

**MINUTES OF THE MARINE ADVISORY BOARD
100 NORTH ANDREWS AVENUE
8TH FLOOR CONFERENCE ROOM
FORT LAUDERDALE, FLORIDA
THURSDAY, MARCH 4, 2010 – 7:00 P.M.**

<u>Board Members</u>	Attendance	Cumulative Attendance 5/2009 through 4/2010	
		<u>Present</u>	<u>Absent</u>
John Terrill, Chair	P	9	0
Barry Flanigan, Vice Chair	P	7	2
F. St. George Guardabassi	P	1	0
Mark Swenson	P	6	3
Randolph Adams	P	7	2
Norbert McLaughlin	P	9	0
Tish Flavin	P	7	0
John Baker	P	5	4
Emilio DiPietro	P	5	4
Bob Ross	P	9	0
Lisa Scott-Founds	P	6	3
Stephen Tilbrook (7:04)	P	6	3
Tom Tapp	P	6	2
Herb Rassing	A	8	1
James Harrison	P	3	0

As of this date, there are 15 appointed members to the Board, which means 8 would constitute a quorum.

Staff

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

Communications to City Commission

Motion by Mr. Ross, seconded by Mr. Tilbrook, to recommend that the City Commission keep the existing regulation for boat hoists and davits – one per 100 ft. of lot width; one for additional 100 ft. of lot width; and add the process for a waiver of limitations similar to docks and pilings; and allow one lift for two personal watercraft. Recommend that Staff propose criteria for the personal watercraft lift. In a roll call vote, the motion carried unanimously (14-0).

Motion made by Mr. Tilbrook, seconded by Mr. Adams, to recommend that the City Commission consider providing relief to commercial boat operators on the New River through a 6-month reduction in dockage rates for this year only at a 25% reduction, effective April 15, 2010 through October 15, 2010. In a roll call vote, the motion carried unanimously (14-0).

I. Call to Order / Roll Call

Chair Terrill called the meeting to order at 7:01 p.m. and roll was called.

II. Approval of Minutes – February 4, 2010 Meeting

It was noted that Mr. Rassing's attendance required correction, as he was present at the February 4 meeting.

Motion made by Mr. Adams, seconded by Mr. Ross, to approve the minutes of the February 4, 2010 meeting as corrected. In a voice vote, the **motion** carried unanimously.

III. Statement of Quorum

The eight Board members necessary to constitute a quorum were present.

IV. Introduction of New Member

Chair Terrill introduced new Board member F. St. George Guardabassi. Mr. Guardabassi has been a resident of Fort Lauderdale since 1965 and has worked in real estate for the last 24 years. He is a boat owner and a "marine-oriented person."

V. Waterway Crime & Boating Safety Report

Marine Police Officer Brian Meo reported that in February, a boat was intentionally dumped on a vacant piece of property. This was referred to the Environmental Crimes Division for further investigation. Another vessel was sunk on the New River; the owner contacted a tower, who took care of the vessel with no environmental harm.

On Super Bowl Sunday, the Marine Police were contacted regarding a diver from the *American Dream II*, who experienced an uncontrolled descent. There were no significant injuries.

Mr. Tilbrook joined the meeting at this time (7:04 p.m.).

There were four burglaries of vessels:

- February 5: motor stolen from rear deck of a vessel;
- February 11: theft of equipment;
- February 14: outboard stolen from dinghy;
- February 24: vessel entered through bow hatch; keys and paperwork stolen.

Officer Meo advised over 700 lbs. of cocaine were recovered from a sailboat coming from the islands. In addition, while checking sea conditions, Sgt. Andrew Pallan had a handgun pointed at him; no shots were fired and the individual responsible was charged. The incidents were unrelated.

Chair Terrill commended the Marine Police for pressure washing and detailing their boats rather than subcontracting this work.

VI. Application – Dock Waiver of Limitations / ULDR 47.19.3 – 609 S.W. 5th Place: Ed Brin

Joe Harper of South Florida Dock & Seawall, representing the Applicant, distributed folders containing his presentation to the Board. He explained that Mr. Brin has requested to extend his existing finger piers an additional 8 ft. 6 in. into the waterway, making them 28 ft. 6 in. including a 3 ft. marginal dock. The mooring pilings would be extended an additional 23 ft., leaving them 43 ft. from the edge of the seawall cap. Changes are reflected in drawings included with the presentation.

Two nearby properties, Cooley's Landing and Symphony Condominiums, have recently been approved to extend their structures and mooring pilings farther into the waterway. Cooley's Landing is "directly across the canal" from Mr. Brin's property, and Symphony Condominiums is "just next door to the east" of Cooley's Landing.

He referred to an aerial photograph of the New River Canal, pointing out that it is just over 222 ft. in width in the area of Mr. Brin's property. He noted that the lengths of finger piers and mooring pilings at Cooley's Landing and Symphony Condominiums from the wet face of the seawall, explaining that the City recognizes this as the property line. Mr. Brin's request would extend his marginal dock structure and finger piers to be extended approximately 30 ft. from the wet face of the seawall; his property line is slightly farther out from this reference point.

The mooring pilings would be installed at approximately 44 ft. 6 in. Mr. Harper explained that the seawall cap extends 18 inches from the wet face over the water. The requested distance for the dock and finger piers is less than 15% of the canal's width, and less than 20% for the mooring pilings.

He added that the current in this part of the New River is very strong, and when a boat is moored, the bow and stern lines are tied away from the boat, which allows a boat to remain moored between these while “rolling” with any tidal surges. The additional space is being requested due to the strength of the current.

He concluded that a copy of the permit has been provided, as well as the approvals for the current structure by the Army Corps of Engineers, the Department of Environmental Protection, and the Broward County Department of Environmental Protection and Planning.

Mr. Ross asked if the finger piers were for the property owner’s use only. Mr. Brin advised they will be used by himself and friends, and not for commercial use.

Mr. Baker commented that the location is at a “very wide” part of the canal, with sufficient room for the extensions.

Mr. Harper clarified that his property is a single-family residence, although the area is zoned for Bed & Breakfast. There are six slips, which can accommodate large boats, although large vessels will not necessarily be moored there.

Mr. Tilbrook asked where individuals would park if they drove to the property to board their boats. Mr. Harper stated the intention would be for boaters to visit by water.

Mr. Tilbrook observed that six slips looked like “an income-producing marina,” noting that marinas usually provide parking for the vessels’ owners. He asked if the plan was presented to the Tarpon River Civic Association. Mr. Harper replied no presentation was made, but public notice was sent to all owners adjacent to the property. Mr. Hart clarified that all homeowners’ associations are notified for Applications such as this one.

Mr. Harper added that there is “ample parking” on Mr. Brin’s property, but reiterated that the property is “not set up for commercial use,” and the owner has signed a private boat docking release with the State, attesting that the property is for personal use only.

Mr. Tilbrook asked how the Application meets the criteria in Code for a dock waiver. Mr. Harper stated the width of the canal allows for the moorings, as the facilities at Cooley’s Landing and Symphony Condominiums were approved; in addition, the extended moorings provide greater safety in “a challenging area” for the vessels.

Mr. Tapp remarked that waivers can be “based on extraordinary circumstances,” and suggested that the current in this area would qualify for this categorization.

Chair Terrill asked that Mr. Hart speak regarding the current in the area. Mr. Hart advised that the current is “very, very fast,” including the area in which Mr. Brin’s property is located. He noted that at Cooley’s Landing, it is difficult to negotiate around the pilings and into the slips due to the current; in addition, the pilings often “snap,” and cluster pilings provide greater strength. Mr. Tapp and Chair Terrill attested to the strength of the current as well.

There being no further questions from the Board at this time, Chair Terrill opened the meeting to the public. As no members of the public came forward to speak on this Item, the public hearing was closed and discussion was returned to the Board.

Mr. Tilbrook commented that he felt the New River is an important waterway for the City; public access is important as well, particularly for large vessels navigating in “challenging spaces.” As this entire section of the New River is affected by the current, he did not feel this comprised an extraordinary circumstance.

Motion made by Mr. Ross, seconded by Mr. Adams, to approve the Application as presented. In a roll call vote, the **motion** carried 13-1 (Mr. Tilbrook dissenting).

VII. Discussion – Boat Hoists & Similar Mooring Devices / ULDR Section 47.19.3: Marine Advisory Board

Chair Terrill explained that the City Commission has considered the motions regarding boat lifts that were passed by the Board in January 2010. They have recommended that Staff propose a Code amendment that would reflect many of these suggestions. The Board passed four motions, each pertaining to a specific section of Code; one of these recommended keeping the existing regulations for the number of boat lifts allowed per 100 ft. of waterfront property, with a waiver option added. He observed that the community does not seem to have an issue with this particular proposal; however, with the addition of a waiver process, one concern is that smaller personal watercraft, such as jet-skis, do not interfere with the view as a boat lift would. The discussion of the Board’s motions did not result in discussion of or consensus on the motion regarding lifts per 100 ft. Chair Terrill suspected this was an inadvertent omission, and brought the issue back to the Board to make this motion a second time in order to communicate it to the City Commission once more.

He suggested that the Board that, in addition to the previous motion to leave the number of boat lifts per 100 ft. undisturbed and with the addition of the waiver

process, they offer the option to have a boat lift and jet-ski lift on a piece of property, so long as the personal watercraft is defined in a way to prevent it from “[turning] into another boat lift.” This could be a limit on its size, tonnage, or other specifications.

He read the motion as stated in the January 2010 meeting: “Keep the existing regulations for a boat hoist and davit, one per 100 ft. of lot width, and one per additional 100 ft. of lot width.” The Board also suggested the addition of a waiver process as part of this motion. Chair Terrill reiterated the question as whether the Board would like the possibility of a personal watercraft boat lift to be written into the regulations, which would eliminate the need to apply to the Board to be allowed to install one of these lifts.

Mr. McLaughlin requested clarification that an owner with, for example, a 150 ft. piece of property would only be allowed a single lift; they would not be allowed two lifts unless the property was in excess of 200 ft. Chair Terrill explained his proposal was that an applicant with 100 ft. or less of waterfront property would have the option of one boat lift and one personal watercraft lift.

Mr. Ross recalled that he had made the motion in question at the January meeting, and stated he would not be opposed to amending the motion in this fashion; he felt, however, that there should be “fairly hard definitions” of the personal watercraft lifts to prevent owners from placing an additional boat on a lift. Chair Terrill agreed. They both felt the restrictions could involve the size, capacity, or physical dimensions of a personal watercraft lift.

Mr. Guardabassi asked if the restriction is specifically for one lift per 100 ft., pointing out that a very heavy boat might require two davits. Chair Terrill clarified that this would be considered a single lift.

He continued that the Board should urge the City Commission to revisit this particular motion, as they had reached consensus on the other three motions made in January but had not discussed this motion at all. The recommendation is as much to ask the City Commission to “take a second look” as it is to amend the original motion.

Mr. Tilbrook commented that he had felt the City Commission did consider all four motions, but only proceeded on a single motion “as a compromise.” He recalled that he had originally stated he was more comfortable with adding a new waiver process if Staff is asked to establish criteria for the waivers, which would clearly explain what could be considered “extraordinary circumstances.”

Mr. McLaughlin suggested that the City Commission may have “avoided” addressing this motion because they did not have an issue with two lifts on the property within 100 ft. “without any kind of waiver.” Chair Terrill noted that the

current Code restricts an owner to a single lift within this width. Mr. McLaughlin continued that in nearby cities, multiple lifts are allowed within 100 ft.; he felt the City Commission may have felt Fort Lauderdale should make similar allowances without a variance.

Vice Chair Flanigan felt the motion had not been addressed for a reason, and it could not be assumed that the issue was omitted by the City Commission by accident.

Mr. Harrison advised that the “spirit of the discussion” on boat lifts decreed that if an owner is allowed to have a boat, he should be allowed to lift it onto safe dockage; he did not see an issue with “having as many boat lifts as you want for the number of boats that you have,” as long as setbacks and other regulations are followed. He also agreed with Mr. Tilbrook regarding extraordinary circumstances, and felt allowing a personal watercraft lift would remove an extraordinary circumstance to the process.

There being no further questions from the Board at this time, Chair Terrill opened the meeting to the public. As no members of the public came forward to speak on this Item, the public hearing was closed and discussion was returned to the Board.

Mr. Ross stated he wished to reiterate his motion, adding the fact of a personal watercraft lift without requiring a variance, if size, weight, and other specifications are determined by Staff. Chair Terrill agreed the Board could request that the City Commission direct Staff to establish these criteria for a personal watercraft lift.

Motion made by Mr. Ross, seconded by Mr. Tilbrook, to recommend that the City Commission keep the existing regulation for boat hoists and davits – one per 100 ft. of lot width; one for additional 100 ft. of lot width; and add the process for a waiver of limitations similar to docks and pilings; and allow one lift for two personal watercraft. Recommend that Staff propose criteria for the personal watercraft lift. In a roll call vote, the **motion** carried unanimously.

Vice Chair Flanigan suggested that the Board “fast track” this **motion** as a communication to the City Commission, as Staff is currently drafting related regulations.

Motion made by Mr. Adams, seconded by Mr. Tapp, to “fast track” the previous motion to the City Commission. In a voice vote, the **motion** carried unanimously.

VIII. Discussion – Commercial Dockage Rate Reduction Request: Marine Advisory Board

Chair Terrill asked to hear from members of the public who operate commercial vessels on the river.

Steve Jordan, owner of the *Carrie B*, stated he had written a recent letter to the City seeking relief from dockage rates on the river. He advised he had never seen an environment like the present one, which is exacerbated by the cold weather. In addition, fuel costs create an additional hardship.

Phil Demers, who works with the charter vessel *Lady Lucille* as well as the *Carrie B*, informed the Board he had worked on the river for 40 years, and he had “never seen it as bad” as current economic conditions. He estimated the passenger count as down 35-40%. The *Carrie B* offers a “buy one get one free” coupon that has historically accounted for 30-35% of their business; in the last three months, it has accounted for 60-65% of sales. At the same time, dock rental fees, fuel costs, and insurance have increased.

He pointed out that other parts of the state, such as Fort Myers, have reduced their city’s dock rates due to the economy. The colder weather has also affected sales. He concluded that commercial operators are not asking for dramatic rate reductions but merely “some relief.”

Joe Rugare, owner of the *Lady Lucille*, advised the recession has caused business to decrease dramatically, and corporate parties in particular are down 50-60%. Prices for parties, including weddings and birthdays, have been lowered in an attempt to increase business. He asserted that relief from dockage rates would be very important, as there is no relief from fuel prices.

Chair Terrill asked Mr. Hart for an estimate of the vacancy rate of the City’s docks. Mr. Hart replied these fluctuate, and they are currently high. Matt Domke, Downtown Facilities Dockmaster, advised as of February, the New River was at 56%, and noted that it is difficult to fill many of the slips. The Las Olas Marina was at 66% in February.

Mr. Tapp asked if Staff has compared the City’s occupancy rates to those in other Florida cities with a marine economy. Andrew Cuba, Marina Manager, stated they conduct an extensive survey each year before bringing commercial rates to the City Commission; only the Commission may authorize an increase or reduction in commercial rates, although Staff, at the direction of the City Manager, oversees non-commercial rates.

He continued that the City offers the lowest commercial option in Fort Lauderdale; however, other cities, such as Miami, have lower-priced commercial options, and Palm Beach does not offer commercial dockage at its city docks. Prices are “significantly less expensive” on the west coast, such as Naples and Fort Myers, while on the east coast Fort Lauderdale has the lowest prices.

Contracts at commercial docks are for one year, and “all terminate at the same time.” The rate is \$1.03 per foot per day, plus a submerged land use fee of six cents and a six-cent sales tax; this makes the rate effectively \$1.15 per foot per day. At the City Commission’s direction, they could alter these rates, he concluded.

Vice Chair Flanigan noted that the discussion centers strictly on commercial boats with tour operations, rather than commercial fishing boats. He had observed vessels such as the *Jungle Queen* and the *Carrie B*, with much smaller groups of passengers than normal. He pointed out that these boats have a significant impact on the City’s tourism industry, and felt in light of economic conditions, the Board could make a motion to recommend that the City Commission offer some relief from the rates throughout the coming off-season. He noted that the dockage rates, being annual, do not recognize the seasons.

He added that it might be considered for Staff to be able to establish these rates without going to the City Commission to authorize changes.

Mr. Harrison asked for a historical estimate of the dockage rates. Mr. Hart explained rates are increased according to the Consumer Price Index. Rates have not increased in over a year. The CPI is normally in the 3% range.

Mr. Harrison commented that he was in favor of lowering rates, and felt presenting this history to the City Commission could provide some justification. Mr. Hart advised his only concern with lowering rates was that it could trigger similar requests from other tour boats and chartered vessels, as the City is currently at capacity for these operations.

Mr. DiPietro asked how many commercial boats operate on the New River. Mr. Hart replied there are presently five operators and five to six boats. “On a good year,” at full capacity, commercial boats generate roughly \$350,000-400,000. Non-commercial vessels create “almost double” this revenue. Vice Chair Flanigan added that there are 1200 lineal ft. of commercial dockage designated on the New River, not including Allied Marine.

Mr. Adams asked Mr. Hart and Mr. Cuba if there have been discussions among Staff regarding rates in a competitive environment; he also asked what rate the City “cannot go below.” Mr. Cuba advised a competitive analysis of area marinas has been done. Regarding a threshold of costs to run the docks, he noted he did not have an actual figure per vessel or per foot. Mr. Hart pointed out that these are difficult to quantify, as Staff would be present regardless.

Mr. Cuba confirmed that with the City Commission’s direction, the docks could “successfully lower the rate and stay in business.”

Chair Terrill explained this Item is on the Agenda at his request, and Staff was not advised to prepare for a presentation or recommendation. The intent was to listen to commercial operators' and Staff's thoughts, then come back at a later time with a recommendation.

Mr. Tapp felt the City should consider offering a seasonal rate, which is done by many other marine communities; this would not have to be a permanent solution, he added.

Mr. Harrison requested clarification that the discussion is only regarding tour boats. Mr. Hart advised the City would be concerned about the areas designated for commercial boat use, as it would be difficult to turn down a commercial application; there would be no way to predict the effect increased competition would create.

Chair Terrill stated the 56-66% occupancy rate at the height of the season is another cause for concern; while this isn't "just about the dockage rate," the rate does have an effect. He noted that the majority of commercial arenas have greater occupancy rates, which alone could be cause to reconsider the rates.

Another important point is the value of the tour boats' operation to the community: the City does not want these businesses to fail, as they are attractive not only to tourists but to local businesses and families. He felt the City can offer these businesses their support, particularly in consideration of the occupancy rate.

Mr. Ross proposed reducing the rate and adding a per-passenger rate, which would be a "win-win" situation for the City. He observed that this would reduce the need to raise rates again when the economy improves. Vice Chair Flanigan suggested reducing rates for six months with the option to renew at that time.

Mr. Baker emphasized that all residents of the City are "in the same boat;" while the Board and Staff are willing to listen, he asked that this be kept in mind, "whatever business we're in."

He observed that the off-season typically runs from April 15 to October 15, a six-month period, and recommended that this be considered the off-season for the purposes of making a motion. Regarding the percentage of reduction, he suggested "around 20%," and reasserted that all residents and businesses are in the same economic situation.

Chair Terrill asked Mr. Cuba if there is a reason the City Manager would direct Staff to change the transient rates "as they see fit," while commercial rates are sent before the City Commission. Mr. Hart explained that this is a Code requirement: the annual rate, as part of the terms of an annual lease, may only

be approved by the City Commission. Daily transient rates are not addressed in the Code.

Motion made by Mr. Tapp that the Board ask Staff to come back with a recommendation to start a commercial-based seasonal rate, starting April 15, that they feel they can reasonably recommend to the City Commission for a six-month period.

Mr. Cuba pointed out that the time frame would be an issue if the Board is seeking an April 15 start date, as there would not be sufficient time to take the recommendation before the City Commission.

The **motion** died for lack of second.

Mr. Guardabassi asked if the expense of a 20% rate reduction would be a cut in income that would be transferred to the taxpayers. Mr. Cuba assured him that the cost of sales associated with operating a marina is relatively minimal, and the proposed reduction would not have this effect.

Mr. Swenson advised that the 20% reduction would be offset by the ability of the vessels to run charters at a lesser amount, which would bring in more customers. He reiterated Mr. Baker's point that businesses are suffering all over the state, but felt the City is not "at a proper rate" based upon business and occupancy figures.

Motion made by Mr. Tilbrook, seconded by Mr. Adams, to recommend that the City Commission consider providing relief to commercial boat operators on the New River through a 6-month reduction in dockage rates for this year only, effective April 15, 2010 through October 15, 2010.

Mr. Tapp suggested an **amendment** of the **motion** to specify a 20% reduction. Mr. Tilbrook accepted the **amendment**.

Chair Terrill asked Mr. Cuba if he could recommend "the best way bureaucratically" to create an effect in the near term. Mr. Cuba felt the best course of action would be to make an expedited recommendation to the City Commission, as he did not feel there was sufficient time to accomplish this goal if the Board took it up again at their next meeting.

Chair Terrill asked if the rates would return to normal after October 15. Mr. Tilbrook explained they would return to normal, and another seasonal reduction could be sought in 2011.

Vice Chair Flanigan recommended asking for a 30% reduction "in case the Commission cuts it back." Mr. Swenson noted that the difference between 20%

and 30% was “not that much,” and agreed that the recommendation should be “more aggressive” rather than conservative. He pointed out that most businesses are down more than 20%.

Mr. DiPietro agreed, and felt 30% should be “a minimum” in order to be meaningful. Mr. Ross cautioned, however, that the Board should first learn from where the money will be taken, as it is “money lost;” he warned this could come from goods and services.

Mr. Cuba remarked it is important for the City Commission to hear the Board’s suggestion.

Mr. Swenson clarified that cutting rates is not a “black and white issue” but a “moving target,” and pointed out that additional revenue may be available to the City because of the rate reduction. He felt it would ultimately create revenue for the City rather than cause more than a “very short term” loss.

Mr. Adams stated he appreciated the wish to increase the amount of the discount, but did not believe a larger discount would “drive greater sales,” as both the weather and the economy are contributing to a slower market. He noted that in a more vibrant economy, he might agree with 30%; however, he did not believe “the action is there” for it to create a significant difference.

Chair Terrill stated there are three options: amending the **motion** from 20% to 30%, if acceptable to Mr. Tilbrook and Mr. Adams; bringing the **motion** to a vote and determining if the proponents of 30% outnumber those in favor of a lesser discount, which has the potential to pass without strong support; or voting for the 20% recommendation currently on the table.

Mr. Tapp proposed the compromise of a 25% rate reduction. Both Mr. Tilbrook and Mr. Adams found this **amendment** acceptable.

In a roll call vote, the **motion** carried unanimously.

Motion made by Vice Chair Flanigan, seconded by Ms. Scott-Founds, to “fast track” the previous motion to the City Commission with reflection of the unanimous vote. In a voice vote, the **motion** carried unanimously.

IX. Update – Marine Industry Workshop: Marine Advisory Board

Mr. Cuba stated he is awaiting the final draft of the minutes of this workshop, as they are still being reviewed by the four keynote speakers. They will be available to the Board at the April 2010 meeting.

Chair Terrill requested that guest Frank Herhold update the Board on the Annual Waterway Cleanup, which is scheduled for Saturday, March 6, 2010.

Mr. Herhold, representing the Marine Industries Association of South Florida, stated the cleanup will occur at 28 sites this year. He referred interested individuals to www.waterwaycleanup.org, where they may select one of these sites. The cleanup will begin at 9:00 a.m. A “trash bash” is not scheduled for this year.

Mr. Herhold added that Chair Terrill has been invited to the press conference for this event, where Mayor Seiler is expected to speak.

Chair Terrill congratulated the Marine Industries Association on their efforts on behalf of the environment.

X. Grant Application – Intracoastal Waterway Dredging Project: Jamie Hart

Mr. Hart explained that dredging the navigational channel of the Intracoastal Waterway is a goal of the City; grant monies are now available for this project. The City is applying to the Florida Inland Navigation District (FIND) for funding to dredge the outlying areas of properties owned by the City, such as Las Olas Marina and the Aquatics Complex; the Bahia Mar Yachting Center would also be dredged. It is hoped that these funds would cover up to 75% of the costs involved. The project would make the depth of the outlying areas consistent with the new depth of the navigational channel after its dredging is complete; this would be 15-17 ft. The current depth is “around 10 [ft.]”

He noted that Bahia Mar must fund their portion of the grant, as the City would only fund those properties that it controls.

Mr. Cuba advised that the first step of this project is seeking permission to appropriate matching funds; after this point, the City could proceed with the application process.

Mr. Tapp asked if the project would include the area beneath the 17th Street Bridge, which had formerly been under a restriction. This area was last dredged in preparation for the Whitbread. Mr. McLaughlin recalled that due to utility cables beneath the bridge, this dredging had been restricted to a depth of 15 ft. Mr. Hart stated this determination would be made during the permitting process.

He continued that permitting for the outlying areas would be “piggybacked” onto the permitting for the navigational channel, which would result in a better price, as all bids are handled through FIND. The City would enter into an interlocal

agreement with FIND and would later reimburse FIND for their percentage of the costs.

Vice Chair Flanigan recalled that at one time the Board was told Bahia Mar could not be approved for dredging. Mr. Hart felt this may have been due to sea grass mitigation at one time, which is now expected to be possible because the outlying areas must be dredged along with the channel.

Mr. McLaughlin asked if other areas in the City in need of dredging might be done in conjunction with the Intracoastal Waterway project. Mr. Hart explained costs are the issue, and the grant monies available would only fund dredging of the natural water bodies. Dredging would occur in 2011.

XI. Reports

- **Broward County Marine Advisory Committee**

Mr. Adams reported that the Committee was given a presentation by the Broward Boating Improvement Project (BBIP).

- **New River Floating Dock Project**

Mr. Hart stated the performance bond for this project is still pending; two issues must be resolved before the project can proceed. When this has been accomplished, a pre-construction meeting will be scheduled within the next 7-10 days, after which the project will be initiated.

Mr. Adams asked about the damage recently done to the existing floating dock. Mr. Cuba responded that this has been repaired, and the boat owner responsible is being billed.

Mr. Tilbrook recalled that the Riverwalk Trust had made a recommendation regarding the dock finish, asking that seashell aggregate be considered. The contractor has priced this at approximately \$35,000-40,000, and the City is considering the request.

- **Cooley's Landing Boat Ramp Replacement Project**

Mr. Hart advised the west ramp has been completed, and work began earlier today on the second ramp. He estimated the overrun costs at \$70,000-100,000; these costs are covered by grant funds.

- **S.E. 15th Street Boat Ramp Improvement Project**

The City Commission has approved the site plan for this project.

- **Commission Agenda Reports**

There was no report at this time.

XII. Old / New Business

Vice Chair Flanigan stated the transient dockage rates are “an equally bad situation” to the commercial dockage rates. There is a restriction at the Las Olas Marina, due to the submerged land lease, which does not allow 80% occupancy to be exceeded. He felt Staff should determine a rate structure that is “more favorable for larger boats.” This change in structure would help the marina to fill more of its slips and come closer to 80% occupancy. He proposed a three- or six-month period in which to decrease rates for transient dockage in order to be more competitive.

Mr. Hart asked if a 30% discount can be offered for larger vessels. Mr. Ekendiz, Intracoastal Facilities Dockmaster, advised there are monthly and three-month discounts available.

Chair Terrill asked that this issue be placed on an upcoming Agenda.

There being no further business to come before the Board at this time, the meeting was adjourned at 9:14 p.m.

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