

**MARINE ADVISORY BOARD  
THURSDAY, MAY 4, 2006  
CITY COMMISSION CONFERENCE ROOM – EIGHTH FLOOR  
CITY HALL  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA**

**BOARD MEMBERS PRESENT**

**CUMULATIVE FROM 5/1/05  
ATTENDANCE**

Randolph Adams	P-10	A-1
John Baker	P-9	A-2
David Bernier	P-3	A-0
Richard Duncan	P-11	A-0
Barry Flanigan	P-1	A-0
Joseph Hessman	P-8	A-2
Roger McKee	P-9	A-1
Heather Keith	P-8	A-2
Norbert McLaughlin	P-10	A-1
Rick Schulze	P-5	A-6
John Terrill, Chair	P-11	A-0
Stephen Tilbrook	P-9	A-2
Michael Widoff	P-1	A-0
Eugene Zorovich	P-10	A-1

**Board Members Absent**

**Staff Present**

Jamie Hart, Supervisor of Marine Facilities  
Jeff Modarelli, Director of Business Enterprises  
Andy Pallen, Sgt. Ft. Lauderdale Marine Police  
Breck Ballou, Captain Ft. Lauderdale Marine Police  
Marlene Kimble, Downtown Facilities Dockmaster

Margaret Muhl/Recording Secretary

**Guests**

Frank Herhold

**CALL TO ORDER**

Chair John Terrill called the meeting to order at approximately 7:06 p.m., roll call was taken, and a quorum was present.

### **APPROVAL OF MINUTES**

David Bernier stated that the minutes for the March 2, 2006 meeting did not show him as being present.

Randolph Adams stated that in the body of the minutes he was listed as Mr. Randolph instead of Mr. Adams.

**Motion** made by Rick Schulze and seconded by Norman McLaughlin to approve the minutes of the March 2, 2006 meeting as corrected. Board unanimously approved.

Stephen Tilbrook stated that the figures for his attendance appear to be reversed in the April minutes. The ones showing him absent should be the figures for the meetings he was present at, and vice versa.

Randolph Adams stated that on the last page of the April minutes it states: "Randolph Adams stated that the inlet grants..." and it should read: "...the emleg grants."

**Motion** made by Randolph Adams and seconded by Eugene Zorovich to approve the minutes of the April 6, 2006 meeting as corrected. Board unanimously approved.

### **ELECTION OF NEW OFFICERS**

Barry Flanigan nominated John Terrill as Chair of the Marine Advisory Board.

There being no further nominations for the position of Chair, a motion was made to close the nominations.

**Motion** made by Richard Duncan and seconded by Randolph Adams that the nominations for Chair of the Marine Advisory Board be closed. Board unanimously approved to close nominations.

Board unanimously approved John Terrill as Chair of the Marine Advisory Board.

Norbert McLaughlin nominated Barry Flanigan as Vice Chair of the Marine Advisory Board.

There being no further nominations for the position of Vice Chair, a motion was made to close the nominations.

**Motion** made by Rick Schulze and seconded by Norbert McLaughlin that the nominations for Vice Chair of the Marine Advisory Board be closed. Board unanimously approved to close nominations.

Board unanimously approved Barry Flanigan as Vice Chair of the Marine Advisory Board.

### **INTRODUCTION OF NEW MEMBERS**

Chair John Terrill proceeded to introduce Michael Widoff as a new member of the Marine Advisory Board.

Michael Widoff stated that he has lived in Fort Lauderdale since the early '50's and was in the Coast Guard Reserves. He is a lawyer and practices in Broward County, and an avid boater and pilot. He continued to state that he was honored to serve on this Board.

Chair John Terrill further stated that the Board had another new member, Barry Flanigan.

Barry Flanigan stated that he had been reappointed to the Board and was a former business owner in the City. He stated that this is his second term on the Board and has served on 5-6 other boards in the City. He looked forward to working on this Board and achieving great things.

Chair John Terrill advised that Brian Campbell would be coming back to serve on this Board very soon.

### **WATERWAY CRIME & BOATING SAFETY REPORT**

Sergeant. Pallen, Fort Lauderdale Marine Police, stated they have been very busy preparing for Fleet Week and the Air & Sea Show. No burglaries or crime on the waterway in the past month. There had been two vessel accidents. One involved Towboat US while pulling a larger dock through the New River. No individuals were injured but there had been significant damage to the boats. Also a fatal accident had occurred at the New River Bridge. There had not been a fatal accident for at least nine years.

Sergeant Pallen stated that vessel operations during the weekends have been getting out of control, especially in the River. There have been violations regarding speed and no wake zones. Therefore, they had 14 boats on the water assistance was enlisted from the Broward Sheriff's Office, FWC, and the Sheriff's Mobile DUI Task Force Unit. Ninety citations and warnings had been issued, and positive feedback was received from the public. He stated they wanted to continue educating the public in order to promote safe boating within the City. They are in the middle of Fleet Week and gearing up for the Air & Sea Show.

Sergeant Pallen further stated that recreation boats will not be able to maneuver tomorrow between 6:00 a.m. and noon because the naval vessels would be departing, and they had to enforce the 600' safety zone around those vessels as they are leaving the Port.

Sergeant Pallen stated that two new officers have joined their unit. One of the officers is Officer Pastiglia who has been with the City for 10 years,

**APPLICATION – STORKS RESTAURANT/VILLAGIO DI LAS OAS, 1103 E. LAS OLAS BOULEVARD – GONDOLA OPERATION**

Jamie Hart stated that the gondola operation is similar to the tour boat operations that have been before the Board.

Stephen Tilbrook announced that he had a conflict of interest regarding this matter.

Jamie Hart continued stating that this was not a self-propelled vessel which placed limitations on certification requirements in connection with passenger requirements. The Coast Guard does not have regulatory authority in this matter. The State has a different opinion in that regard, but have not confirmed it in writing. Therefore, he feels the opinion of the Coast Guard would over rule all others. The certification requirement is that they have a white light on the boat for emergencies when operating at night.

Jamie Hart stated they are proposing to conduct tours for a fee which is \$50 for two passengers, and \$10 for each additional passenger. Two vessels would operate at night and they would only be operating in the Himmarshee Canal. He stated that he had spoken with the City Attorney and the City's Risk Manager regarding this matter regarding their insurance. They operate in the Bay area in California and have an excellent rating, and the gondola operator has an excellent claims record. He stated that he is satisfied with their track record.

Jamie Hart further stated that if this Board approves the operation, then the following conditions would apply:

1. The applicant has to furnish and maintain on record a valid certificate of insurance to the City's Risk Management in accordance with the attached policy.
2. No equipment could be stored on a dock facility.
3. Advertising signs of any form would not be permitted on the dock or vessel except as explicitly approved under the Code of Ordinances.
4. Loud or amplified music or narrations is prohibited on the vessel at all times while the vessel is in operation.
5. The applicant has to comply with all zoning requirements, occupational licensing and other regulations.
6. The gondola excursions as proposed would be limited to the Himmarshee Canal.

All comments from this Board would be forwarded to the City Commission as an exhibit in conjunction with the approval of the waiver.

Jamie Hart stated that an outline of a safety plan has been submitted which takes into consideration the types of things pertaining to a tour boat.

Norbert McLaughlin asked why a white light is being required because they are normally anchor lights. Jamie Hart explained that rule was set forth by the Coast Guard.

Chair John Terrill stated that a self-propelled vessel under 23' is only required to have a white light which could also be a flashlight. Mr. Stork explained that the gondola was 36'. Chair John Terrill explained that according to information provided by Jamie Hart a self-propelled vessel was one having a motor. Mr. Zorovich stated that a dinghy that is not motorized does not have to be registered according to the Coast Guard.

Chair John Terrill reiterated that the applicant would have to abide by all Federal Regulations.

Barry Flanigan asked if the applicant was in agreement with all the rules and regulations to be followed.

Chair John Terrill asked what was Mr. Stork's relationship with the company and the gondolier. He asked who was actually the applicant.

Mr. Stork stated they are the applicant and the gondolier was the subcontractor.

Chair John Terrill explained that the Board would be approving the business. Jamie Hart stated that the Board would be approving the application of the owner of the property, and Mr. Stork is representing the owner.

Richard Duncan stated that the permit is for the gondolier and not Stork's Restaurant which was included in the Board's materials as Exhibit 1. The building owner granted permission for them to use the dock for these services.

Jamie Hart stated that this type of application had been received in the past. He stated there was no concern as to how this was being arranged, as long as all insurance requirements were met and application requirements met in terms of this Board's review.

Barry Flanigan asked if an occupational license is required for the operation. Mr. Stork stated that this was the process to be followed. Jamie Hart stated that an occupational license would have to be obtained since they are charging a fee for the service, but they are waiting on this Board's comments. Barry Flanigan reiterated that the license would have to be obtained in the legal name of the applicant. Jamie Hart stated that he was not sure. Mr. Stork stated they have received approval by the owner to use the subject site.

Jamie Hart reiterated that any type of license normally stayed with the property owner. Mr. Stork advised that they had met with City staff and attorneys, as well as the Coast Guard, so all regulations would be met. Now, they wanted this Board's approval so they would be able to obtain an occupational license.

Barry Flanigan asked why there was an amplification denial, but yet the water bus is permitted to amplify. Jamie Hart stated that the water bus had special licensing requirements.

Chair John Terrill stated that it was his understanding that legally the water bus was not permitted to amplify or do tours. Barry Flanigan asked why the water bus would be permitted to do so, but yet this applicant would be prohibited from doing so. Jamie Hart reiterated that a special licensing requirement was involved and they were only

permitted to have a microphone system for the purpose of announcements and not to be used for loud music.

Jamie Hart stated that there would be privacy issues in regard to this neighborhood, and they would be operating at 11:00 p.m. He cautioned this Board that this could be a sensitive issue and would be a valid condition in conjunction with approval of the waiver.

Randolph Adams asked who was the applicant in this matter. Mr. Storm explained that based on the City's application process, the applicant had to be the property owner. Randolph Adams asked if singing in a loud voice on the gondola would be prohibited or only amplified music would only be prohibited. Jamie Hart stated that would not fall under this application and he had gone over the rules and regulations with the applicant and operator.

Chair John Terrill stated that the idea was that this should be a romantic cruise, and by virtue of taking place in the Himmarshee Canal, this condition should be included in the approval so as to eliminate potential problems. Most customers would not be looking for loud music.

Norbert McLaughlin asked if there would be any type of music provided during the gondola ride.

Angelino Sandrey, Gondolier, stated the gondola was authentic so as to create the real experience. No entertainment was provided on these vessels. His expertise is history of the boats. He explained if the couple wanted a romantic cruise, he might sing a soft song from Venice. He was interested in creating a moment for the couple in the boat.

Randolph Adams asked if the gondolier had been performing this service in the City recently. Mr. Sandrey confirmed and stated that he has been promoting the service with the Las Olas Association. Mr. Stork further explained that they are before this Board for approval so they could charge a fee.

**Motion** made by Richard Duncan to recommend this operation be approved by the City Commission.

Randolph Adams asked if there would be two gondoliers. Mr. Stork stated that most likely there would be two gondoliers due to there being a safety issue.

The motion was seconded by Rick Schulz.

Chair John Terrill asked if the gondolas would go beyond the Himmarshee Canal. Mr. Stork confirmed. Chair John Terrill asked if the applicant agreed with condition #6 regarding operating in the Canal. Mr. Stork stated that he would comply with the condition, but he felt the lack of understanding as to how the gondolas operate make everyone hesitant to permit operation on the New River, but the River was very similar to the water conditions in Venice. Chair John Terrill asked if the vessel had been built in Venice, and was it identical to those operating in Venice. Mr. Stork confirmed and stated that the gondola had operated at a hotel in Venice for 10 years. Chair John Terrill asked if the larger waterways in Venice, such as the Grand Canal, were similar to the

waterways here in regard to wakes and currents. Mr. Stork explained that there were more wakes in Venice than in this City.

Chair John Terrill asked if the boats should be restricted to the Canal. Mr. Stork stated he did not feel the vessels should be restricted to the Canal, but he understood everyone's concern regarding the safety of boaters. Chair John Terrill remarked there was a lot of vessel transportation in Venice, such as motorized ferries and small freighters. He added that kayaks do go up and down the New River.

Jamie Hart stated that the 6<sup>th</sup> condition had been included because it had not been proposed in their operation plan. He stated that there were unknowns regarding this operation at this time because the City never had this type of service being offered. Since a route was not proposed for the New River, it could not be evaluated. The City Attorney was comfortable with this condition.

Randolph Adams asked if the applicant planned on returning and amending their operation. Mr. Stork stated that they would begin operation and then put together some ideas.

David Bernier recommended that paragraph 6 be modified so as to delete the words Himmarshee Canal and allow the operation to take place on other waterways.

Richard Duncan agreed to the recommendation, along with Rick Schulze.

Norbert McLaughlin agreed that the condition should be modified, but he was concerned when the gondola would get behind the wake of the water taxi.

The motion was restated as follows:

**Motion** made by Richard Duncan and seconded by Rick Schulze to recommend to the City Commission that the gondola operation be approved and that condition #6 be eliminated. Board unanimously approved.

Stephen Tilbrook returned to the meeting.

### **WORKING WATERFRONT PROTECTION ACT/HUGH TAYLOR BIRCH STATE PARK 10- YEAR PLAN**

Jamie Hart stated that he would have preferred more time for staff to review this matter, but the process was under review due to the Working Waterfront Protection Act which was approved in 2005. It essentially says that the State was charged with developing boating access plans for all state parks having waterfront access. The Marine Industry Association brought this matter to staff's attention, and the Mayor had spoken at a public hearing regarding providing access to Birch State Park. It was discovered that in the 10-year plan they had not addressed this. Funding was available through a grant. The position in the 10-year plan appeared very vague, but he believed it was based on environmental and wake concerns. The Mayor proposed access possibly be provided by the bridge and boat slips could be provided, along with a boat launching ramp. He believed these would be nice amenities to the park and increase the use of it since it had

been underutilized. He explained that the Land and Acquisition Committee would oversee this and there might be time for various groups to make an appeal so the State would reconsider their position.

Rick Schulze asked if this was a State or City proposal. Jamie Hart explained that this was a suggestion by the City for the State to consider. He stated that alternate ideas might be available for them to pursue, but ultimately the State would have to step forward.

Chair John Terrill stated this Act required state parks to consider access for recreational boating. The 10-year plan for Birch State Park did not include any plans for this type of boating. The suggestion is that the Commission consider a resolution to encourage the PEP to follow the guidelines of this Act.

Rick Schulze said the area of the proposal would require a major overhaul in order to facilitate the access.

Stephen Tilbrook stated that the State Legislature had created an obligation for an agency, but the agency did not appear to follow the obligation with regard to Birch State Park. Therefore, he asked if the study was complete and was it appealable, and how often are such studies updated.

Frank Herhold, Marine Industry Association of South Florida, advised that the study was completed and was part of a 10-year management plan. The park should have consideration given to it for its recreational value for boaters. He stated they are concerned because this could be a lost opportunity.

Stephen Tilbrook asked if this was a final order that would have to be appealed or was it a living document. Mr. Herhold explained that it was a living document, and he did not think it was a final order, but he was not sure at this time. He explained further there was another level of approval involved, and they hope to make a presentation at the final meeting. Stephen Tilbrook asked when the final meeting take place and where would it occur. Mr. Herhold stated that the meeting would occur in Tallahassee. Jamie Hart stated that the meeting was scheduled for the first or second week of June. He did not know if there would be time to submit a resolution, but hopefully this Board would provide their comments and then Mr. Herhold and the lobbyist would be able to keep this alive. Mr. Herhold advised that a meeting had been held here in January. Jamie Hart explained that he had not attended the meeting and had not received any notice pertaining to it. Mr. Herhold further stated that notice came indirectly.

Barry Flanigan asked if the City could partner with the State in this matter.

Chair John Terrill stated that the Mayor's letter suggested that the City would help however they could to support the park.

Jamie Hart stated that a co-venture would be an interesting idea.



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Randolph Adams asked if the City had spoken with the County regarding this matter. Jamie Hart stated that he had not done so. Randolph Adams suggested that the County could be a player in this matter as well.

Chair John Terrill asked if that would shift the responsibility of financing to the County or City, and away from the State. Randolph Adams stated that voters would be paying for this one way or another.

Mr. Herhold stated that a meeting was scheduled with the Director of County Parks and Recreation.

Jamie Hart reiterated that at this point, they were attempting to just keep the idea alive. He further stated that Mr. Flanigan's idea was interesting from a long-range perspective, but there would have to be an extensive review since various parties would be involved. Jamie Hart stated that there needs to be some support from the State since they owned the property.

Rick Schulze stated that the Park Manager had a budget to follow and since this park would require a lot of revenue to bring it back "up to snuff," they were probably treating this like a "sleeping dog." Therefore, he asked who would they be appealing this to.

Jamie Hart stated that now it was up to the Acquisition and Restoration Council, and they were appointed by the Governor. It was made up of different State departments.

Stephen Tilbrook stated that if this was a living document, he was glad the Mayor brought this to the Board's attention, but before they jump into the matter and begin spending money, he stated that Birch State Park had a long history in regard to its current configuration. He felt that developing part of the park for boat facilities or other facility would be a big change and require a certain level of citizen input. He believed other groups might have an opinion about that section of the park, but he realizes that the Statute was developed in order to encourage and require state parks to provide better access to boaters and for recreational purposes. This section of the Intracoastal waterway was completely blocked off to public access. From another perspective, this waterfront should be opened to the public.

**Motion** made by Stephen Tilbrook and seconded by Barry Flanigan that this Board make a recommendation to the City Commission that they be proactive in pursuing modifications to the management plan of Hugh Taylor Birch State recreation area to provide better public access for boaters and citizens, and better access to the Intracoastal Waterway.

Richard Duncan stated that they should be pro-active in this matter and not reactive, and have the City and County involved from the beginning.

Mr. Herhold remarked that they were attempting to get a handle on this matter.

Mr. Duncan reiterated that this Board needs to make a very strong recommendation to the City Commission to follow up on this matter.

Board unanimously approved the motion.

**RIVERWALK FLOATING DOCK PROJECT – CCNA CONSULTANT APPROVAL**

Jamie Hart advised that a fee of \$100,000 had been negotiated for the consultant. All information had been provided to the Board regarding the project, including background information, design and construction information, environmental and resource permitting, and information for preparing all bid documents. He stated the most difficult part of this process would be in getting around the requirement established for the boat siting plan which had never been approved which was to limit one slip per 100' of lineal shoreline. He stated that could be done provided they were creative. Various options were available for a fee based on a schedule provided with breakdowns of rates for services rendered. The City has the need for a good maintenance and repair contract for facilities. Additional services would be provided for an hourly rate.

Jamie Hart further stated that he wanted this item placed on the agenda for the City Commission's meeting scheduled for June 6, 2006. He further stated that different types of structures were being reviewed, along with ADA requirements for gangways.

Stephen Tilbrook asked about the time frame for this project. Jamie Hart stated that this project would take time and as of this date he would not be able to supply a time frame regarding the completion of this project. Stephen Tilbrook asked what was the time frame for the contractor to perform the services under the contract. Jamie Hart explained that a contract had not yet been signed. Stephen Tilbrook asked what schedule would be included in the contract for the completion of this project. He asked further why such information had not been included in the backup material to the Board. Jamie Hart explained that copies of contracts are not normally provided to the Board or the City Commission. He stated the problem would be with the permitting. Stephen Tilbrook stated that services regarding the submission and preparation of the permits could be completed within a time frame. He further stated that he feels it was important to have an iron-clad schedule for the contractor. He stated there would be no excuse for this project to go beyond a scheduled period of time, and he further asked if Jamie Hart had a preference regarding the schedule for this project. Jamie Hart stated that he would prefer a schedule that would be reasonable so the contractor could provide the desired services, while still keeping the project on track.

Stephen Tilbrook asked if before this matter went before the Commission that Jamie Hart arrive at a firm schedule with the contractor, and e-mail such information to the Board. He stated that whatever vote was taken from this Board would be contingent upon the fact that a reasonable schedule had been established. He felt this was an extremely important facet of the project.

Barry Flanigan asked if sea grass surveys would be need. Jamie Hart replied that he did not feel they would be necessary since they were not required for the last dock, but he was not sure at this point in time. Barry Flanigan believed that such a survey would be required somewhere down the line during the project. Jamie Hart explained that it was a fairly well-known fact that there were no sea grasses on the New River.

Jamie Hart stated that he would provide a schedule to the Board at their June meeting regarding the time frame for this project. Stephen Tilbrook stated that he did not want Jamie Hart to return with a schedule, but he wanted a firm schedule included in the contract. Jamie Hart reiterated that he had not yet given that aspect of the project a lot of thought because he wanted the Board to move forward with this project since it had been insinuated they were dragging their feet. He further stated that the time frame was an important concern.

Barry Flanigan asked if language could be included in the contract stating the experience of the contractor regarding such a project. Jamie Hart stated that they had gone through a CCNA process with the consultant and the scope of services had been decided upon. Barry Flanigan asked if they still had the window of opportunity to state that only experienced contractors would be considered.

Stephen Tilbrook stated that he believed that would be beyond the scope of what they were doing, and various legal issues would be involved. He stated that staff's job was to prepare the specifications of the project. Jamie Hart reiterated that the contractor was required to put together the bid specifications, and then the City would put the contract out for bid. Stephen Tilbrook stated that perhaps a second motion should be made for staff to consider contractor qualifications at the time of the bid for the project.

Chair John Terrill stated that Norbert McLaughlin had served on the selection committee and possibly could provide some further explanation regarding the process.

Norbert McLaughlin stated that basically they submitted their own design which they would look for in the various floating docks. He further explained that one of the primary concerns of the ADA was how to set access up along the River due to the fluctuation in the tide. The contractor bidding on the design would have to be experienced and would have to satisfy the consultant's requirements.

Barry Flanigan asked if the City would have input regarding the contract. Stephen Tilbrook confirmed. Norbert McLaughlin stated that the City Engineer would have to approve the design, but would not actually do the design work.

Stephen Tilbrook further stated that this was a specialized project, and therefore, this Board recommends that the City ensure that a qualified contractor be chosen. He stated that typically the City is a low-bid contract, but in certain cases the City could require certain qualifications as part of the selection process. He continued stating that possibly Jamie Hart should go back to the City Engineer and ask how this could be accomplished during the bidding process.

Jamie Hart explained that this might not be done as a straight bid.

Chair John Terrill stated that when Jamie Hart came to this Board approximately 3-4 months ago seeking approval to apply for a grant for this particular project, he had to provide design specifications which he had done himself. He stated that he had done a good job. It had been agreed that a stakeholder would communicate at the beginning of the process, opposed to doing so at the end of it. Two major stakeholders were involved in the floating dock project. One stakeholder was the Marine Advisory Board who had

worked on this project for decades, and the other stakeholder was the Riverwalk Trust who was involved regarding the entry to the Riverwalk Park. At some point in time, there would be a presentation made to this Board and the Riverwalk Trust regarding this project. He stated that he was concerned that the presentation would be made at the very end of the design process with no discussion held with the stakeholders. The agreement was that he would be involved in the process. He advised that he was also a member of the Riverwalk Trust, along with Stephen Tilbrook. He asked the Board for their input regarding this matter.

Stephen Tilbrook asked if there was an opportunity within the scope of services for there to be informal meetings with the stakeholders during the initial phase of the design of the project. Jamie Hart stated that in the specifications they had to provide, particularly in regard to permitting, updates during certain percentage completions of the project. He stated that one member could attend and updates provided. Stephen Tilbrook stated there should be an informal meeting with a select representative for the stakeholders at the initial phases of the project. Jamie Hart agreed that could be done.

Norbert McLaughlin stated that once they decided on the designer, the Board could provide input on the various designs being considered.

Chair John Terrill stated that input should be provided by this Board without being an obstacle to the process so the project could continue moving forward. He reiterated that the City could not afford to move forward with this project without input from the stakeholders.

Norbert McLaughlin further stated that a few years ago the floating dock design had been changed at the Bahia Mar Boat Show and there had been many problems. He did not want them to install a floating dock that would not be workable.

Richard Duncan stated that previously they had used a marine engineering consultant company for the Las Olas dock, and he felt that person should be kept in the loop.

Barry Flanigan stated that it was his understanding that the Board had discussed a few years ago that permits could be submitted before a final design was approved. He asked if that was a possibility. Jamie Hart stated that he would check into that and report back to the Board.

Frank Herhold stated that some developers in regard to the boat facility siting plan were submitting letters of interest. Jamie Hart stated that had essentially been done, and a letter was sent about two years regarding their expansion plan. He was not sure if that would be something they could hold them to. Barry Flanigan stated that the Board had discussed the timetable involved and were to identify locations for such docks.

**Motion** made by Stephen Tilbrook and seconded by Richard Duncan that the Marine Advisory Board recommend that the City Commission engage the consultant as long as the contract included time frames and deadlines to encourage expeditious submission of applications, and that the contract also would include an opportunity for informal stakeholder input during the initial design phase.

Richard Duncan reiterated that the marine engineer used previously should be part of the review process.

Rick Schulze stated that this project appears to have taken on a life of its own, and he hoped the project would come to fruition in the near future.

Board unanimously approved the motion.

Barry Flanigan suggested that Jamie Hart send a letter discussing the current plan. Stephen Tilbrook suggested that Jamie Hart meet with the consultant as to how they could reserve the spot.

### **OLD/NEW BUSINESS**

Barry Flanigan stated the Mayor had declared Mega Yacht Week during a boat show in the past, and they had attempted to have educational recognition for young people to enter this industry. He continued stating that there had been favorable discussions with Broward Community College and a major boat manufacturing was going to supply a \$2 Million building which was adjacent to the McFadden School on the Davie Campus. The grant would provide education regarding the marine industry for young students. The college would provide an Associate Science Degree which was a 2-year degree and similar to what was being done for the automotive field. The automotive students are sponsored by local dealers and are paid for their work.

Chair John Terrill welcomed Mayor Naugle to the meeting.

Mr. Flanigan continued stating that scholarships are be available, and a GED plus a 2.0 average were required. He stated that the College was very interested in partnership with the City and the Marine Industry Association to provide a program that would benefit the marine industry.

Mr. Herhold stated they were putting together information and having Viking Yachts involved was a major leap forward for the program.

### **Expansion of Las Olas Marina**

Richard Duncan stated that they had discussed in the past the expansion of the Las Olas Marina and he asked if this should be pursued.

Chair John Terrill stated that it was his understanding that litigation was still going on.

Stephen Tilbrook stated that the property was located in the Beach CRA, and perhaps they should include the CRA Director in such discussions.

## **REPORTS**

### **Riverwalk South Construction Bond Completion**

Jamie Hart stated that it was his understanding that the problems with the back line and west end were to be completed very soon. He further stated that the problem with the lights in the landscaping beds should be remedied by June 1<sup>st</sup>. He stated that he had provided a realistic estimate retroactive from November 3<sup>rd</sup> through April 12<sup>th</sup> for less than three years totaling \$242,478 as lost revenue from the property. The Engineering Department would be filing a claim to the bonding company, and he wanted that money transferred into an account they would be able to control and be a source for loans for marine facilities.

Jamie Hart further stated that repairs were made at the site due to the hurricane, such as lighting and wind damage and were under contract to be repaired.

Stephen Tilbrook asked if there was a substitute contractor involved in this project. Jamie Hart stated that the bonding company had brought in a contractor to complete the repairs due to the fact that the original contractor had been removed from the premises. Stephen Tilbrook asked if the docks were being used in that area at this time. Jamie Hart confirmed.

### **Canal Cleaning Operation**

Jamie Hart stated that he submitted to the Board a copy of a Commission Agenda Report where they had approved on April 18<sup>th</sup> a request for funding from the US Department of Agriculture in the amount of \$867,000. The problem appears to be from large and medium size tree debris due to the hurricane.

Eugene Zorovich stated that last week there was oil in the canal, along with garbage. He stated that possibly they needed to block the Intracoastal from Pompano because that might be where it was all coming from. Jamie Hart stated that he would check into the problem. Eugene Zorovich advised that Pollution Solution came by on Tuesday and he spoke to them regarding the garbage in the waterway.

Jamie Hart stated that someone had inquired regarding the purchase of a second cleaning vessel, and letters had been sent out to potential vendors with responses due by May 9<sup>th</sup>. Norbert McLaughlin asked what cost would be involved regarding a second vessel. Jamie Hart stated that he did not have that information at this time, but would check into the matter and provide an update to the Board. Norbert McLaughlin asked if it would be to the City's advantage to privatize that operation. Jamie Hart stated that would be an option and it had been discussed in the past.

Richard Duncan stated that a presentation had been made about 3 years ago by a company who would provide the service for one-third the cost of what the Pollution Solution cost the City. Rick Schulze stated that he did not know why that idea had not been pursued.

Broward County Marine Advisory Committee

Randolph Adams stated that there was nothing to report.

Regatta

Mr. Herhold stated that the Regatta was held last weekend and was a great success.

Boat Facility Siting Plan

Mr. Herhold advised that various meetings were to be scheduled and concerns would be expressed. The concept was that three Commissioners involved on the Committee would take their opinions to the full Commission and make a recommendation. There were many concerns such as the slip density cap. The County was divided into three sections: north, central and south. The south area was of a great concern because the slip density cap over the next seven years was for 1588 slips. There were already 825 slips with 30 developers involved in that area. Therefore, the City needs to reaffirm the number of slips needed for the floating docks. Day slips were being counted as well as permanent wet slips, and dry slips. Also trailer ramp parking places were also being addressed and were considered slips.

Mr. Herhold further stated that there was concern over the Dania Cut-Off Canal and the south fork of the New River due to discussion taking place regarding the creation of a fourth section which would be an area of special concern that would have its own slip density cap. The slip density cap would come from the 1588 slips. Therefore, they would not be gaining anything.

Mr. Herhold advised that on June 13<sup>th</sup> there would be an appearance before the County Commission on this matter. Once the Commission votes on the plan and it passes, it would then be forwarded to Tallahassee, and then to US Fish and Wildlife.

Stephen Tilbrook stated they had previously discussed City level advocacy regarding the boating facility siting plan, and he thought a recommendation had been made. Therefore, he asked if there was a City level advocacy relating to this plan. Jamie Hart stated that there was an independent study being done, but it was not yet complete since the County did not have a final plan. He believed there would be time for this Board to review this in June.

Mr. Herhold welcomed the new Board members. He advised that he had distributed a synopsis of their economic impact analysis, which involved the tri-counties. He stated they had a \$13.6 Billion impact, but over \$10 Billion of it comes from Broward County. He further stated that 14 marinas in Broward would be lost, which represents 23% of the County's slips. Brunswick Boat Group reviewed the sales of their boats 30' and over, they discovered that the Tri-County region represented 25% of their sales nationwide.

**Motion** made by Richard Duncan and seconded by Rick Schulze to adjourn.

There being no further business to come before the Board, the meeting was adjourned at approximately 9:09 p.m.

Respectfully submitted,

Margaret A. Muhl  
Recording Secretary