

## MARINE ADVISORY BOARD

January 5, 2006 – 7:00 P.M.

CITY HALL

CITY COMMISSION CONFERENCE ROOM – EIGHTH FLOOR

100 North Andrews Avenue

Fort Lauderdale, Florida

<b>Board Members</b>	Present/	Cumulative from 5/01/05	
	Absent	(P)	(A)
Randolph Adams	P	P-6	A-1
John Baker	P	P-6	A-1
Joan Brochu	P	P-5	A-2
Richard Duncan	P	P-7	A-0
Joseph Hessmann	P	P-6	A-1
Heather Keith	P	P-5	A-0
Roger McKee	P	P-6	A-1
Norbert McLaughlin	A	P-6	A-1
Robert Sadowski	P	P-5	A-2
Rick Schulze	P	P-4	A-3
John Terrill, Chairman	P	P-7	A-0
Stephen Tilbrook	P	P-6	A-1
Dr. Geraldine Udell, Vice Chair	P	P-4	A-3
Eugene Zorovich	P	P-6	A-1

### **Staff**

Jamie Hart, Supervisor of Marine Facilities

Bruce Larkin, Director of Business Enterprises

Marlene Kimble, Downtown Facilities Dockmaster

### **Visitors**

Frank Herhold, Executive Director/Marine Industries Association of South Florida

Tyler Chappell, Chappell Group, Inc.

## **I. Call to Order/Roll Call**

The January 5, 2006 meeting of the Marine Advisory Board was called for order at 7:03P.M. by **Chairman Terrill**. A quorum was achieved with thirteen board members present.

## **II. Approval of Minutes – December 1, 2005**

The minutes of the December 1, 2005 meeting were reviewed.

A motion was made by **Mr. Adams** and seconded by **Mr. Schultz** to accept the minutes with no corrections, deletions, or additions. A vote was taken and the motion carried unanimously.

## **III. Waterway Crime and Boating Safety**

There being no officers present for tonight's meeting, this item was deferred to the next meeting.

## **VI. Application – Dock Waiver of Distance Limitations IL Lugano, LLC – 3333 N.E. 32<sup>nd</sup> Avenue**

**Chairman Terrill** advised that proper notification to the surrounding neighborhood has not been accomplished. **Chairman Terrill** requested this item be deferred to next month.

**Mr. Randolph** made a motion that this item be deferred to next month's agenda. **Mr. Schulze** seconded the motion. A vote was taken and the motion passed unanimously.

**Chairman Terrill** requested that this item definitely be placed on February's agenda so it does not get delayed further. He further advised that there has been some notification through the DEP process and through Zoning.

**Ms. Keith** inquired if the notice is something that is done by the applicant. Mr. Hart answered that staff sends out the notices to residences within 300 feet of a proposed waiver. Tyler Chappell attended tonight's

meeting and made himself available for questions should anyone wish further information.

**Mr. Tilbrook** commented that the material in the package contained 8 1/2 X 11 diagrams. At that size he felt it was difficult to get a feel for project. He suggested the Board be supplied with a larger set of plans that portray the project on one page. He also wished to have any upland development identified, in addition clarify how this project relates to said upland development, and identify the surrounding property owners. Mr. Tyler advised that he will make copies for everyone who is interested.

**Mr. Tilbrook** would also like an analysis of similar sites along the Intracoastal Waterway where waivers have been granted. He is concerned about precedent. Mr. Hart noted that he will include that information in the PowerPoint presentation.

#### IV. Update – Public Waterbus Stops

At the last meeting **Chairman Terrill** requested a report as to where the watertaxis were docking, where the stops are located, and what rent was being paid. He also noted that new stops or changes in stops are not brought before this Board. Mr. Hart advised that the code does allow the Supervisor of Marine Facilities to designate stops, however Mr. Hart assured the Board he would always bring such matters before the Board. He noted that in 1989 the first stops were originally established. Mr. Hart demonstrated via a map with color-coded designations where those stops are located. He displayed current and existing stops, and stops no longer in use, adding that some stops were approved but never used. Some stops have been eliminated because of problems, mainly due to them existing in residential areas. (Only two remain in residential areas, and one is only used when passengers hail the vessels.)

Mr. Hart gave an overview of the locations of the current stops and of those that are no longer being used. In the future there are four new stops being contemplated. Some of them may require waivers. At this time there is some litigation in progress between the watertaxi and Broward County concerning these sites. The locations are county operated except for the one located on the west side of 17<sup>th</sup> Street. Locations under review for future stop sites: Performing Arts Center, Marine Facilities Office, DDA Plaza, and New River Village.

**Ms. Keith** asked about the site located at 17<sup>th</sup> Street. Mr. Hart noted that the city has control on the east side, and the watertaxi has a whistle stop location there.

**Chairman Terrill** inquired if the current unused sites could be reinstated or used in the future. Mr. Hart answered no, as they were terminated because of problems.

**Mr. Hessmann** inquired as to how many stops there were currently. Mr. Hart answered there were ten, adding that there were thirteen in 1989.

**Chairman Terrill** asked Mr. Hart to comment on the use of the floating dock location and the New River location that was leased to the watertaxi at the commercial rate on a temporary basis. Mr. Hart noted the total fee for that temporary lease was \$1700.00. The vessels are still using some space and are being billed, for a grand total of \$3400.00.

The space at Cooley's Landing requires that a commissioner place the item on an agenda, which occurred. The watertaxi would have the ability to rent up to six slips at the current rate, not the commercial rate, of \$1.04 per lineal foot with monthly discounts. That total would be approximately \$37,000.00 on a temporary basis. The watertaxi is trying to obtain space at the port and is currently in negotiations.

**Ms. Keith** asked how long the temporary term was for. Mr. Hart answered it would be six months. **Mr. Duncan** added that six months was the norm for every place of dockage. Mr. Hart noted that that was true but added that the space is renewable.

**Chairman Terrill** advised that he had attended the meeting with the City Commission regarding the watertaxi. The City Commissioners were concerned about this not becoming a permanent situation and stressed their desire that this remain a temporary solution. There was also a discussion about activities taking place late at night because this is a live-aboard marina. **Chairman Terrill** reported that the Mayor suggested this Board do whatever we can to insure there is no problem caused to the live-aboard patrons. The Mayor suggested locating the watertaxis as far away from the live-aboard boats as possible, and place the storage boats, that have no crew, as close to the watertaxi area as possible. Although this was on our agenda at the last meeting, it was determined at that time that the City Commission had no interest in reviewing this item. That interest level has changed. **Chairman Terrill** suggested that this item be placed on our agenda for review one month before the six-month lease is due to expire. **Mr.**

**Duncan** suggested that time frame be changed to two months before to give this Board time to come to an action if necessary.

**Mr. Duncan** added that the storage of vessels at a commercial marina is not the best use of the facility and we should be careful of what we allow to occur there. **Mr. Tilbrook** agreed.

## **VI. Old Business**

**Ms. Keith** had requested that an update be placed on this agenda regarding the Boat Facility Citing Plan. Mr. Larkin advised the Board that the city has retained a firm, at a cost of \$25,000, for the purpose of completing a study to assist in the modification of this plan. The consultant began the process but halted when he was told that the county was in the process of modifying the draft. At this point we are waiting to analyze the county's changes before we continue with any further studies. Mr. Herhold added that MIASF did an extensive survey of current marine facilities and estimated future needs. That process has near completion and is headed by Susan Engle. Ms. Engle will be meeting with Eric Myers for completion of the third draft.

**Ms. Keith** inquired if this latest version will be the final document or just another draft with an opportunity for further change. Mr. Herhold answered that it's been labeled a draft, not a final report. Mr. Larkin added that once the analysis is complete it will come before this Board. Mr. Herhold thanked the city for coming forward and assisting this important effort.

**Chairman Terrill** asked Mr. Larkin to keep this Board apprised of the progress and to make sure the city has an opportunity to do their study before the document is finalized. **Mr. Tilbrook** inquired about the date the final draft will be submitted. Mr. Chappell noted that before the document is finalized there will be another workshop and another meeting where public input will be taken. **Mr. Hessmann** requested that this Board is notified of the date of the next public meeting.

**Mr. McKee** advised that speakers from Homeland Security had been contacted and asked to address this Board. **Chairman Terrill** was told that because this meeting is televised, they declined to attend, not only this group but all others as well. There are changes being made that they are not prepared to discuss at this time.

**Mr. Hessmann** advised that one of the beach concessions, specifically Aloha Enterprises, has violated a sign ordinance. Code Enforcement has failed to remedy this situation. He added that this is the third time this ordinance has been violated by this concessionaire and that the owner has been notified on each occasion. **Mr. Sadowski** commented that signs that do not meet code are normally picked up by the city. **Mr. Hessmann** added that Code Enforcement will act, but the public must report it first. **Mr. Tilbrook** asked if that ordinance included the signs at the public marinas. It was determined that the city may post a sign, but private signs are not allowed. Mr. Hart added that the sizes of signs are restricted and that signs are allowed for commercial vessels, on the vessels, but not on the land. **Mr. Hessmann** noted that the restrictions for signage are laid out clearly in the handbook.

**Ms. Keith** reminded everyone that the FIND meeting will be held in Broward County in January the 20<sup>th</sup> at 9:30. A notice will be posted as the location is not final. Mr. Herhold added that the dredging project, as it stand right now, is being paid for by FIND but there are two areas being considered in Phase I; the Dania Cutoff and the ICW from 17<sup>th</sup> Street north to Sunrise. Mr. Herhold asked that attending Marine Advisory Board members suggest that the New River become a follow-up project, Phase II. **Mr. Duncan** said it was his understanding that the New River and the ICW had been the primary target at one point. Mr. Herhold noted that the priorities had changed according to the costs of the projects and that the package of funding won't accommodate the New River and the ICW but it will fit the ICW and the Dania Cutoff. All three will eventually be completed. **Chairman Terrill** inquired if economic impact studies had been done to determine priorities. Mr. Herhold was not sure if such a study had been done. Mr. Hart added that the 2006 State Legislature funding request for a survey and feasibility study for the dredging of the New River will answer that question. **Mr. Adam** added that at the county level that all was discussed and analyzed before it was switched. **Ms. Keith** added that FIND will be a continuing source of money over the next decade and she encouraged everyone to attend to show support. Mr. Herhold noted that FIND needs to hear from the users, adding that FIND already knows where the industry stands.

On a quick note, Mr. Herhold thanked everyone for attending the Marine Summit. The elected officials that attended reported how important the marine industry is to their area. Also he noted the 28<sup>th</sup> Annual Waterway Cleanup is scheduled for March 4<sup>th</sup>, it has over 3000 participants. In addition, he added Tom Neal will be coming into town in January and is interested in doing an article.

- **New Business**

**Mr. Adams** noted the package this month was 150 pages on the Waiver application for 333 NE 32<sup>nd</sup> Avenue, and it seemed excessive as well as expensive and wasteful. He felt an executive summary would have sufficed. **Chairman Terrill** instructed the Board members to hold onto the packet as the item will be addressed at the next meeting. **Mr. Duncan** suggested the packet be sent out earlier. **Mr. Tilbrook** reminded the Board that this is a quasi-judicial item and to be sure to disclose any and all contacts. **Mr. Sadowski** inquired about emailing the reports. **Chairman Terrill** noted that all city commission backup material is on-line and eventually our back-up material will also be available on-line, but the minutes cannot be posted until they are approved so they will be a month behind. Hard copy is still desired by some members. Mr. Hart noted that the number of permits needed for this project dictated the size of the packet. **Mr. Adam** feels an inventory of the permits would have been sufficient. Mr. Chappell is available should anyone desire further information or clarification.

## **V. Reports**

RFQ for Floating Docks: Mr. Hart noted that staff is moving forward with this project. He added that he is slightly behind and would like to bring this item back at the next meeting.

Broward County Marine Advisory Committee: **Mr. McKee** reported that due to the lack of business no meeting was held.

**Mr. Hessmann** thanked Mr. Larkin for his many contributions, his expertise, and passion for the work he has performed for the city and this Board. He added that Mr. Larkin leaving will be a great loss. He wished him a good retirement. Mr. Larkin thanked the Board and noted he will

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present his predecessor at the next meeting, and will be around and available for special projects.

### **XIII. Adjournment**

There being no further business brought before this Board, a motion was made by **Mr. Schulze** and seconded by **Mr. McKee** to adjourn the meeting. **Chairman Terrill** adjourned the meeting at 8:15 P.M.

Respectfully submitted,

Jody E. Lebel  
Court Reporter/Public Notary