

**MINUTES OF THE MARINE ADVISORY BOARD
 100 NORTH ANDREWS AVENUE
 8TH FLOOR CONFERENCE ROOM
 FORT LAUDERDALE, FLORIDA
 THURSDAY, FEBRUARY 5, 2009 – 7:00 P.M.**

<u>Board Members</u>	<u>Attendance</u>	Cumulative Attendance 5/2008 through 4/2009	
		<u>Present</u>	<u>Absent</u>
John Terrill, Chair	P	8	0
Barry Flanigan, Vice Chair	P	7	1
Rick Schulze	P	4	4
Mark Swenson	P	8	0
Randolph Adams	P	5	3
Norbert McLaughlin (7:07)	P	5	1
Alec Anderson	P	7	1
John Baker	P	5	3
John Custer	P	6	2
Bob Ross	P	8	0
Lisa Scott-Founds	P	6	2
Stephen Tilbrook	P	7	1
Michael Widoff	P	8	0
Eugene Zorovich	A	7	1
Herb Rassing	P	6	0

Staff Present

Jamie Hart, Supervisor of Marine Facilities
 Andrew Cuba, Marina Manager
 Levend Ekendiz, Intracoastal Facilities Dockmaster
 Matt Domke, Downtown Facilities Dockmaster
 Brian Meo, Marine Police Staff (dep. 7:06)
 Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

I. Call to Order/Roll Call

Chair Terrill called the meeting to order at 7:02 p.m. Roll was called, and it was determined a quorum was present.

II. Approval of Minutes – January 7, 2009

Motion made by Mr. Ross, seconded by Mr. Adams, to approve the minutes of the January 7, 2009 meeting. In a voice vote, the **motion** carried unanimously.

III. Waterway Crime & Boating Safety Report

Officer Brian Meo of the Marine Police reported that there were six incidents of burglary and theft reported on January 5, 2009; a vessel accident in which one boat struck another on January 5, 2009; a vessel accident on January 8, 2009, consisting of wake damage from a rented vessel passing beneath the Oak Park Boulevard Bridge; a boat burglary with theft of fishing equipment and another boat burglary with theft of GPS equipment on January 9, 2009; and a vessel scuttled on the beach on January 15, 2009, for which the investigation is still ongoing.

Chair Terrill announced the opening of the Fort Lauderdale Billfish Tournament, a City event beginning this evening and continuing through the weekend. He encouraged Board members to attend the weekend's events.

IV. Application – Guided Waverunner Tour Boat Operation – Atlantic Beach Clubs II, Inc.

Chair Terrill welcomed David Nice, President of Atlantic Beach Clubs II, Inc., who had prepared a presentation for the Board. Mr. Nice ceded the floor to his Operations Manager, David Heaney.

Mr. Heaney provided the Board with an overview of the prospective guided excursion program and the benefits it could bring to the City. He stated that it would create jobs in facility maintenance, guides, mechanics, sales and marketing, and its welcome center. He added that it would create added revenue for the company as well as the City, and could be used as a marketing tool to bring additional visitors to Fort Lauderdale, where they would also patronize other local businesses.

Mr. Heaney continued that the guided excursion program would draw attention to the Intracoastal Waterway and its scenery.

Chair Terrill requested a more detailed explanation of the proposed program. Mr. Heaney responded that safety briefings would precede any boarding of vessels, followed by, as an example of the itinerary, a trip down the Middle or New River, presided over by a tour leader on a Waverunner at the front of the group. Another employee would remain at the back of the group, also on a Waverunner, as a "safety ski," to help ensure adherence to safety regulations.

One person would be permitted per Waverunner, Mr. Heaney went on, which meant all groups would consist of six individuals total: four persons taking the tour, as well as two employees, the tour guide and safety ski. He noted, however, that the Waverunners are three-seaters, and additional people could be seated

on them, depending upon weight. The vessels are limited to 200 lbs., which means two people could potentially be seated, or an adult and two small children.

Mr. Baker clarified that this meant there was a potential total of 12 on a single tour. Mr. Heaney agreed with this assessment.

Mr. Nice added that the guided excursions would be based to the south of the *Jungle Queen*, which does not use Waverunners. Mr. Hart explained that the program would not use the same slip as the *Jungle Queen*, but would be based from an area which the *Jungle Queen* leases from the City.

Allowing the guided excursion program to use this area, he continued, would require an amendment to the *Jungle Queen's* lease, as the proposed activity does not fall under the necessary criteria. Mr. Hart recommended conditions for this amendment, and pointed out that the City Attorney's Office could add more conditions once they fully examined the lease and the potential amendment.

Mr. Tilbrook asked if the docks would require modification to house the Waverunners. Mr. Hart did not believe this was the case, as no permanent structures would be altered.

Mr. Tilbrook continued, asking if there was a plan for docking the vessels: for instance, whether they would remain in the water at all times, or whether there would be a floating dock provided for them. Mr. Nice replied that this decision would be based upon what the City allows, noting that floating docks are the preferred option.

Mr. Tilbrook asked how much parking was available to accommodate the proposed business. Mr. Hart pointed out that the site had its own parking. Mr. Tilbrook felt there was potential for more parking than was currently available, depending upon the success of the venture; he recognized, however, that this was an issue for the Planning and Zoning Department, and the company might require that Department's approval under the current lease.

Mr. Schulze requested clarification on the sub-lease issue. Mr. Hart explained that the company would sub-lease its slip from the *Jungle Queen*. Mr. Schulze also commented on the issue of parking, which he felt would differ very little from its current state with charter boats.

Mr. Nice advised that the company owned two shuttle vans that would pick up clients in the beach area. This would help alleviate any parking concerns.

Mr. Widoff asked if a potential customer could rent a Waverunner without touring with a group. Mr. Nice stated that he would like to request assistance from the City on this, as it could raise a safety issue.

Mr. Baker expressed concern with this possibility, pointing out the chance that an inexperienced Waverunner pilot might lack the knowledge to react to certain hazards or conditions in a safe or appropriate way. Mr. Heaney explained that everyone on a tour would be briefed on how to handle such a situation; the second employee on a tour, bringing up the back of the group, would also be there to help with a situation of this nature.

Mr. McLaughlin asked if there will be an age limit for those who rent Waverunners. Mr. Nice replied that people "of any age" will be permitted to ride the vessels, but must be at least 14 to drive one, in accordance with state law. The company's insurance, however, will most likely require a minimum driving age of 18, he noted.

Mr. McLaughlin commented that he had taken a guided tour via Waverunner from a cruise ship, and found it a very enjoyable experience. He felt guides would be able to ensure their clients' safety.

Mr. Tilbrook informed the Board that he had dealt with charter approvals before, and they could be a complicated process from a zoning perspective. He recommended that Mr. Nice factor in the zoning issues as part of the lease, and might want to obtain "some determination" on these from Planning and Zoning before the lease goes to the City Commission.

He added that he felt the concept of guided tours is a good idea, but the concept of unregulated rentals in that area of the Intracoastal Waterway might benefit from another presentation before the Board, at which some of the residents in the Idlewyld area might be given the opportunity to speak on the issue as well.

Chair Terrill asked if there was a limit on the number of boats that would be allowed onto the Waterway; while the company currently proposed two boats, he wondered if this number might be raised.

Mr. Nice advised that the company was requesting that four vessels be allowed out at a time.

Mr. Hart stated that the company may only request the number of boats that Planning and Zoning will allow. He added that this affected the parking issue as well, as the company must offer adequate parking for the clients that could be accommodated by a greater number of boats. He felt four boats would fall within the range of the existing parking, as long as they met Zoning requirements; once more boats were added, however, parking requirements for that number of clients must be met.

Chair Terrill also remarked that Waverunners were enjoyable, but very noisy, and riders could easily be hurt. He pointed out that they are illegal, for instance, on the Cote d'Azur and in the park at Biscayne Bay. He expressed concern that novice Waverunner riders might be "let loose" on the Intracoastal Waterway, particularly in the Bahia Mar area, and noted that he would like to see wording in the application that ensures the tours would not be unescorted.

He continued that there are offshore areas where Waverunners might simply allow riders to fall into the water and climb back onto the vehicle, but there is a lesser margin for error in the Intracoastal Waterway, considering its obstacles and pilings.

Mr. Anderson asked if the Standard Operating Procedures in the application were designed specifically for this venture. Mr. Heaney replied that these were originally designed for the company's beach concession, and would more than likely be modified to some degree.

Mr. Anderson stated that one major concern, aside from safety, was of the opportunity for riders to "run rampant" and fail to obey no-wake, and other, laws.

Mr. Adams asked if the company's operations in other locations had experienced fatalities or accidents. Mr. Nice replied that there have been no fatalities, and some "bump" accidents but no major ones. He reiterated that guided tours of this kind had been established by the company in Miami. Law enforcement has not been an issue, he assured the Board.

Mr. McLaughlin felt it was important that, should the company move away from guided tours in the future, law enforcement would be able to uphold its jurisdiction. Mr. Schulze stated that since the business would be a civil situation, as opposed to a criminal one, law enforcement would be unable to make clients adhere to their contracts with the company.

Mr. McLaughlin clarified that the company might receive approval for a guided tour operation, then allow unescorted tours as time went on. His concern, he explained, was that the operation be limited to guided tours only.

In reference to this question, Mr. Tilbrook asked Mr. Hart if the application before the Board is one for a tour operation or a lease modification. Mr. Hart responded that the tour program is at the heart of the operation, and the lease modification would be a result of acquiring approval for the tours.

Mr. Tilbrook asked if a license or permit is necessary for the company to conduct tours. Mr. Hart affirmed that there is no such special process. Mr. Tilbrook then asked if the application will ultimately appear before the City Commission, or if the Board had the power to grant approval. Mr. Hart answered that the

application will go to the City Commission because of its prospective lease amendment; he did not know if the tour application would also be subject to City Commission approval, and speculated that this would be at the discretion of the City Attorney's office.

Mr. Tilbrook asked if the company, were it not leasing property from the City, would be required to obtain a permit for the tour operation. Mr. Hart assented that this was true.

Mr. Tilbrook continued that the company would then need two approvals, one for the tour application and one for its lease modification. As the tour operation does not require a specific license or permit, he asked if there is a way to enforce any conditions or provisions of the operation.

Mr. Hart explained that the conditions would fall under the master lease, which is held by the *Jungle Queen's* owners. He added that he was unsure of whether two separate approvals would actually be required, and agreed with Mr. Tilbrook that legal clarification of this point was needed.

Mr. Tilbrook felt conditions to a license would be included, were the operation in question not based at a City dock; the license could then be withdrawn or revoked, should its terms be violated. He felt the City should retain this right in any case; in addition, he believed the lessee of a *Waverunner* could be held in violation of the company's sub-lease with the *Jungle Queen*.

He concluded that, at the time the Board moves to approve or disapprove the application, they make two motions, one to approve the license and another to approve the lease modification. Should there be any conditions, he added, they could be included at this time. This would make the Board's concerns clear, and perhaps also clarify any recourse the City might have, should noncompliance by a lessee occur.

Mr. Rassing reiterated that the main concern is that *Waverunner* lessees are not allowed to "run wild" in the area. Mr. Anderson agreed, stating that he was not opposed to the application, provided all tours were "guided and safe."

Chair Terrill opened the discussion to the public for comments at this time.

Ralph Riehl, Chairman of the Economic Development Advisory Board, stated that he had known Mr. Nice for several years, and felt it was in the City's economic interest to support the proposed operation.

Joe Russo, representing River Taxi, felt the operation was an "exciting idea," but wished to share some concerns as well. He felt the New River did not offer any

scenic highlights past Tarpon Bend, and noted that the narrowing of the river, in combination with the current and tides, might be “intense” for a novice rider.

He asked as well if Type 1 or Type 2 life jackets would be used with the Waverunners, and if a “six-pack” license would be necessary, as a tour guide would be present on the tours. Mr. Nice did not have an answer regarding the tour guide at this point.

There being no other members of the public wishing to speak on the issue, Chair Terrill returned the discussion to the Board.

Mr. Ross felt there were a great many tour boats already in use, and questioned whether more tours on the New River or the Intracoastal Waterway were a wise decision. He continued that tours of some mansions could be construed an invasion of privacy for the homeowners, and cautioned that the river is “very narrow” and a group of inexperienced riders might not react appropriately to other river traffic, even in the presence of a tour guide.

Mr. Tilbrook noted that this was a different operation than the ones that generally came before the Board for approval, as it did not involve a boat, and asked if approval of a specific route or routes was part of tour licensing. Mr. Hart advised that specific routes were not part of the approval process, as Marine Facilities did not have the appropriate jurisdiction.

Mr. Tilbrook suggested that Waverunners might require an approved route, as they were a different kind of vessel and certain areas of the New River might not be appropriate for that kind of craft. He felt the Board should consider this as a potential condition when it came time to make a motion.

He added that a guided tour of this kind, however, would be a new enterprise in this part of Florida, and could be quite attractive to tourists.

Mr. Swenson requested clarification of what part of the New River would be toured, referring to a graphic presented with the application. Mr. Nice explained that this was intended to be an example of what the company hoped to do. He noted that they would like to have at least four optional routes, and added that they had no intention of traveling up the New River.

Mr. Swenson felt crossing under Las Olas when coming from the west could be a safety concern, as the current can be unpredictable and high tide raises the water closer to the bridge.

Chair Terrill noted that the proposed route on the New River is at its widest area, and felt Mr. Russo’s comments should be taken into consideration, as he is very familiar with the river.

Mr. McLaughlin felt that river traffic was not a problem on this part of the New River, and pointed out that the tour area in question is a popular one.

Motion made by Mr. Tilbrook for the Marine Advisory Board to approve, to the City Commission, the guided Waverunner tour operation, with the following conditions: the tours do not extend farther up the New River than Tarpon Bend; the Waverunner rentals are limited to guided tours only; and all Staff recommendations apply. Mr. Rassing seconded this **motion**.

Mr. Schulze recommended changing the language of the motion to read "supervised guided tours," as well as specifying the two guides described by Mr. Heaney at the beginning of the presentation. This was agreeable to Mr. Tilbrook and Mr. Rassing.

Mr. Anderson asked if the Board should recommend revocation of the company's operating license, should non-guided rentals occur. He noted that while this is a question more appropriate to legal counsel, it could be recommended if the Board felt sufficiently strongly about the issue.

Some discussion followed regarding how revocation would be handled in this case: for example, would the City choose to revoke a license upon a specific number of violations, or would it choose instead to decline renewing the license at the appropriate time.

Chair Terrill agreed that language of this nature should be included, affirming that the Board should not approve the venture if unguided tours occurred. It was agreed that this was the Board's main concern.

The **condition** was added that the operator's license be revocable, should unguided or unsupervised tours take place.

Chair Terrill read the **motion** to the Board for clarification: "This motion is recommending to the City Commission that we approve a guided Waverunner tour operation, under the following conditions:

1. The Waverunner tour does not go further west on the New River than Tarpon Bend;
2. The rentals are only to operate under the supervision of two boats;
3. Staff recommendations set forth in the backup will be included;
4. The license will be revocable if unguided or unsupervised tours are offered."

In a voice vote, the **motion** carried 13-1, Mr. Ross dissenting.

Moving on to the issue of lease modification, Mr. Tilbrook made a **motion** to recommend approval to the City Commission of the lease modification, subject to the first three conditions named in the prior **motion**. Mr. Adams seconded the **motion**.

Mr. Flanigan asked if insurance conditions are compromised by the addition of a sub-lease. Mr. Tilbrook felt it was best to leave this determination to a City Attorney.

Mr. Hart pointed out that sub-lessees are required to get approval for their insurance; however, he felt a member of Risk Management should review the insurance clause, along with a representative of the City Attorney's office. He noted that review by Risk Management is common practice.

In a voice vote, the **motion** carried 13-1, Mr. Ross dissenting.

V. Application - Dock Permit on Public Property – 1101 Cordova Road

Bryan Haagenson, owner of the property at 1101 Cordova Road, stated that he was applying to construct a dock adjacent to the property. He added that his intention is to use the dock for his own boats only, and did not plan to keep them there on a permanent basis.

Mr. Tilbrook inquired how many boats Mr. Haagenson had, and in what manner they would be docked. Mr. Haagenson replied that he had three boats, including a 35 ft. fishing boat, a 25 ft. open fishing boat, and a 16 ft. flat boat, all of which would fit at the dock. He noted that he did not plan to dock more than one boat at the location at any given time.

Mr. Hart advised that a condition of Staff approval was that there be no rafting.

Mr. Baker pointed out that Mr. Haagenson's property had been in need of repair, which the City had undertaken to make the seawall and dockage safe. He noted that the dock is in good shape, and the request is a reasonable one.

Motion made by Mr. Ross, seconded by Mr. Schulze, to approve the application. In a voice vote, the **motion** carried unanimously.

VI. Update – Cooley's Landing Boat Ramp Replacement Project

Mr. Hart provided the Board with a PowerPoint presentation as part of his update on the 2008-09 Cooley's Landing Boat Ramp Replacement Project.

He stated that 2007-08 long range planning had targeted this ramp, as the original ramps were constructed in 1956 and in serious need of replacement.

Cooley's Landing contains 21 trailer spaces, he noted, with metered parking, public restrooms, and picnic areas. This landing is considered "the terminus of Riverwalk" at its west end, Mr. Hart advised.

He provided a visual of a poured-in-place design, which had necessitated dewatering. An 8-inch slab has been broken to provide roughness for traction. All elevations are based on NGVD calculations.

Another visual provided showed a steep drop, at which a wheel stop would be necessary. Mr. Hart noted that it was not yet decided whether to use galvanized or stainless steel in this area.

There is currently a 17% slope that descends to 27%, which will be changed to a 15% slope all the way down, Mr. Hart pointed out.

The project is being funded entirely by grants, he concluded, using no construction money from the City's Capital Improvements Program. Currently the construction costs are estimated at slightly over \$400,000.

Chair Terrill asked for a completion date. Mr. Hart replied that all permits and funding are in place, and it is hoped that the project can be started right away. The goal is to finish the project by early summer 2009.

Mr. Tilbrook asked if an engineering project manager is assigned to this undertaking. Mr. Hart informed the Board that Mike Fay is one overseeing manager, and the design manager is Raymond Nazairre.

Mr. Tilbrook continued, asking for information regarding the selection of a contractor. Mr. Hart responded that the project still has to go out to bid "very soon" in order to complete the project within his estimated time frame. He added that he will bring a schedule to the Board's next meeting.

VII. Reports

- **Floating Dock Project / Design & Permitting – Five Sites**

Mr. Hart reminded the Board that they would receive an update on this project at each month's meeting. He stated that a task order for additional survey work on the submerged land/lease modification had been approved by the City Commission; this work is now 95% completed, and is expected to be complete as of February 6, 2009. When this is complete, permits for the project can be finalized. There is a permitting deadline as well per contract modifications, caused by the task order for the additional survey, Mr. Hart explained. The milestone for permitting is May 1, 2009, although he hoped to complete the permitting process before then. Permitting is also 95% complete.

He continued that approval was received on January 13, 2009, from FDOT to build the dock over the tunnel on the north side, although FDOT has requested a lease agreement for this dock. This is having a slowing effect on the design process, he noted, as FDOT will not allow pilings to be driven for this dock.

The actual construction design is approximately 40% complete, Mr. Hart stated, primarily because the design work for the tunnel has slowed the process. There is a deadline of April 1, 2009 to complete the construction plan, per the milestones established by contract.

Mr. Hart advised that he hoped the bidding and award of the contract will occur no later than by the July 21, 2009 City Commission meeting. This would mean the contractor is in place by August and work would commence no later than September 1, 2009, to be completed no later than November 15, 2009 in order to meet the Broward County grant deadline by mid-December. The County grant has given \$450,000 toward the project.

This means all paperwork must be completed and turned in, Mr. Hart clarified, in order to procure this County funding. While an extension of the deadline could be requested, he stressed that this was not the goal.

Mr. Tilbrook noted that the City Commission's second July meeting was "a tough meeting to get on." Mr. Hart explained that he hoped to appear before the City Commission at an earlier meeting, as the permitting phase is so close to completion; his preference is that the project could appear before the City Commission at their first July meeting rather than the second.

In response to a question asked at a previous Board meeting, Mr. Hart added that the project's consultant is also the project manager. The Engineering Blue Book, however, requires an engineer to sign off on all the consultant's activities. The consultant inspects and approves the work, he added, with the optional assistance of City inspectors.

Mr. McLaughlin recalled that the bidding process for the floating docks had been raised at the January meeting, and asked if a contract had already been drawn up. Mr. Hart advised that the project was "not at that point" yet, and the bid will be open to any interested contractors who meet the criteria. The criteria, he added, will be established by the consultant.

Mr. McLaughlin continued, pointing out that the former Hyde Park market site would be preferable to building over the tunnel, as the City already needs to repair the seawall at that area. Mr. Hart responded that this site has been investigated, but there are legal issues with the site's control that are presently unresolved. He agreed with Mr. McLaughlin that this would be "an excellent site."

Mr. Tilbrook asked if the City owned the repair rights behind the Hyde Park Market site. Mr. Hart replied that this was not yet known, which has slowed any potential repair processes. He added that City Attorneys are investigating this, as are proponents of the Riverwalk Master Plan. There is, however, litigation in process regarding the site.

Mr. Rassing asked if it would be possible to obtain a document showing the proposed locations for the floating docks, as well as their specifications. Mr. Hart agreed that this could be done, although he noted that the project had not yet proceeded to the point at which specifications were final.

Mr. Rassing continued, asking if the material that will make up the docks, whether it is concrete or composite, will be selected for the project by Sea Diversified. Mr. Hart stated that this group had been hired, through an extensive CCNA process, to recommend a material, which will then be reviewed by both the Engineering Department and City Staff.

Mr. Rassing expressed concern with this process, speculating that Sea Diversified might follow a "blueprint" established by another company for the Marine Museum. He felt the results of the earlier company's decision were not "user-friendly." He felt the Board should have further information on this issue. Mr. Hart agreed that these concerns would be taken into consideration. He added that Sea Diversified was required by agreement to present their recommendation "between now and April 1," although he could not offer a more specific date at this time.

Mr. Tilbrook asked if Mr. Hart felt the schematics for the project should be presented to the Board as part of the monthly report. It was also noted that "detailed information" is primarily what the Board wishes to see from the report. Mr. Hart stated that he would take this into consideration.

- **Broward County Marine Advisory Committee**

Mr. Adams reported that the recent meeting focused primarily on the Marine Law Enforcement Grant, or MLEG. The Committee had also approved the 15th Street Marina Boat Ramp, once payment for this project had been established.

- **Commission Agenda Reports**

Mr. Hart stated that a dock waiver was unanimously approved for 709 Idlewyld Drive by the City Commission at its most recent meeting.

Mr. Rassing asked if any provision had been made toward moving the pilings on this property. Mr. Hart noted that these pilings were being moved farther from the

property, as well as farther from the property line of an individual who had been unhappy with the proximity of these features to her own property. He noted that there had been several conditions on this particular approval.

He continued that funding to offset the cost of grants for various projects required amendments to the City's "internal financial controls." This includes the \$450,000 (50%) toward the Floating Dock Project's five sites, as well as both grants for the Cooley's Landing construction projects. He noted that no CIP money goes toward these projects.

VIII. Old / New Business

Mr. Tilbrook noted that at the most recent City Commission meeting, Staff had brought forward a "radical" rezoning plan for 20th Avenue. He asked if Mr. Hart could provide an explanation of Staff's direction with regard to this plan, adding that the Board had had no prior knowledge of this project.

Mr. Hart stated that his understanding was the City Commission had requested that this item come before them due to concerns regarding its delay. They felt some of the zoning issues were "very complex" and had asked that Planning and Zoning Staff and City Attorneys review the plan, to allow less "elaborate" changes to be made to a right-of-way.

He elaborated that the City Commission wanted to review the definition of "ROA" as it exists, to learn if historically existing uses would be permitted without making some of the recommended changes.

Mr. Cuba added that the City Commission was also investigating the definition of "storage of vessels," and how it relates to the situation. He noted that at this point, the issue rests with the Planning and Zoning Department and the City Attorney's Office, and added that more information is anticipated in a short time.

Mr. Tilbrook asked if the Brantmeyer application would appear before the Board at its next meeting. Mr. Cuba stated that it was his understanding that this would take place.

Mr. Tilbrook asked which Staff member was "the lead" with regard to the rezoning effort for 20th Avenue. Mr. Cuba indicated that this was Greg Brewton, Director of Planning and Zoning, in conjunction with the City Attorney's Office. Chair Terrill recalled that Director Brewton had appeared before the Board several months before, and had informed them that "nothing was happening" on 20th Avenue. He continued that Director Brewton had addressed the Board regarding 20th Avenue approximately three months ago, but the content of any report on the issue was not recalled.

Mr. Tilbrook stated that he was surprised to see a “very complex effort” to rezone a section of the City, with proximity to a marina, appear before the City Commission without the Board’s previous knowledge. He expressed concern with the situation, adding that he would like to know if Staff had received any clear direction on the matter, and noted that he believed the Mayor had asked that nothing more be done regarding N.E. 20th Avenue to impact property rights. He requested clarification of what Staff was doing on this issue, and what direction they felt the City Commission had given them.

Mr. Cuba agreed that this information could be brought to the Board’s March 2009 meeting.

Mr. Rassing recalled that at the January 2009 meeting, he had proposed writing an article for the *Waterfront News*. He had been informed that the *Waterfront News* does not accept unsolicited articles, and had instead invited members of the publication’s staff to attend tonight’s Board meeting to hear further discussion of the floating dock project. Unfortunately, he noted, no one from the publication was in attendance.

He continued that he would continue with a proactive approach to show that the Marine Advisory Board was a body dedicated to helping the boating community.

Mr. Tilbrook thanked Mr. Rassing for his efforts, noting that he had served as editorial chair for *Go Riverwalk* magazine, which he felt would accept Mr. Rassing’s article.

Chair Terrill reiterated that the Board cannot authorize any individual to undertake projects or duties on its own behalf without prior clearance from the City Commission. However, as individuals, Board members could share their own impressions of programs or efforts.

Mr. Cuba pointed out that signage is currently in place on the floating dock, indicating its availability for small boat dockage. In addition, two slides are in rotation on the local Comcast Channel, advertising the availability of the dockage. In March, a notice will appear on the local water bill as well.

IX. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 8:37 p.m.

