

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

<u>Board Members</u>	Attendance	Cumulative Attendance May 2011 - April 2012	
		<u>Present</u>	<u>Absent</u>
Barry Flanigan, Chair	A	3	1
James Harrison, Vice Chair	P	3	1
F. St. George Guardabassi	P	4	0
Chad Moss (6:02)	P	1	1
Norbert McLaughlin	P	4	0
Jim Welch	P	3	1
Robert Dean	P	4	0
Mel DiPietro	P	4	0
Bob Ross	A	3	1
Joe Cain	A	2	2
Tom Tapp	P	3	1
Herb Rassing (6:04)	P	3	1
Frank Herhold	A	3	1
Lisa Scott-Founds	P	3	1
Zane Brisson	P	3	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
 Matt Domke, Downtown Facilities Dockmaster
 Sgt. Kevin Shults, Marine Police Staff
 Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. Call to Order / Roll Call

Vice Chair Harrison called the meeting to order at 6:00 p.m. and roll was called. It was noted that a quorum was present.

The following Item was taken out of order on the Agenda.

V. Waterway Crime & Boating Safety Report

Vice Chair Harrison introduced Sgt. Kevin Shults, who heads the Marine Police Unit.

Mr. Moss arrived at 6:02 p.m.

Sgt. Shults reported that several GPS devices have been stolen in and around Broward County. He noted that one owner was contacted by eBay when their unit was sold there, and advised that other individuals may want to check this and similar sites. There have been nine thefts of electronic devices in Fort Lauderdale alone.

Mr. Rassing arrived at 6:04 p.m.

There have also been some high-end boat thefts by individuals based in Miami. The targets included Yellowfins and Jupiters. Sgt. Shults advised that the best preventative was to make boats and electronics as difficult to steal as possible by using alarm systems, lighting, and other measures. He added that because thieves use boats as their "offices," vessel contacts, citations, warnings, and inspections have increased threefold in an effort to catch them. Vehicle inspections will also increase at the 15 Street Boat Ramp.

Mr. Tapp asked if the Unit could determine whether thieves are entering vessels from the water or from land. Sgt. Shults said they believe most thieves are coming from the water, but they are not certain. He added that the majority of vessels from which equipment was stolen are on trailers, as the thieves are looking for expensive boats with electronics. Most thefts appear to occur at night.

Vice Chair Harrison asked if there is any information on a boat that struck a SCUBA diver. Sgt. Shults said no one has come forward with any additional information.

IV. Introduction of New Member – Chad Moss

Vice Chair Harrison welcomed Mr. Moss to the Board. Mr. Moss has lived in Fort Lauderdale since 1985.

II. Approval of Minutes – September 1, 2011

Vice Chair Harrison noted a correction to p.9, paragraph 2: Mr. Keefer is not a member of the Army Corps of Engineers.

Motion made by Mr. DiPietro, seconded by Mr. Guardabassi, to approve the minutes of the September 1, 2011 meeting as corrected. In a voice vote, the **motion** passed unanimously.

VI. Waiver of Limitations – ULDR 47-19 C. and D. – 417 Idlewyld Drive – Gary and Suzanne Greco

Glen Bryant, representing BK Marine, explained that waivers for the Idlewyld Drive area are often sought due to the depth of the water. The Applicant is requesting a 50x8 ft. wide “L” dock with a boat lift and dolphin pilings. There are no unusual features in the construction of the dock.

Mr. Dean asked if dredging might solve the issue of the water depth in this area. Mr. Cuba advised that dredging would be done in the center of the channel, and the dock is some distance from the channel. Setbacks from the channel are 62.5 ft., which is not exceeded by the request. There was no dock on the property when the Applicant purchased it.

Mr. Tapp asked if the Applicant's neighbors had been notified of the proposed waiver. Mr. Cuba confirmed that they had, and that no objections have been made.

There being no further questions from the Board at this time, Vice Chair Harrison opened the public hearing. As there were no questions from the public, Vice Chair Harrison closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Tapp, seconded by Mr. DiPietro, to recommend to the Commission that this waiver be granted as described. In a roll call vote, the **motion** passed 10-0. (Mr. McLaughlin abstained. A memorandum of voting conflict is attached to these minutes.)

VII. Waiver of Limitations – ULDR 47-19 C. and D. – 815 Idlewyld Drive – Dean and Laura DeSantis / Land Trust No. 1

Mr. Bryant explained that this request was nearly identical to the previous Application. It is also located on Idlewyld Drive. Based upon depths, the Applicant would like to install a 28x15 ft. access pier to a 70x8 ft. “L” dock with a boat lift and one dolphin piling. The request is within the 62.5 ft. setback from the channel.

There being no questions from the Board at this time, Vice Chair Harrison opened the public hearing. As there were no questions from the public, Vice Chair Harrison closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Ressing, seconded by Ms. Scott-Founds, to approve. In a roll call vote, the **motion** passed 10-0. (Mr. McLaughlin abstained. A memorandum of voting conflict is attached to these minutes.)

VIII. Permit Application – Private Usage of Public Property – Sec. 8-144 – 621 Cordova Road – Steven Marson

Mr. Bryant stated that all homes in this area are across the street from the dock in question. The dock is City property and is attached to a 47 ft. piece of property adjacent to the bridge. The dock is set back 25 ft. from the center line of the bridge. He explained that most docks are parallel to the seawall; in this case the dock is angled slightly in order to accommodate a neighbor's dock. The angle would not increase the length of vessels that may use the dock.

Mr. Dean observed that the dock appears to be set up to accommodate two boats. Mr. Cuba recalled that a similar application restricted the private use of public property to one boat in order to allow access to neighboring properties' docks; in this case, however, the restriction does not necessarily apply. Mr. Bryant added that the inside slip could be used by a very small watercraft, such as a dinghy.

Mr. Cuba explained that in this case, there is no requirement to notify neighbors; however, he stated he would provide notice prior to the City Commission meeting at which the Application would appear for final approval.

Mr. Welch asked if there had been problems in the surrounding neighborhood involving multiple boats. Mr. Cuba recalled that some years ago, there was a challenge related to a neighbor who accommodated four boats at his dock. He noted that Condition #8 on the Staff memo requires that proof of ownership for any permanently docked vessel must be submitted to his office.

Mr. Guardabassi asked if the Applicant was prohibited from renting a City-owned dock. Mr. Cuba advised that the Broward County Comprehensive Land Use Plan restricts any rental of docks in a residential district.

There being no further questions from the Board at this time, Vice Chair Harrison opened the public hearing. As there were no questions from the public, Vice Chair Harrison closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. DiPietro, seconded by Mr. Tapp, that the Application, as discussed, be approved. In a roll call vote, the **motion** passed 10-0. (Mr. McLaughlin abstained. A memorandum of voting conflict is attached to these minutes.)

IX. Waiver of Limitations – ULDR 47-19 C. and D. – 1200 Seminole Drive – Reef Development, Inc., c/o Romeu and Nayla Pradines

Dr. Fred Blitstein, representing the Applicant, explained that the Application is for a 25 ft. finger pier that will accommodate a 53 ft. vessel with a dive platform. The location of the finger pier is an area that would create a minimal obstruction of view. No obstruction would occur on the north side of the lot; a dock is located on this side, although it would not exceed the 25 ft. extension. He noted that the area roughly 12 ft. from the seawall to the north becomes dramatically shallower, and would not accommodate a vessel of any size.

Vice Chair Harrison asked if the property is currently a vacant lot. Dr. Blitstein confirmed this, stating there is an application for a house; applications to various environmental agencies have been submitted as part of the package. The dock cannot be built until the house receives its final permit.

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

Brian Kilcullen, neighbor, asked to see the Applicant's plans. Dr. Blitstein showed him the proposed plans.

As there were no further questions from the public, Vice Chair Harrison closed the public hearing and brought the discussion back to the Board.

Vice Chair Harrison asked if the owners of neighboring properties were notified. Mr. Cuba explained that because this Application was for a waiver of limitations, he is required to notify neighbors; they are provided with a notice indicating the requested difference beyond Code and the date and time of the Board meeting.

Motion made by Mr. McLaughlin, seconded by Ms. Scott-Founds, to approve. In a roll call vote, the **motion** passed 11-0.

Vice Chair Harrison introduced Jack Haire, who had appeared at the September Board meeting with respect to dredging the Chula Vista canal network. He explained that Mr. Haire would show the Board a follow-up presentation.

Mr. Haire showed a visual of the canal network, stating that the City proposed to dredge all canals in a particular section during phase 1 of the dredging project, then move on to others in phase 2. Dredging would be done to an NGVD of -5.3, which is usually done on wide canals with open access to power- and sailboats without height restrictions. He noted that the bridge at Riverland Road has a clearance of only 5 ft. at high tide, which restricts the size of boats that can

access the canal system. The City has committed to dredging at a cost estimated between \$250,000 and \$700,000 for phase 1 alone.

He showed the Board before-and-after pictures of canals, noting that “habitat boulders” were added on either side. He estimated that at low tide the canals are 3 ft. deep, and dredging would remove another 3 ft. of sand from the bottom. Mr. Haire asserted that dredging would not remove silt or debris from the canals. He provided his own drawings of the proposed work to be done on the canals, and expressed concern that the boulders would migrate into the centers.

Mr. Haire advised that he had contacted the City Commissioners with regard to the project, asking why the dredging project would accommodate large boats that cannot get under the bridge. He was informed that some people in the neighborhood would like the bridge raised, although the Mayor and Commissioner Rogers have asserted that this will not happen. He was notified that this issue would come before the Board in the next few months.

Jack Newton, private citizen, asked how many boats would be served by the prospective dredging. Mr. Haire estimated there were approximately 30 boats in the entire network.

Mr. Tapp asked if the dredging project was planned in the past or if there was a recent push to undertake it. He did not feel the project was a practical one. Mr. Cuba said the Chula Vista addresses had appeared on the prioritization list for dredging as far back as 2004. He noted that the Engineering Department is taking a hard look at the feasibility of this project and would present their opinions in a memo to the City Commission. The Commission will have the final decision on whether or not the project goes forward.

Mr. Dean noted that the system is predominantly a drainage area that happens to serve several homes that have access to the water. He expressed concern that if the canals are deepened, the seawall will ultimately be lost. He asked to know the time frame of the project. Mr. Haire said the City is waiting for permit approval from the U.S. Army Corps of Engineers, which also has questions about the project, including prospective erosion of shore lots. He advised that the Corps is willing to give him a special dispensation for his own property, as it would not be possible to dredge the area near Mr. Haire’s home without jeopardizing the seawall.

Mr. DiPietro asked if large dredging equipment would be used. Mr. McLaughlin said the suction equipment for areas such as this one is not exceptionally large and would be sent in on a barge.

Mr. Rassing commended Mr. Haire for coming forward to raise the Board’s awareness of the project. He said he did not see any merit in the proposal. Mr.

Haire said the petition for dredging was raised by approximately 3% of the homeowners in the general area. Mr. Cuba recalled that the impetus for the project came from a recommendation by a past president of the local homeowners' association, who had submitted the request for prioritization of dredging five canals in the Chula Vista area.

Mr. Rassing asked if the Army Corps of Engineers had jurisdiction at this point of the river. Mr. Dean explained that under the Code of Federal Regulations, the canals are considered navigable water.

Mr. Cuba advised that the City Commission had acted upon last months' communication to the City Commission by directing Staff to analyze the situation and return with a memorandum regarding the project.

X. Reports

- **ICW Dredging Update**

Mr. Luscomb reported that the seagrass survey has just been completed, and more seagrass is now present in the Intracoastal Waterway than in 2008. The County will also "re-fix" the mitigation at Bahia Mar that failed in 2003, which involves nine acres at 3.3/1 mitigation. The dredging permit for the ICW will hopefully be approved by December 2011.

- **15th Street Boat Ramp Renovation Update**

A pre-construction meeting for this project will be held on Monday, October 10. The project is expected to begin later this month, and is estimated to last eight months. Mr. Luscomb said he would email the Board members following the pre-construction meeting regarding the accessibility of the ramp during the construction phase. Mr. Cuba noted that the recently renovated Cooley's Landing ramps will provide additional public access to the water while the renovation is underway.

- **Las Olas Marina Redevelopment Concept Update**

Mr. Luscomb provided the Board members with the most recent scale renderings of the proposed project, which would involve roughly 6400 linear ft. This scale is slightly smaller than the original proposal. The cost of the revised proposal is estimated at \$200 per sq. ft. of dock space, or approximately \$10 million.

He explained that the CCNA process is presently ongoing. The Selection Committee, which will choose the bidder that will explore the marine element of the project as well as the Sasaki Master Plan for redevelopment of the area, has

completed the interviews but has not yet made a selection. Mr. Cuba advised that the Board will be kept apprised of progress.

- **Commission Agenda Reports**

Mr. Cuba stated that three City Commission meetings have been held since the September 1 Board meeting. The Board's communication to the City Commission endorsing Plan C of the Las Olas Marina redevelopment project was presented at the September 7 Conference Agenda meeting; the communication regarding the Chula Vista canal dredging issue was presented at the September 20 Conference Agenda meeting; and the Boat Show dockage agreement was discussed at the September 20 regular meeting. The extension of the FIND grant for the 15th Street Boat Ramp was presented at the October 4 regular meeting.

XI. Old / New Business

Mr. Dean asked if there has been further discussion of beginning a study regarding dredging the City's canals. Mr. Cuba advised that the Board's concerns have been shared with the Engineering Department with respect to further dredging. The challenges appear to be financial at this point, as this type of study can be very expensive. He recalled that the Board had requested quarterly reports from the City on dredging, and stated that his goal is to provide these reports on a quarterly or biannual basis.

Mr. Guardabassi said the Raft Race has been approved by the City Commission, and will take place on November 19, 2011. Fliers are being distributed in the City. Mr. McLaughlin suggested that they could also be sent to the City's various civic associations to increase awareness of the upcoming event. Other proposals for advertising the event were discussed as well.

Mr. Rassing requested an update on the repair or replacement of the Pollution Solution vessel. Vice Chair Harrison said his understanding was that this issue is now being addressed by the Public Works Department. He noted that the City did not appear to be receiving complaints about waterway debris.

Mr. Dean asked if the City Manager is aware of the issues with the Pollution Solution vessel. Mr. Cuba said the head of the Public Works Department had discussed the vessel's budget and the Subcommittee's recommendations with the City Manager. He explained that the Subcommittee has officially been disbanded at this point. He would provide written updates on this issue as information becomes available.

Ronald Crohn, private citizen, asked if an update is available on ICW dredging from Bahia Mar to the Las Olas Bridge. Mr. Luscomb said the intent is to dredge

as far as Sunrise Boulevard, as well as dredging the ICW into Bahia Mar in front of the Aquatics Complex. Mr. Cuba added that the area of the ICW dredging project will include the navigable channel, which follows the center line up and down the Waterway and includes the areas immediately adjacent to it. Dredging will not deviate into the basin. Mr. Crohn asserted that the New River Sound also needs to be dredged.

Jack Newton, private citizen, stated that he had reviewed the conceptual diagram of the proposed plans for the Las Olas Marina, and asked how a yacht would navigate the docks shown in the plan. Mr. Cuba explained that the drawing is conceptual at this point, and will be reviewed further when a consultant has been selected for the project. Boats will be accommodated within the fairways to allow for ingress/egress of vessels. Vice Chair Harrison added that the proposed plan would allow for maximization of dock space.

Mr. Newton noted that the parcel for which a parking structure is planned would place the deck in front of The Venetian, where he resides. He said residents of this condominium are concerned about how this would affect both the approach to and the view from their residence. Mr. Cuba said the project has been brought to the attention of the Beach Redevelopment Board and Economic Development Advisory Board, and members of The Venetian have attended these meetings as well and expressed their concerns.

XII. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:21 p.m.

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