

**MINUTES OF THE MARINE ADVISORY BOARD
 100 NORTH ANDREWS AVENUE
 8TH FLOOR CONFERENCE ROOM
 FORT LAUDERDALE, FLORIDA
 THURSDAY, JULY 1, 2010 – 7:00 P.M.**

<u>Board Members</u>	Attendance	Cumulative Attendance 5/2010 through 4/2011	
		<u>Present</u>	<u>Absent</u>
John Terrill, Chair	P	3	0
Barry Flanigan, Vice Chair	P	2	1
F. St. George Guardabassi	P	3	0
Bruce Johnson	A	2	1
Randolph Adams	P	3	0
Norbert McLaughlin	P	3	0
Jim Welch	A	1	2
Robert Dean	P	1	2
Mel DiPietro	P	2	1
Bob Ross	P	3	0
Lisa Scott-Founds	A	1	2
Stephen Tilbrook (7:06)	P	2	1
Tom Tapp	P	3	0
Herb Rassing (7:21)	P	3	0
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

Andrew Cuba, Manager of Marine Facilities
 Sgt. Bill Russo, Fort Lauderdale Police Department
 Officer Waters, Marine Police Staff
 Officer Jack Lakenski, President, Fraternal Order of Police
 Greg Slagle, Public Works Department
 Steve Anderson, Public Works Department
 Cate McCaffrey, Director of Business Enterprises
 Liz Davila, Recording Secretary, Prototype, Inc.

Communications to the City Commission

None at this time.

I. Call to Order / Roll Call

Chair Terrill called the meeting to order at 7:03 p.m. and roll was called.

II. Approval of Minutes – June 3, 2010

Motion made by Mr. Ross, seconded by Mr. Tapp, to approve the minutes of the June 3, 2010 meeting. In a voice vote, the **motion** passed unanimously.

III. Statement of Quorum

The eight members necessary to constitute a quorum were present.

IV. Introduction of New Members

Chair Terrill introduced new member Bob Dean. Mr. Dean is a longtime resident of South Florida and a graduate of the University of Miami. He has been a commercial diver, has run charter boats to the Bahamas, and has operated the Broward Marina Shipyard for nearly five years.

V. Waterway Crime & Boating Safety Report

Sgt. Russo reported that there were three vessel burglaries and two vessel accidents in June. A rescue was performed on June 10 when an individual fell overboard beneath the 17th Street Bridge. Several abandoned vessels were removed and towed from the City's waterways and boat ramps.

The Marine Unit issued 71 warnings and 3 citations during the month of June.

Mr. Harrison asked what the City is planning for the 4th of July. Officer Waters said a 300 yard perimeter will be secured around the fireworks barge, and there will be no anchoring during the event as part of the Coast Guard permit. A law enforcement vessel will also be on detail at the Lauderdale Yacht Club, which is planning its own fireworks display. No anchoring will be allowed during this event.

Vice Chair Flanigan requested information on an upcoming fishing tournament. Officer Lakenski explained the tournament is being held on July 17 and will raise funds to fight cystic fibrosis.

VI. Presentation – Pollution Solution Replacement Vessel

Greg Slagle of the Public Works Department explained he was a member of the first Evaluation and Selection Committee for this vessel in 1996. He introduced Steve Anderson, who supervises waterway cleaning operations for the Public Works Department. Mr. Slagle stated they are seeking the Board's recommendation to replace the current equipment after 11 years of service, or assistance in the formation of a new Selection Committee to research what is

available and make a recommendation. The City may also consider privatizing the operation if possible. There is roughly \$450,000 available for this purpose.

Mr. Slagle explained that in the 1980s, Public Works operated a pontoon boat with two employees who manually cleaned the canals with pool nets. Debris was placed in a dumpster and transported to a landfill in Pompano Beach. In 1995, the Department received a proposal to purchase an automated waterway cleaning vessel that aerated the water. A Selection Committee was formed, including two Marine Advisory Board members, and endorsed the plan to purchase the Pollution Solution vessel for \$247,165. After 11 years of service, the boat has now been retired. Mr. Slagle concluded that the Public Works Department would welcome the assistance of the Board in the purchase of a new vessel.

Mr. Slagle stated when the RFP went out, nine proposals were received. He noted that there is a difference between a trash skimmer and a trash harvester: a trash harvester may be used to cut weeds, while a trash skimmer picks up surface debris.

Mr. McLaughlin recalled he was on the committee that considered privatizing the Pollution Solution vessel, and noted the vessel was “down almost as many days as it worked” due to issues with hydraulics. He advised that one problem is the vessel works similarly to a road cleaner: it cannot pick up debris that is in the canals where boats are located, but picks up only “anything that’s down the center.” This makes the vessel inefficient.

He also said the skimmer is located in the front of the vessel and prevents it from angling close to other boats. Mr. DiPietro added that the same issue occurs with trash underneath docks, where the skimmer cannot reach it.

Mr. Anderson stated the skimmer is currently used for “the main Intracoastal” area, as well as canals to which it can gain access. It is accompanied by two pontoon boats, with individuals aboard who “net everything by hand” in the canals and transfer it to the skimmer boat.

Mr. McLaughlin said the pontoon boats are “quite efficient,” as they can reach behind docked boats and can turn at the end of a canal. He pointed out that the pontoon boats are never “down,” while by comparison the Pollution Solution vessel has had issues with its hydraulics that kept it down “over 100 days” one year.

He concluded that he did not feel it would be reasonable to purchase another boat for \$400,000 that would “basically skim the center of the channel” and leave behind more trash than it was able to pick up.

Mr. Harrison asked if any particular metric is used to determine the vessel's efficiency. Mr. Anderson said the trash collected is weighed daily and averages 1200-1220 lbs. per day. Since June 2009 the vessel has collected 105.67 tons of trash from the waterways.

Mr. Harrison asked if aeration of the water is necessary. Mr. Slagle replied the water has been tested before and after aeration, and it was determined there was "not a big difference," which led the Department to concentrate on surface skimming. The vessel currently in use has a larger basket and can collect bigger pieces of trash. They are hoping to move from manual collection to "something automated," which is one reason the committee has searched widely for proposals.

Mr. Dean asked if the "scavenger operation" in Dade County has been considered. Mr. Slagle recalled this operation is under contract via a grant and works a specific number of hours per week on surface skimming only. Mr. Dean noted that this company has since contracted with other municipalities and is "building some other vessels," and asked if this is an option for the City. Mr. Slagle stated the Public Works Department has not "looked at a boat since 1996."

Chair Terrill asked if the current vessel is down at the moment. Mr. Anderson replied that the vessel is functional; Mr. Slagle explained that its conveyor belts are in poor condition, and when one of these ceases to function, the vessel is down.

Vice Chair Flanigan recalled that the Board had not been fond of the Pollution Solution vessel, and suggested if the Public Works Department is receptive to other ideas, there is new technology available for pontoon boats. He felt the proposed committee should look at "other facilities," some of which had "attractive prices," and noted that it might be possible to get more than one vessel with the available funds.

Mr. Tilbrook asked how many Staff members are "involved in this operation." Mr. Anderson replied there are four individuals. Mr. Tilbrook asked if a privatization option might include privatizing staff as well, and if the companies that provide the service might be able to provide personnel as well. Mr. Slagle advised the RFP process would investigate the "pros and cons" of different types of vessels and services. He pointed out that the service is usually provided by contracting with a company that pays by the hour; during inclement weather, a member of City Staff might be asked to go along and monitor the service's efforts.

Mr. McLaughlin recalled that when he was on the previous Selection Committee, the cost of 20 hours per week with privatization would have totaled more than the City was paying Staff for 40 hours per week.

Mr. DiPietro said with the unique way the canals are set up, with boats and docks lining nearly all of them, the most efficient way to pick up trash seems to be having smaller boats come down into a canal and then offload trash onto a larger vessel. He felt this was not only more efficient but less expensive than having "one big boat" traveling the canals.

Mr. Tapp asked how the operation would be paid for by the City. Mr. Slagle replied it is included in Sanitation. Mr. Tapp noted that the service would involve "a lot of hand work," and it would be wise to look at "more versatile smaller units," as the service would move to a different part of the City each day.

Chair Terrill advised that the Board has a good deal of expertise they would be willing to share with Public Works by participating in the Selection Committee. He asked what the anticipated timeline for the project would be, including "numbers of meetings" and specific decisions that need to be made.

Mr. Slagle stated the funds have been carried over into the next fiscal year, which meant they could not be accessed before October 2010. He recalled that the previous Selection Committee "ran almost two years" and spent a good deal of time and work on the proposal. He estimated the Selection Committee could meet once or twice per month.

Mr. Dean asked if there is an anticipated build time for the vessel. Mr. Slagle said it took "almost a year" to build the previous vessel, which was custom-made to fit the City's trailer. He did not know if there is a possibility of rebuilding the present vessel.

Mr. McLaughlin suggested designing something customized to fit the City's needs, such as jets to move trash around the boat, or a retractable skimmer. He proposed the Board members could write down functions they felt the boat should be able to do and provide these to "two or three custom designers" for a proposal.

Mr. Rassing noted that the system under discussion is "essentially the same system" used in Baltimore, and recalled that at one time the City had used individuals on work-release programs for various tasks. Mr. Slagle confirmed this, noting that individuals participating in work-release programs report to work at different times, and some individuals are limited to specific types of work. He pointed out that the individuals' swimming skills are not known, which could constitute a hazard, and safety equipment such would not be available for people on work-release. He concluded that "you have to know what you're doing on a boat," which could not always be assumed with work-release participants.

Mr. Rassing asked how many different proposals have been received. Mr. Slagle replied they have received nine proposals, five of which will be invited to make presentations. He has also received calls from manufacturers who have noted the current boat is nearing the end of its life cycle.

Mr. Rassing asked if the City has had “any qualified marine facilities” look at the boat to determine if it could be brought “back up to speed.” Mr. Slagle responded they have not done this, but pointed out that the boat has survived for 11 years, while it had only had an expected seven-year life cycle. In order to do this, the City would have to send out a bid to have facilities “look at it and make a bid on it.” Mr. Dean felt it could be an inexpensive suggestion to have a qualified surveyor review the boat and provide an estimate on what it might take to fix the existing vessel.

Chair Terrill proposed that two members of the Board work with Staff on a Selection Committee. It was determined that Mr. Harrison and Mr. Dean would represent the Board in this capacity, and all Board members would be notified of the Selection Committee’s meetings in case they wished to attend.

Motion made by Mr. Guardabassi, seconded by Mr. Rassing, to establish a Selection Committee with City Staff to determine the criteria for a new Pollution Solution, open to participation from Board members. In a voice vote, the **motion** passed unanimously.

The Board thanked Mr. Slagle and Mr. Anderson for their presentation.

VII. Application – Waiver of Limitations / DRC 26-R-10/84 Marina, LLC/dba, New River Marina

Allan Kozich, representing the New River Marina, explained that the Marina has five docks that extend “too far” into the south fork of the New River. The facility was not properly permitted several years ago. They are now working through the Development Review Committee (DRC) and the Planning and Zoning Board for re-approval as an existing facility.

Mr. Tilbrook requested clarification that the Applicant is seeking appropriate permitting for the existing docks rather than seeking to expand. Mr. Kozich confirmed there is no anticipated expansion.

Mr. Tilbrook asked Mr. Kozich to explain the extraordinary circumstances related to the Application. Mr. Kozich stated that the docks already exist, but were not properly permitted.

Vice Chair Flanigan observed that when the original permit was issued, the Building Department did not require a variance generated by the Marine Advisory Board.

There being no further questions from the Board, Chair Terrill opened the public hearing. As there were no questions from the public, the public hearing was closed and the discussion was brought back to the Board.

Motion made by Mr. McLaughlin, seconded by Mr. Ross, to accept the waiver. In a roll call vote, the **motion** passed unanimously.

VIII. Reports

- **Broward County Hurricane Flotilla Program**

Mr. Cuba advised that this PowerPoint presentation was included in the Board's backup materials. The presentation was originally shown to members of the Marine Industries Association of South Florida. He stated the plan is available to "any small boater who is interested in joining the flotilla" and has made reservations for hurricane storage.

- **Broward County Marine Advisory Committee**

Mr. Adams stated there was nothing to report at this time.

- **New River Floating Dock Project**

Mr. Cuba reported this project is on schedule, with an estimated completion date of Labor Day. The City has met with the contractor and consultant, and the dock structures will be fully manufactured in July. Permitting issues are being worked out within the City and State, and no delays are anticipated.

He clarified that the permitting issues are plumbing- and fire-related, and are being resolved at this time.

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

Mr. Cuba stated the third boat ramp is "almost fully constructed" and the entire facility will be open soon. The only remaining issue is minor damage caused to the seawall. The project should be completed this month.

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

Mr. Cuba stated that Staff will present a revised plan to the Broward County Marine Advisory Committee in September 2010. The revision will address additional boat and trailer parking spaces required for the grant.

- **Ordinance Amendment: Boat Hoists & Similar Mooring Devices / ULDR Section 47.19.3**

Mr. Cuba advised the City Attorney's Office has completed a draft to be reviewed by the City Commission at the August 17, 2010 meeting. He anticipated this will be presented to the Board shortly after the Commission's review. Director McCaffrey suggested Staff could schedule a meeting with Chair Terrill on this draft prior to the August 17 meeting.

Chair Terrill stated he is confident that the Board's ideas and recommendations are being presented to the City Commission for consideration, along with "all points of view."

Mr. Cuba explained that the draft Ordinance Amendment would be brought to the City Commission as a Conference Item, and all Board members would be able to attend. There would then be two public readings of the draft, and the process would be complete "ideally by the end of September."

He asserted that the draft Ordinance Amendment addresses all Board recommendations, including the installation of a second watercraft lift and the Board of Adjustment review.

- **Commission Agenda Reports**

Mr. Cuba reported that a Resolution regarding derelict vessel removal was approved at the June 15, 2010 meeting, as well as a boat lift waiver and the S.E. 15th Street dock waiver. There will be three boat lift waivers scheduled for the July 7, 2010 meeting, all of which the Board has previously approved.

IX. Old / New Business

Vice Chair Flanigan recalled that roughly five months ago, the Board unanimously approved an Agenda Item to the City Commission that would bring relief to commercial boat operators due to the current economic climate. He noted that there has been no response or direction at this time. Some months ago, prior to the usual time for a change in rates, Staff lowered rates for "residential or transient vessels" at the marina, and occupancy has increased from 58% to 84% at the Las Olas Marina.

He advised that commercial boats must apply for a lease, which must be approved by the City Commission. Vice Chair Flanigan said after checking into

procedures at nearby maritime cities, he felt the City could restructure how they handle commercial vessels: for example, instead of a lease, these vessels could be given a seasonal dockage rate. This would allow Staff to change the rate structure in the same manner as the transient rate.

He recalled the Board had recommended lowering rates by a specific percentage; however, he now suggested allowing Staff to establish the rates for summer or winter dockage. He added that the City's dockage rates are significantly higher than those in neighboring cities.

Mr. Adams asked if the recommendation would allow for "more flexible management from the Dockmaster addressed specifically to commercial boats." He asked if short-term rentals, such as 90-day rentals, at the discretion of the Dockmaster would be sufficient change. Vice Chair Flanigan replied summer and winter rates are applied to transient dockage, and proposed that "instead of calling it a lease, we'll call it a dockage agreement," with the rate to be established by the City.

Director McCaffrey pointed out that after the Board's recommendation to the City Commission regarding dockage, the City Commission had asked Staff to provide a chart showing the percentage of differences in lease rates.

Mr. Tilbrook advised that the Board cannot act on the Item at this point, as the City Commission has already requested reports from Staff; however, he suggested that Vice Chair Flanigan and Mr. Cuba work on an Item for the next Board meeting that would allow the Board to consider Staff's recommendations "with perhaps legal input on whether it's a lease or whether it's something else."

Mr. Cuba advised that there are some parameters associated with the commercial vessels' lease agreements that would need to be included in any shorter-term agreements. This would require not only an Ordinance Amendment but "a new agreement" that would be separate from the transient agreement.

Mr. Tilbrook suggested the existing lease agreement could be modified to accommodate a summer rate change. He felt the Board should revisit the issue, as the idea of seasonal lease rates is "a completely different suggestion that's coming forward."

Mr. Dean pointed out that commercial operators want an annual commitment, and moving away from the lease policy would "not...give them any confidence" that they will have a commitment from the City for one year. Chair Terrill noted some marinas will not give an annual lease but still have commercial operators who dock there.

Mr. Tapp stated Staff will have to work with attorneys on this, as it is an Ordinance; he proposed Staff could bring a recommendation on commercial dockage and leases to the Board's September meeting. He expressed concern that nothing had been done in "about five months" and commercial operators may be losing money.

Mr. Dean asked how other maritime cities had handled this issue. Vice Chair Flanigan advised that Naples, for example, does not require Council approval, and the dockage rate is 55 cents per foot; Miami and Fort Myers require 63 cents per foot.

Mr. Cuba stated the City is competitive if the commercial rate is annualized compared to the transient rates; the commercial rate is "quite a bit less" than the transient rate during the winter, although it can be higher through the summer. He explained an annual survey is done to compare the City's dockage rates with "other Fort Lauderdale operations" rather than with the rates of other municipalities.

It was agreed that the discussion would be made an Agenda Item for the Board's September meeting.

Mr. Rassing stated the Board has "never done anything specific" to attract more boats to South Florida, and felt they should capitalize on the recently passed incentive for people to buy yachts in Florida. He felt addressing the rate structure for commercial vessels would be "a step in the right direction," but also asserted there is more the Board can do to bring in business.

Mr. Tapp noted the Board is working closely with the Marine Industries Association of South Florida, which can bring in business from other states. He suggested the Board let the Association's new director know they will continue to work with this group.

Mr. Cuba said the City has done some marketing in recent years, including appearances in the *Cruising Guide*, and they will continue to market and participate in the Boat Show.

Mr. Adams stated the Board should remain "within the purview of an advisory board" and look at regulation, taxes, and other issues that affect the boating industry. While they cannot be "proactive," they can act in an advisory capacity to ensure that this industry is not "regulate[d] away" from Broward County. He asserted that taking further steps could be "overstepping the boundaries of what we're really good at."

Mr. Dean said there are three primary associations – the Marine Industries Association of South Florida, the Florida Yacht Brokers Association, and the

Marina Mile Association – focusing on the marine industry in Broward County. He noted that a common discussion for all three groups is “where are we going to be in five years” or more, as well as “active discussion” of what the groups want to be done to help them.

Mr. Harrison advised there is “extreme optimism” with regard to the City being competitive throughout the world as well as within Florida and the United States.

Mr. Tapp pointed out that the Board’s responsibilities include making recommendations to the City Commission with regard to advertising, regulation, and publicity of the City’s waterways. He felt this meant the City’s docks should have a presence in the *Cruising Guide*, as many boaters look for access to municipal dock systems. He asked if the City’s system will be in the upcoming *Guide*.

Mr. Cuba stated the City’s marinas will not appear in the upcoming *Guide* due to expense cutbacks. He explained this is a difficult budget year and the budget was cut in response to a directive.

Mr. Rassing continued that there are actions the Board can take to help the business community, citing the rise in City dock occupancy when rates were lowered as an example. Mr. McLaughlin observed that the cruise ship industry is “doing their job” and marketing successfully to bring people to nearby ports.

Mr. Tapp noted that another good source of advertising is the Broward County Tourist Convention and Visitors Bureau.

X. Communications to the City Commission

None at this time.

XI. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 8:52 p.m.

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