Show Mobile because it cost  $\frac{1}{4}$  of the price. She stated the bottom line was to keep the event solvent and keeping it running. She announced they had also been approached by the City of Dania Beach to use their facilities. She stated that she did not want to move there, and they would not be doing that this year, but they would have to look at other alternatives for the future if the City did not either eliminate or greatly reduce their fees. She advised that her competition in Pompano, the Pompano Fishing Rodeo, had great support of their City and received all their parking free during the entire event.

Ms. McGowan stated that between the increased revenues in the Marina, and the free exposure received by the City, as well as the additional parking revenue, the event provided a great boost to the economy. She stated that the event was to be held November 17<sup>th</sup> to the 21<sup>st</sup> at the Las Olas Marina.

Richard Duncan asked when the boats began arriving for the event. Ms. McGowan stated that they usually arrived the Wednesday before. She stated the tournament fishing days were Friday, Saturday and Sunday.

Roger McKee stated that he felt it was a disgrace that the City had made such an increase on an empty parking lot.

Vice-Chair Norbert McLaughlin asked who were the beneficiaries of the non-profit organization. Ms. McGowan explained that they did a lot of things with the Rotary International which was a 501C(3), and did programs throughout the year for children. Vice-Chair Norbert McLaughlin advised that there were a lot of organizations that would donate money into their programs since they were a non-profit. Ms. McGowan stated they were a non-profit, but were not a 501C(3). She stated further they were not considered to be a charity at this time, but they had submitted the paperwork to become one, which would help them with sponsorships from companies.

Joseph Hessmann stated that he also thought it was a disgrace what the City had done. He reiterated that for over 40 years this event had helped to boost the City's economy. He further stated that Section 26-161.D of the Code, Rates and Hours for On and Off Street Parking, stated as follows: "On recommendation by the City Manager parking may be provided at a reduced rate or at no charge for organizations holding co-sponsored events and/or City sanctioned events, involving any clean-up, repair...which is deemed directly beneficial to the City." He stated that this language solved the issue. He stated that a letter needed to be written by Jamie Hart to the City Commission that there should be no charge for the parking for this event. He stated further that in the past he did not know how the mix-up had occurred, but it did fall under the direction of the City Manager.

Richard Duncan asked about the Show Mobile. Joseph Hessmann advised that it was owned by the City, and he felt that should also be included, along with the tent. He

stated that he did not know if they could put a value on any of it, but felt this should be sent to the City Commission immediately. Richard Duncan stated that he did not believe a quorum was needed to make a recommendation.

Jamie Hart stated a vote could not be taken, but the Board could establish a consensus as to what they wanted done.

Vice-Chair Norbert McLaughlin stated that the language already existed, and they would just be bringing it to the City's attention. Jamie Hart stated that the tent was rented out and had nothing to do with the City. He clarified that they were discussing the waiver regarding the parking under that particular section of the Code. He stated that everything would still have to be reviewed by the Legal Department. He further clarified that the Board was asking that this matter be investigated in terms of the City Manager's authority to waive the parking fees, and also to waive the fee for the Show Mobile.

Joseph Hessmann stated that the language he was referring to was for "Rates and Hours of Off-Street Parking," Article VI, Parking, Stopping and Standing. Jamie Hart stated that it was part of the City Code.

Rick Schulze entered the meeting at approximately 8:13 p.m.

Jamie Hart reiterated that this might have to be reviewed by the Legal Department in order to make sure this could be done. Joseph Hessmann stated that time was of the essence, and this was very important.

The above discussion was summarized for Rick Schulze since he had just entered the meeting, and Joseph Hessmann proceeded to re-read the language in the ordinance pertaining to the matter.

There was general consensus of the Board for the letter to be written and presented to the City Commission.

### **Mega-Yacht "Appreciation Week"**

Frank Herhold, Marine Industries Association of South Florida, stated that the Chair of this Board, Barry Flanigan, came to him with an idea to recognize mega yachts that came to the Boat Show. He announced that last year there had been over 230 mega yachts (vessels over 80') which had been part of the Boat Show. He stated that this was the world's largest collection of mega yachts at any one point, at any time. He continued stating that the amount grew each year.

Mr. Herhold explained that Barry Flanigan had suggested that they hold a Mega Yacht Appreciation Week, and tying it in with the Captain's Club which was a public awareness and image campaign to make Mega Yacht Captains feel welcome in the community. He stated that John Terrell was a Mega Yacht Captain and would confirm that in many cases, it was not the owner who decided where the boat went for repairs or where it would be docked, but the Captain who made such decisions. There were choices, but they appeared to like Fort Lauderdale. He stated they needed to resolve some dockage issues and obtain more dockage for such boats. He further stated that Bahia Mar was a

tremendous step in the right direction. He announced that over 1400 mega yachts visited the City each year, and 1300 of those spent time in area boatyards. He stated that the average economic impact from 3 items, including boat sales, chartering, and repairs totaled roughly \$400,000 per visit, per boat. He stated that this was a good idea to make everyone feel welcome.

John Terrell stated that this made sense and advised that there were alternatives to Fort Lauderdale when bringing yachts in. He continued stating that the bottom line was that Fort Lauderdale was the best place to bring a boat for repairs, and to use the facilities and services offered by the City. He felt it was a great idea to show appreciation to such Captains and decision makers.

Mr. Herhold stated they were not sure of the format at this time, but there was a committee working on the Captain's Club Project. He asked that this Board provide a consensus to have this project move ahead. He stated there would be no expense to the City at this point. He reiterated that Barry Flanigan was to receive full credit for this suggestion.

Mayor Naugle stated that he would be glad to make a proclamation for the event.

Mr. Herhold continued stating that it would probably be a series of events to make the people feel welcome, such as the proclamation suggested by Mayor Naugle. He stated that the Blue Martini Lounge (Galleria Mall) was donating \$9,000 worth of martinis to the event. He explained they were going to have a special portfolio that offered things, such as free rental of a Harley, free dinners, and other such items.

Vice-Chair Norbert McLaughlin asked when they were planning to hold this event. Mr. Herhold explained they wanted to do it in conjunction with the Boat Show. He stated that possibly things would be done 3 or 4 days before the Boat Show, during the Boat Show, and maybe a couple days after the Boat Show. He added that after the Boat Show all the vessels were gone. He further stated that the other issue which they needed to address was dockage, and added that it was part of their Marine Master Plan.

Mr. Herhold further stated that the Marine Industries Association was a sponsor of the Fort Lauderdale Billfish Tournament, and reminded everyone that fishermen spent a lot of money when they attended such events. He stated that this tournament had grown and Ms. McGowan had done a lot of hard work, and the City had been an important part of the event providing stability with the location. He further stated that the money that went beyond the expenses was returned to the resource one-way or the other. He reiterated that his organization would not be involved, if it was not a worthy event. He reminded everyone that it did bear the City's name. He stressed that no other tournament bore the City's name.

- **Hurricane Relief Effort**

Frank Herhold stated that they had not yet recovered from sending out supplies due to Hurricane Charley, and on Tuesday they had sent 100 cases of water to the Bahamas on a mega yacht, and 200 cases had been sent up to Ft. Pierce. He advised that Bradford Marina was conducting a supply effort through G&G Marine.

Mayor Naugle advised that the City Commission had voted unanimously to supply 3 million gallons of water to a tanker that was going to come to Port Everglades to assist the Bahamas.

Mr. Herhold stated that the industry had been impacted to the east and to the north, and they were still watching Hurricane Ivan.

**Update – Status of Canal Cleaning and Vessel Maintenance Contract.**

Ed Udvardy, Public Services, stated that back in 1999 they had expanded the canal cleaning operation and had purchased the Pollution Solution Trash Skimming Vessel. He stated it had been a challenge, and they had learned during the process. He announced that during the last 1 to 1 ½ years things had improved significantly. He advised they had a new maintenance contractor, Rapid Marine, which had worked well during the last 12 months. He announced further that the time the vessel was in the water had risen significantly, and that it now worked between 75% to 80% of the time. He advised that they picked up about 9-10 tons of debris per month, and there was a 4-person operation for the Pollution Solution vessel. He stated that on the smaller vessels they had supplemented and changed the employee hours giving them a 10-hour day which allowed the vessels to be in the water a longer period of time. He reiterated that they were meeting some of the challenges and were moving forward.

Mr. Udvardy stated that back in 1998-1999 when they developed the RFP to purchase a new trash vessel, two of the Marine Advisory Board members sat on the Selection Committee. He stated that the Pollution Solution had a 7-year life cycle, and therefore, in March, 2006, they would be in the position to either purchase a new boat or do something else with the service that was provided. He explained they wanted to start a committee consisting of City staff, a representative from the Budget Advisory Board, the City Finance Department, Purchase Department, Operations, and hopefully 2 members of the Marine Advisory Board to begin looking at the levels of service already provided, and develop an RFP to see if they should possibly privatize the service. He stated that they could review and see if they wanted a mixed service consisting of both City employees with some privatization. He reiterated that the time was now to start looking at this issue and develop a scope of services.

Mr. Udvardy further stated that the Pollution Solution, the trailer and the barge which had been bought were part of the package that had cost \$260,000, but he announced it was in the City's fleet replacement plan. He explained that this meant that each year in the Sanitation Operating Budget, they had been putting the money aside so that when the life cycle of the vessel was up, they would have the money banked so they could move forward with the operation. He asked if over the next 30-60 days two members of this Board could be chosen to serve on the referenced committee.

Roger McKee asked if the vessel was designed for salt water. Mr. Udvardy replied it was not. Roger McKee asked if when they farmed out the hydraulics and motor work was it done immediately. Mr. Udvardy explained that the new contractor had been good and initially, during the first part of the contract, they had been very responsive, but now they

were responsive. He reiterated that they were still doing a good job. He stated that ideally it would be good to have someone devoted to the operation, and they had been working with the City's fleet people, since they also dealt with hydraulics in regard to other City vehicles, to try and utilize the City's canal cleaning operations and the police boats, and possibly a boat mechanic could be placed on City staff.

Peter Zachary asked how often they had to service the hydraulics. Mr. Udvardy stated that he did not have a schedule with him at this time, but announced that the boat was being checked on a monthly basis.

Rick Schulze stated that about 2 months ago, they had been advised that the boat's hydraulic system had been refurbished. Mr. Udvardy confirmed and stated that during the last 12 months, they had spent about \$22,000 with Rapid Marine.

Jamie Hart asked how quickly did they need the names of the two members of the Marine Advisory Board for the Selection Committee. Mr. Udvardy asked if the names could be chosen at the Board's next meeting. Jamie Hart confirmed.

Richard Duncan asked if the hours of operation had increased due to the new maintenance schedule. Mr. Udvardy announced that the hours of operation had doubled. Richard Duncan asked if the amount of trash had also doubled. Mr. Udvardy explained that the trash had also increased, but previously when the vessel had been down, they had used some of the smaller vessels to collect the debris.

Norbert McLaughlin asked if the Pollution Solution or any of the other boats had VHF radios. Mr. Udvardy confirmed, but explained that if a boater wanted to report debris to be collected, the best method was for them to call Public Services at 954-828-8000 who would then radio the boat.

Rick Schulze stated that by calling the Marine Patrol, they were only adding two layers of complexity to the issue.

**Update – Lauderdale, Inc./Amphibious Vehicle Sightseeing Tours - FY 2004-05 Annual Indemnification Agreement**

Jamie Hart announced that the Lauderdale were coming back for their second season. He stated they were going to approve a new annual lease in accordance with the same conditions. He announced there had been no reported incidents regarding the operation. At the request of the City Commission, he advised they had beefed up the insurance in terms of indemnification and liability due to concerns which had been raised regarding public property. He stated that recommendations had also been made by the Insurance Advisory Board. He stated that Lauderdale, Inc. had fully cooperated with the additional requirements. He explained that the boats were being retrofitted and were presently dry docked in order to make them safer and more efficient.

Jamie Hart asked if it was the consensus of the Board to approve the lease for a second year. He reiterated that it was not actually a lease, but an insurance indemnification agreement.



Alicia Weinstein, Lauderducks, Inc., clarified that they were planning on operating two vehicles. Jamie Hart asked if they were going to keep the capability of operating four. Ms. Weinstein stated that last year they had only operated two, and intended to do so this year, but they did have the capability of 4 vehicles. Jamie Hart stated that they would approve 4 vehicles in case they were needed in the future. Ms. Weinstein explained that they were going to be different vehicles, which would be more modern and suitable to the salt-water environment.

Norbert McLaughlin asked if anyone had inspected the new vehicles. Jamie Hart replied they had not yet seen the vehicles, but understood they were going to be safer and modern. He stated the previous vehicles had been WWII vehicles.

Joseph Hessmann reiterated that they were great tourist attractions.

Jamie Hart further stated that when they entered at Cooley's, which was perfectly legitimate next to a bridge, the neighborhood had commented about them sounding their horn. He stated that was a navigational issue.

John Terrell stated that he had family from out-of-town and they had thoroughly enjoyed the tour. He felt this was a great idea for the City and the tourists.

Jamie Hart asked if the operators had run into any problems with the roadway system. Ms. Weinstein stated that sometimes the routes had to be varied due to traffic. She announced they were due to begin the tours in October.

Jamie Hart asked if there was a consensus of this Board to approve the agreement for another year. The Board gave a unanimous consensus.

#### **Update – FY 2004-05 Annual Commercial Dockage Lease Agreements**

Jamie Hart stated that this had to be brought back because in July this Board had recommended no rate increase, but due to the proposed increase in taxes that was being made, along with the rate increase approved by the Commission last year, that he felt due to the shortfall in revenue and the City's financial position, it might be appropriate to recommend a CPI increase which was about 3%. The rate would then be raised from about \$.80 per foot, per day, to about \$.82.4 per foot, per day.

Jamie Hart stated that he had notified all the commercial tour boat operators, and no one seemed to object. He stated it would bring in some additional revenue. He advised that this would be presented to the City Commission on September 21, 2004, and encouraged any board members who could attend to do so. He explained that this was part of the tourist base. He stated that last year he had done his best to defend that no rate increase be imposed. Therefore, they would recommend a CPI increase this year. He explained they did this with two other leases. One of which was a long-term lease, and the other was with Allied Marine who rented about 650 lineal feet.

Joseph Hessmann asked if Jamie Hart felt the Commission might want to impose a higher rate. Jamie Hart stated that the City Commission was empowered to do whatever they chose to do. He stated that he was not saying that was right or wrong, but he was

reiterating it could be done. He stated they felt the CPI increase was fair, and it would be more appropriate for this tourist base market. He reiterated that they were looking at a 19%, 21% or 30% tax increase. He announced that the tour boat operators would be in attendance at the City Commission meeting, and he wanted to have some members of this Board present to speak about this being a tough market and defend the CPI increase.

The Board unanimously gave a consensus for the CPI increase.

**Application for Dock Waiver – Steven Chess, 773 Middle River Drive**

Jamie Hart stated that he had sent out the back-up material regarding this issue. He explained that everyone's concerns at the July meeting had been in regard to the code enforcement issues. He stated the Board had voted that they wanted to see the code compliance issues addressed before recommending approval of this application. He stated that the owners had addressed all of the code compliance issues. He explained that in the back-up material, a memorandum from Lori Milano had been included stating that the code compliance issues had been addressed, with the exception of the permit for the boatlift which was a construction permit. He stated the boatlift did not have a waiver, and therefore, a construction permit could not be issued until the waiver was approved, along with the electrical work.

Jamie Hart further stated that there were no safety issues involved. He stated the majority of the piers in the area were only a few feet beyond what was permitted by Code.

Vice-Chair Norbert McLaughlin reiterated that there were no code enforcement issues left to be addressed, and concerns of the Board had been reviewed and addressed through the memorandum presented. He stated that he did not see any reason to object to the application for the waiver.

Rick Schulze asked if the City had removed the 2 pilings they were supposed to do. Jamie Hart stated they had not removed them as of this date, but were scheduled to do so. He remarked that he wanted to be present when they were being removed so he could make sure that the correct ones would be taken out.

Vice-Chair Norbert McLaughlin stated that due to the weather during the last month and a half, the homeowner could not be faulted about this issue because nothing was being done in the industry.

Jamie Hart asked if any Board member was not in favor of this application moving forward. Richard Duncan stated that the matter did not even have to be discussed since all issues had been addressed and the site was in compliance. Jamie Hart stated that the applicant had acted in good faith.

The Board unanimously gave consensus for this application to move forward.

Jamie Hart reiterated that he had never experienced a situation where the Board had been unable to vote on such an application, but he did not think there would be a

problem. He announced that the next step was for this to be presented to the City Commission.

**Old Business**

None

**New Business**

Jamie Hart stated they were moving fast to finish spending the money on the signs. He stated they had spent about \$32,000 of the \$60,000 given to them. He added that they only had to the end of the month to spend the remaining monies. He reiterated they only had to actually spend about 70% of the funds.

**Report**

- **Broward County marine Advisory Committee**

No report.

- **Acknowledgements**

Vice-Chair Norbert McLaughlin stated that Marlene Kimball was back as the Dockmaster on the Marine staff. He stated that she had been brought back due to the efforts of Chuck Adams and Jamie Hart who had been instrumental regarding her return. Jamie Hart stated it had been more of Chuck's work to bring her back.

Vice-Chair Norbert McLaughlin stated that he also wanted to thank the City employees who had assisted in insuring the safety of the marine interests of the City.

Jamie Hart stated he wanted to acknowledge his staff during the hurricane who had done a great job. He stated that only one boat on the New River had broken loose which was the Anticipation IV who had pulled up some cleats.

There being no further business to come before this Board, the meeting adjourned at 8:50 p.m.

Respectfully submitted,

Margaret A. D'Alessio  
Recording Secretary