

**MINUTES OF THE MARINE ADVISORY BOARD  
100 NORTH ANDREWS AVENUE  
8<sup>TH</sup> FLOOR CONFERENCE ROOM  
FORT LAUDERDALE, FLORIDA  
THURSDAY, JULY 7, 2011 – 6:00 P.M.**

<u><b>Board Members</b></u>	<b>Attendance</b>	<b>Cumulative Attendance May 2011 - April 2012</b>	
		<u><b>Present</b></u>	<u><b>Absent</b></u>
Barry Flanigan, Chair	P	2	0
James Harrison, Vice Chair	P	2	0
F. St. George Guardabassi	P	2	0
Randolph Adams	A	0	2
Norbert McLaughlin	P	2	0
Jim Welch	A	1	1
Robert Dean	P	2	0
Mel DiPietro	P	2	0
Bob Ross	P	2	0
Joe Cain	P	2	0
Tom Tapp	P	2	0
Herb Rassing	P	2	0
Frank Herhold	P	2	0
Lisa Scott-Founds	P	1	1
Zane Brisson	A	1	1

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  
Jonathan Luscomb, Supervisor of Marine Facilities  
Cate McCaffrey, Director of Business Enterprises  
Levend Ekendiz, Intracoastal Facilities Dockmaster  
Matt Domke, Downtown Facilities Dockmaster  
Officer Jim Hancock, Marine Police Staff

**Communications to City Commission**

**Motion** made by Mr. Tapp, seconded by Mr. Herhold, that the Marine Advisory Board recommends the Las Olas Marina expansion project as presented; they also strongly recommend that "Plan C" be considered because of its ability to optimize the use of the docks for vessels of all sizes, and to increase income revenue to the City of Fort Lauderdale. In a voice vote, the **motion** passed unanimously.

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

Chair Flanigan called the meeting to order at 6:02 p.m. and roll was called.

The Chair introduced City Commissioner Romney Rogers and Carlos Vidueira of the Marine Industries Association of South Florida. Mr. Vidueira explained that the Association is celebrating its 50<sup>th</sup> anniversary. They annually award a Project of the Year that promotes marine culture in south Florida. This year's award goes to the floating docks in downtown Fort Lauderdale.

Commissioner Rogers recognized Mr. Cuba and Ms. McCaffrey for their work toward this project, which included seeking grants from the Florida Inland Navigational District (FIND) and other sources. They also helped determine where the docks would be placed and how they would be designed. Ms. McCaffrey added that the Board has been instrumental in helping with this project as well.

Commissioner Rogers gave the award to Mr. Cuba in recognition of his efforts.

## **II. Approval of Minutes – May 5, 2011**

**Motion** made by Mr. Ross, seconded by Ms. Scott-Founds, to approve the minutes of the May 5, 2011 meeting. In a voice vote, the **motion** passed unanimously.

## **III. Statement of Quorum**

Chair Flanigan noted that a quorum was present.

## **IV. Waterway Crime & Boating Safety Report**

Officer Hancock reported that there were 71 warnings and five citations written since May. Several boat burglaries have occurred on the New River, including one incident during which an individual was detained. The 4<sup>th</sup> of July weekend passed without major incidents.

Mr. Rassing mentioned an abandoned boat in bad condition near his home. Officer Hancock explained that vessels are tagged if they constitute a violation, after which their owners have 30 days to rectify the problem. He noted that an Officer was dealing with the vessel to which Mr. Rassing referred.

## **V. Discussion – Las Olas Marina – Proposed Expansion**

Chair Flanigan noted that plans for the proposed expansion of the marina were included in the members' packets. Earlier this year, the Board unanimously voted to send the City Commission a communication in support of a plan which offered 122 slips on floating docks.

He continued that photos were taken from the Las Olas Bridge to show the size of the parking lot in relation to the marina. Over the past two weeks, other concepts for the layout of a modern marina have been considered. Using the lineal footage concept with floating docks, the proposed area would be 9200 ft. This would allow several different sizes and types of boats to dock at the marina with sufficient room for all vessels to enter and exit the docks. Whether the boats dock bow first or stern first would be at the discretion of management.

If the same revenue and occupancy that exist today are assumed, this would mean the marina's annual revenue would be estimated at \$3.1 million. It currently makes over \$1.4 million annually.

Chair Flanigan said outreach has begun to the marina's potential customers and members of the marine industry. He distributed copies of letters in support of the proposed expansion, noting that Show Management was one of the first potential stakeholders contacted. Expanding the marina would allow them the opportunity to expand brokerage boat use, as some brokers do not attend the Boat Show because they would have to pay for more space than their vessels require. Under the proposed concept, a boat would pay only for the length of space it uses.

He continued that in Plan C, the easternmost dock would be 125 ft. from the seawall; there has been discussion of "going further with this," such as adding a promenade or walking area. Chair Flanigan showed a photograph of a similar plan in Palm Beach.

Chair Flanigan advised that a letter from Tyler Chappell of FIND is included in the members' packets, noting that the existing marina was built using FIND and Broward County Boating Improvement matching funds; the proposed project would also be eligible for funding from these groups. This funding could be structured so it could be used to offset some of the initial expenses, such as permitting. While the project does not have a green light from environmental organizations or the Corps of Engineers, Chair Flanigan stated that conversations with these groups have been "favorable and encouraging to go further."

He continued that he has spoken with members of the City's Beach Redevelopment Board, and will meet with this Board the following week to exchange additional information. He also plans to meet with the Beach CRA. Discussion between members of different Boards is permissible under the

Sunshine Law, and he encouraged MAB members to speak with members of the Beach Redevelopment Board if they are acquainted.

Chair Flanigan noted that there is a new City Commission and City Manager, and the Mayor has directed Staff to look into the proposed plan to determine if it would fit into the City's Master Plan. The City Commission has not yet seen Plan C.

He advised that the dredging of the Intracoastal Waterway may occur within the next few years; if the proposed plan moves forward, larger boats will be able to access the marina, and the marina will be able to accommodate them.

Mr. McLaughlin pointed out that sea grass has been an issue with the Las Olas Marina, and asked if this could be mitigated by replanting. Mr. Cuba said the area dug out by dredging does not contain sea grass; for the rest of the area under discussion, there are sea grass studies underway to determine the extent of possible mitigation.

Mr. Herhold observed that the estimated \$3.1 million in revenue assumes an occupancy of 67%, which he felt was "very conservative." He noted that parking is a concern, and a parking garage is part of the proposed design for the south end of the project. He asked if this would increase the number of spaces available from what is offered by the current design. Mr. Cuba said this has not yet been determined, and any discussions with Parking and Fleet Services are still in their initial stages, although there have been indications that there is room available for increased parking. Mr. Herhold also emphasized the importance of the Boat Show, and stated that the new Plan C is "more favorable" for the Boat Show than previous plans.

Mr. Rissing asked how much the proposed plans would cost. Chair Flanigan said the projections were in the \$16 million range, even though the number of lineal feet would be expanded. He added that there were no cost estimates for upland plans. Mr. Rissing asked where the money would come from. Chair Flanigan said there could be multiple sources, reiterating that FIND could provide up to 50% of the cost. Mr. Cuba said other options would also be explored, such as a revenue bond. He felt that funding could be secured for the project.

Mr. Rissing said he felt strongly that the proposed marina plan would need to be incorporated into the City's Master Plan. He asked if the City would have the authority to dredge the body of water on the north side of the marina and extend the docks to the north. Mr. Cuba replied that they would look at the possibility of increasing the submerged land use area if it was necessary to the project. Chair Flanigan noted that the footprints of both Plan A and Plan C are within the existing submerged land use area. Mr. Cuba added that larger vessels would require greater accessibility to the current footprint, which would necessitate

dredging in the area to the north. Mr. Tapp said there may be an issue of riparian rights with regard to the northern area, as this would be outside the City's legal limit.

Vice Chair Harrison agreed that the plan was "a great idea" and felt it should continue to move forward. He said Plans A and B were as favorable as Plan C.

Mr. Cain asked what would be the largest vessel that could dock at the marina under Plan C. Mr. Cuba said with the proposed configuration, restricting factors would be depth issues and the width of the vessel. The proposed depth alongside the marina would be 15 ft., and would hopefully increase to 17 ft. throughout the Channel. He noted that there are "some unknowns" associated with utilities outside the Las Olas Bridge. He clarified that all designs, including the proposed docks, are conceptual and have not been reviewed by a civil engineer at this time.

Mr. Dean expressed concern about the currents in the area. He also noted that vessels often dock at the very ends of piers, and suggested that future discussions consider the piers' ability to accommodate golf cart traffic. Mr. Cuba said this is a consideration. Chair Flanigan added that crew facilities would also be necessary.

Mr. Tapp said the plan would "turn [the area] back to what it should be," which is a "full-scale marina." Ms. Scott-Founds agreed that this would be necessary in order for Fort Lauderdale to remain the yachting capital of the world.

Mr. DiPietro asked if the \$3.1 million would be the increase in revenue or the total estimate. Mr. Cuba said it was a minimum total based upon existing rates, average lengths, and average occupancy. Chair Flanigan said it would be reasonable to assume that attracting larger vessels would bring in greater revenue. Mr. Cuba added that there would be appropriate power for any size vessel throughout the docks.

Mr. Herhold asserted that the proposed marina would always remain in public use. Chair Flanigan noted that this is a stipulation of the submerged land lease. Mr. Dean said the ability to build more marinas seems to be restricted due to the permitting issues related to using bottomland; the fact that these plans would convert upland space to a marina is "a path of least resistance."

There being no further questions from the Board at this time, Chair Flanigan opened the public hearing.

Carlos Vidueira, Executive Director of the Marine Industries Association of South Florida, recalled that he had discussed the Marine Master Plan with the Board some months ago, including different locations within the City that are in need of

enhancement. He advised that many of these properties within the City are privately owned, which means there is little leverage with their owners regarding what can be done with them. He stated that this made the Las Olas property even more valuable.

He added that the Boat Show will have greater needs in the future, and it is possible that a deal with Bahia Mar may or may not be able to ensure that that property remains the home of the Boat Show. Should there be no agreement, the Las Olas property would need to be "configured in a certain way" in order to serve as host. Another service Mr. Vidueira said was lacking in the City is day dockage, although he noted that this does not produce a great deal of revenue. He concluded that these questions must be answered before one of the proposed plans could be selected.

Dave Decker, private citizen, agreed with Mr. Vidueira and encouraged the Board to consider all possible alternatives before making a decision on which plan to recommend. He said the dynamics of a well-planned marina go beyond lineal feet of dockage and maximizing revenue. He concluded that the proposed marina would be in "a wonderful setting," which could bring in a pedestrian component.

Joe Russo, owner of Water Taxi, commended the Board for encouraging additional dockage in Fort Lauderdale, particularly with regard to large vessels. He advised that parking would be an issue, noting that whenever events occur on the beach, "parking disappears" in that area. He felt removal of existing parking would necessitate the provision of at least as much parking as is currently available.

He also agreed that day dockage should be a consideration. He stated that his concern is that Fort Lauderdale has grown in its ability to bring tourists from cruises into the City: at one of the Water Taxi's stops, he estimated that between 500-1500 passengers are served each day, depending upon the season. Mr. Russo suggested that any future plans for dock space should make a provision for this particular stop.

Fred Carlson, private citizen, advised that the more parking that is available away from the marina area, the more likely it would be to get approval for the enhancement of the marina. He said the Central Beach Alliance will help the Board work toward this goal, as most of them see it as a positive, as long as parking is also addressed.

Andrew Doole, representing Show Management, stated his support for Plan C, which he felt would be good for the Boat Show. He noted that the design would allow for the dockage of boats of many sizes, and said his company would be glad to work with the City regarding the design of the facility.

Chair Flanigan asked if it was reasonable to expect that some yachts would remain in Fort Lauderdale after the Boat Show. Mr. Doole said several boats come into town from Europe and other international locations, and many have to go to other cities to dock because of a shortage of space.

As there were no other members of the public wishing to speak on this Item, Chair Flanigan closed the public hearing and brought the discussion back to the Board.

**Motion** made by Mr. Tapp, seconded by Mr. Herhold, that the Marine Advisory Board strongly recommends that we move this project as presented, and to add that Plan C strongly be considered because of its ability to optimize the use of the docks for vessels of all sizes, and to optimize the income revenue to the City of Fort Lauderdale.

Mr. Cuba noted that the Board had the option of making this a communication to the City Commission if they wished. Mr. Tapp agreed to this. He asked that the letters of support from stakeholders in the industry be attached to the communication.

Mr. Ross requested clarification of whether or not the Board was endorsing a particular plan. Chair Flanigan recalled that Plans A and B have already been endorsed, and the **motion** would add Plan C as a consideration. He noted that there is no Marina Master Plan at this point.

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

Mr. Dean asked what would be the next step in the process of expanding the marina. Mr. Cuba said Staff will continue to research the three options and the costs and performance associated with them, and would provide the Board with this information at future meetings. They would also provide the City Commission with this information.

Mr. Dean recalled that the floating dock project took a long time to come to fruition, and asked if it is possible that the proposed marina plan would take less time. Mr. Cuba explained that the floating docks were in part a funding issue; once the funding was in place, there were also challenges in the design, implementation, and construction phases as well. Mr. Dean asked if all the components of a project are overseen by a single individual. Mr. Cuba said if the project is moved forward, Marine Facilities would oversee the entire process. This would primarily consist of himself, Mr. Luscomb, and their Staff, with the assistance of Engineering and possibly outside assistance as well.

Mr. Guardabassi noted that while there is no Marine Master Plan, it seemed that this idea would be “a good thing.” Mr. Rensing clarified that there is a Master Plan for the area in which the proposed project is located. Mr. Guardabassi asked if any percentage of the revenue from the City’s docks is reinvested. Mr. Cuba explained that Marine Facilities is “a source of funds for the General Fund” for the entire City, and their budget comes from the General Fund.

Chair Flanigan recognized City Manager Lee Feldman at this time. Mr. Feldman introduced himself to the Board and advised he would be at the next scheduled meeting, as he is aware of the importance of the marine industry to the City. The Board thanked Mr. Feldman for stopping by the meeting.

Mr. Cuba continued that the Capital Improvement Program (CIP) serves as a master plan of sorts, as it prioritizes Marine Facilities’ projects each year. Currently the seawall repair previously recommended by the Board is the number-one priority. He noted that sources of funding are different for various projects as well.

#### **VI. Presentation – Electric Boat Waterway Tour – Gondolas West – vessel *Amore***

Chris McCoy, representing Gondolas West, LLC, gave a PowerPoint presentation on the business he would like to start on the New River. He explained that he would like the Board’s approval to run the project from the City’s docks.

He showed the Board a picture of the proposed vessel, which is a 22 ft. Duffy Electric Boat with a surrey top. *Amore* is the working name of the boat. The proposal is for three two-hour guided tours on the New River with a U.S. Coast Guard captain; there would also be a 90-minute “sunset sail.” He estimated that these tours would be given seven days per week, with roughly 100 trips a year. The vessel will also be available for private tours. Mr. McCoy said he has spoken with realtors regarding the possibility of showing properties on the river so a potential buyer can see a home from the dock side.

The boat will not be equipped with a PA system or microphones. It has a six-passenger maximum, although Mr. McCoy noted that it is possible to alter the vessel in a way to enable it to carry more passengers in the future. It contains a heater and has windows that may be zipped down in inclement weather.

Mr. McCoy explained that his intent is to offer a “green eco-tour,” with a focus on the environment and the wildlife of the river. The boat is almost silent due to its electric motor, and has an enclosed propeller, which would protect wildlife from harm. Its top speed is six miles per hour. He plans to install a self-composting head that would resist spillage, and solar panels will be on top of the vessel to



increase the time that an electric boat can operate. The boat will be charged between trips. While has not yet purchased the vessel, but expects to have it within the next week to the next month.

Mr. McCoy noted that there is a great deal of competition on the New River, and presented his proposed routes and times. The times are staggered before and after the "big players" have made their excursions. The vessel is short enough to go beneath the Las Olas Bridge and stay out of the larger vessels' way on a different part of the river. He described some proposed routes for the Board.

Marketing for the tours will include hotels, particularly those located nearest the City docks; an interactive website; and pedi-cabs where possible. Private tours will be marketed through realtors, yacht brokers, and other specific interests. Pricing will be \$25 per seat, \$20 for children under 10; for private tours, the cost will be "the seat price multiplied by six."

Mr. McLaughlin asked where the tour would pick up its passengers. Mr. McCoy said this would be at the Riverwalk, downriver from the gondolas, for the two-hour trip; there is not yet a specific address. Passengers can walk up or provide their own transportation, as he did not have sufficient overhead to send a van to the hotels for them. For private tours, he could arrange to pick these passengers up at their hotel.

Mr. Herhold noted that he has driven a Duffy Electric Boat, and asked if Mr. McCoy had considered making arrangements beachside, where there are more hotels and more foot traffic. This would also allow for access to canals. Mr. McCoy agreed this was a good idea, and confirmed that he has piloted a Duffy on the river.

Vice Chair Harrison asked why only six passengers would be accommodated in a 12-passenger boat. Mr. McCoy explained that he wanted to provide a more intimate boat experience, which is another reason he does not plan to have a PA system.

Mr. Dean asked if a permit is required to pick up passengers on the City docks. Mr. Cuba said there is no longer a need for the City Commission to review an annual lease of City docks; he advised that he had invited Mr. McCoy to address the Board because the Board has been interested in the commercial operations that work from the City's docks. Neither a formal application nor a motion would be required at this point. He confirmed that space is available for the proposed business.

Mr. Ross asked if Mr. McCoy would need to present to the Board again if he later decides to change from six passengers to 12. Mr. Cuba said a formal review is not necessary, although he noted that Mr. McCoy will ultimately plan to

accommodate 12 passengers in the vessels. Today's presentation is intended to be purely informational, as it presents "a new type of tour." Mr. Cuba clarified that no motion would be necessary from the Board.

Mr. DiPietro asked if the difference between a six-seater and a 12-seater would work with Mr. McCoy's revenue projections. Mr. McCoy advised that the overhead on the vessel is low, as he would not need to buy fuel, and going from six to 12 passengers would double the revenue, although his plan is still viable with only six passengers.

Mr. McLaughlin commented that he liked the idea of these tours, but expressed concern that a 22 ft. vessel would be able to pick up customers from the floating docks. Mr. McCoy assured the Board that this was not his intention, as he would not provide taxi service and would not make stops during his trips.

The Board members agreed that they are in favor of the proposed business. Mr. Herhold said he was glad to be able to support eco-tourism and sustainable efforts.

## **VII. Reports**

- **Broward County Marine Advisory Committee**

Chair Flanigan noted that Mr. Adams was not present to give this report.

- **ICW Dredge Update**

Mr. Luscomb stated that the City has applied for a grant with FIND to dredge the Intracoastal Waterway; FIND responded that the City would have to respond to "technical sufficiencies" before a grant would be in order. The City would need to set aside 50% of a marina's revenues for maintenance of a facility before it is dredged every 25 years. This was discussed further by Marine Facilities and FIND, and it was ultimately determined that FIND is behind on the permitting process for the second phase of their dredging project from Dania Cove to Sunrise. Because of this, the percentage of revenue requirement remains "not really settled with [FIND's] Board." It was originally included to ensure that the facilities they fund will be maintained.

He concluded that they are likely to revisit the 50% requirement. This will allow the City sufficient time to determine what they spend on the maintenance of their docks. In addition, if the City had been given this grant "too soon," they would not have been able to "piggyback" the proposed dredging onto FIND's Intracoastal Waterway dredging. Currently it appears that the Intracoastal will be dredged in 2012. The City will revisit the issue of a grant the following year, which Mr.

Luscomb noted would also be good timing with regard to the proposed marina expansion project.

- **Citywide Dredging Update**

Mr. Luscomb recalled that he had forwarded some emails from City Engineering representatives to members. They have received a permit from the County to proceed in dredging the sites discussed at a previous meeting, but must “reactivate the Army Corps permit” as well. The Engineers will meet with representatives of the Army Corps of Engineers the following week.

- **New River Floating Docks**

Mr. Luscomb advised that there has been some difficulty with the contractor of this project, although these issues appear to be in the process of being worked through. The fire system is complete, and only small issues remain in the way of completion. The docks remain full on the weekends.

- **Commission Agenda Reports**

Mr. Cuba reported that the FIND grant application was presented at the City Commission’s May 17 meeting, along with the Board’s communication regarding a water taxi moratorium. He advised that the moratorium was not imposed, but Staff is reviewing the existing water taxi Code, and may incorporate some of the Board’s recommendations.

Also at the May 17 meeting, two waivers were passed and the 15 Street grant was rescinded. The grant is still being reviewed.

At the June 7 meeting, a dock waiver was approved by the City Commission; on June 21, the water taxi Code moratorium was explored further, and Staff was directed to come up with a “red-lined” version of the existing Ordinance. The Las Olas Marina redevelopment was also discussed at the June 21 meeting.

Chair Flanigan asked if the Coast Guard or the Marine Patrol units had provided any input regarding the water taxi Code. Mr. Cuba said the first step is for Staff to redline the existing Code and incorporate the proposed changes; the next step is to meet with Legal representatives for their review, and the final step would be to bring in law enforcement entities for further discussion.

## **VIII. Old / New Business**

Mr. Luscomb advised that the City planned to rescind the Broward County Boating Improvement (BBIP) grant for 15 Street, as there were two issues involved: the prevailing wage/cost issue and the perpetuity beyond 25 years.

BBIP is drawing up a new agreement that limits the site dedication to a maximum of 25 years for the project; the grant mitigation fees are minimal and will increase by 3%-4%. The only remaining issue is that BBIP plans to present a new grant to be executed at the next City Commission meeting. They will also send a check to the City for Cooley's Landing, which will be complete in August.

Mr. Guardabassi advised that the Fort Lauderdale Rotary Club is bringing back the New River Raft Race, which will be held on November 19, 2011. The Rotary Club is partnering with Winterfest for this event. Additional sponsors are being sought as well. The route will be from the Performing Arts Center to Huizenga Park; it will then turn back as the tide turns.

Mr. Herhold distributed copies of the marine industry newsletter *Making Waves*.

Mr. Rassing reported that the fire boat has been at Coastal Marine in Pompano Beach for the last three months. It remains in dry dock due to an issue with its some of its parts.

He continued that the Pollution Solution vessel remains inoperable as well, and noted that he had spoken with a member of the Public Works Department, who had advised that there is currently no money for any endeavors other than investigating how the boat can be repaired. Mr. Rassing said he had asked how the expense of \$25,000 for this investigation could be justified; the individual had indicated that these were the only funds allocated toward the vessel thus far.

Mr. Dean commented that this was disappointing, as he had thought the City Commission gave instruction to have the vessel repaired. Chair Flanigan noted that the City Commission's recommendation was to get an idea how much it would cost to repair the vessel.

Mr. Cuba said Public Works is determining the scope of services required to repair the vessel, which would be followed with a formal bidding process on the necessary repairs. He agreed that the project is moving slower than the Board would prefer, and offered to bring a status report to the next meeting.

Mr. McLaughlin remarked that the former operator of Oceanfest, a three-day dive festival, is interested in bringing this event back to the City; however, the rent required for the event has greatly increased. He asked who might be able to work with the operator regarding the potential event, as well as the development of a possible maritime museum in the City. Mr. Cuba offered to help as much as possible with these issues.

Mr. Guardabassi returned to the Pollution Solution vessel, stating that trash on the waterway remains a problem. He suggested that residents might be encouraged to contact the City with regard to this issue. Mr. Rassing said the

individual to whom he had spoken had indicated that trash pickup is being addressed using small boats, and there have been no complaints thus far. He asked if there has been an increase in trash on the waterways. Officer Hancock said he would not characterize the presence of waterway debris as an increase, although he noted that it can collect in some of the back canals.

Mr. Cuba advised that if members have a specific area of concern, they should report this to the City, and offered to forward any emails of this nature to the appropriate channels.

Mr. Tapp felt the City Manager should be shown the minutes of past meetings where the issue of waterway trash pickup has been discussed. Mr. Cuba said the explanation he had been given was that funds were allocated for replacement of the vessel rather than repair; the City is now allocating funds for its refurbishment. He reiterated that he would follow up on this issue at the next Board meeting.

#### **IX. Updated Communications to City Commission**

The communication to the City Commission was previously stated.

#### **X. Adjournment**

Mr. Cuba advised that there will be no Board meeting in August.

There being no further business to come before the Board at this time, the meeting was adjourned at 8:23 p.m.

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