

**MINUTES OF THE MARINE ADVISORY BOARD  
 100 NORTH ANDREWS AVENUE  
 8<sup>TH</sup> FLOOR CONFERENCE ROOM  
 FORT LAUDERDALE, FLORIDA  
 THURSDAY, JUNE 5, 2014 – 6:00 P.M.**

<u>Board Members</u>	Attendance	<b>Cumulative Attendance May 2014 - April 2015</b>	
		<u>Present</u>	<u>Absent</u>
Barry Flanigan, Chair	P	2	0
James Harrison, Vice Chair	P	2	0
F. St. George Guardabassi	P	2	0
Norbert McLaughlin	P	2	0
Jim Welch	P	2	0
Robert Dean	P	1	1
John Holmes	P	2	0
Bob Ross	P	1	1
Joe Cain	A	1	1
Herb Rassing	P	2	0
Frank Herhold	P	2	0
Zane Brisson	P	2	0
Erik Johnson	P	2	0
Jack Newton	P	1	1
Jimi Batchelor	P	2	0

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

It was noted that a quorum was present for the meeting.

**Staff**

Andrew Cuba, Manager of Marine Facilities  
 Jonathan Luscomb, Supervisor of Marine Facilities  
 Sergeant Todd Mills, Marine Police Staff  
 Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

**Motion** made by Mr. Dean, seconded by Mr. Ross, that after lengthy deliberation and unanimous consent, the Marine Advisory Board wishes to convey its concern over the impact of the encroachment into the New River of the planned extension of the Riverwalk as part of the proposed Las Olas Yacht Club development. As this is a working river used by recreational vessels, the MAB fears for the safety for the public in navigating this area. Attached are Exhibit A, four photos, and 11 letters of concern. In a roll call vote, the **motion** passed 14-0.

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

Chair Flanigan called the meeting to order at 6:10 p.m. and roll was called.

**II. Approval of Minutes – May 1, 2014**

**Motion** made by Mr. Ross, seconded by Mr. Rassing, to approve. In a voice vote, the **motion** passed unanimously.

**III. Statement of Quorum**

It was noted that a quorum was present.

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

Sgt. Todd Mills of the Marine Unit reported that during the month of May, there were 15 miscellaneous incidents, six minor accidents, seven citations, 112 warnings, and 235 safety checks. The safety checks occurred in conjunction with National Safe Boating Week. Five burglaries occurred, including thefts of fishing equipment and GPS devices.

Mr. Holmes reported that his neighborhood has addressed the issue of illegal loading/offloading of materials from bridges by installing deterrent signage. Members of the neighborhood are asked to call the non-emergency Police Department number if they witness this activity. He thanked Sgt. Mills for his help with this issue.

Chair Flanigan stated that in May, an application was submitted to the Army Corps of Engineers for the redevelopment of a property previously discussed by the Board. The Chair stated that at least 12 letters have also been sent to the Army Corps and the Coast Guard in relation to this application.

He distributed a handout and photographs to the Board members, recalling that in 2010 there had been negotiations between the City and an upland developer related to a potential property exchange, including rebuilding of the seawall. More recently, the application has been resubmitted with different specifications, including a new seawall. Chair Flanigan advised that the application is still in the early stages of the approval process, and felt the Board should strongly request to be a part of any future discussions related to its approval. He concluded that the number of obstacles placed in the way of boats in Fort Lauderdale will influence them to go to other cities instead.

The Board members discussed the issue further, expressing concerns for the obstruction created by the proposed pedestrian walkway, previous objections to pile driving in the subject area, navigational safety on the river, and the role of the Marine Advisory Board in application review. Chair Flanigan asserted that the application has bypassed the normal procedural review process, but noted that the Coast Guard will

ultimately weigh in on its approval. There was agreement among some members that while the project is potentially important to the City and the Downtown, it will require further analysis.

The Board also discussed the public safety implications of the application, noting that the project would create a navigational hazard, particularly for smaller boats traveling the same part of the waterway as much larger vessels. While there have been no accidents in the immediate area, Sgt. Mills advised that one boat has bottomed out at low tide while other boats are staging nearby. It was also noted that seawall replacement permits allow up to 18 in. on each side of the wall rather than placing the structure back into the same footprint, which means more river width is lost when a new seawall is constructed.

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

Steve Jordan, private citizen, agreed that while the project would be an enhancement for Downtown Fort Lauderdale, the drawings submitted do not show the shallow water where boats may run aground.

Jim Van Drunen, captain of the *Jungle Queen*, pointed out that thousands of area jobs are dependent upon the New River. He felt encroaching on this waterway would endanger these jobs in addition to presenting a navigational issue.

Sheri Carfi stated that the *Musette*, a dinner cruise ship, is often bumped by other vessels in the subject area due to the narrow width of the waterway. Rob Carfi, co-owner, added that on weekends there can be a lengthy wait for water traffic to clear so their boat can leave its dock.

Matt Talchek, owner/operator of Charter One Yachts, agreed that the proposed project would exacerbate an existing safety hazard on the river.

Phil Demers, private citizen, pointed out that the application requests a 30 ft. extension from the seawall with perpendicular slips for at least five boats, which will extend even further into the river. He concluded that this would leave no room for larger vessels to navigate, especially if there is other river traffic.

Stephen Reuss, also a captain of the *Jungle Queen*, commented that weather affects navigation on the river, particularly over the tunnel. He stated that if this additional space is taken away, safety will be compromised.

Christopher Botuls, private citizen, advised that if the proposed project is built, the only way to avoid a hazard is to back out of the river, which would be very difficult for larger vessels. He characterized the riverbend east of the 3<sup>rd</sup> Avenue Bridge as a "danger corner."

The Board discussed the level of river traffic in the subject area, noting that 2000 boats passed beneath the railroad over the recent three-day Memorial Day weekend. The members agreed that they would like to express their concerns for safety and recommendation against the 30 ft. extension into the waterway in the form of a motion or communication. Mr. Rassing also encouraged the Board, and the members of the public as well, to share their concerns with their respective City Commissioners.

The Board expressed concern that the application was not brought to their attention by the City, as well as with the possible perceived economic benefit of the project. Chair Flanigan pointed out that County and State agencies, as well as the Coast Guard, may still receive public comments regarding the project. They emphasized the importance of maintaining the New River as a working river that is also used by recreational boaters, noting the number of marine industry professionals present at the meeting as members of the public.

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. Guardabassi, seconded by Mr. Rassing, to [send a] communication to the Commission. In a voice vote, the **motion** passed unanimously.

The Board reviewed the information they wished to include in their communication to the City Commission, including support for the purpose of the project as well as concern for its safety and navigational aspects. They also discussed sending the photographs distributed at tonight's meeting to the Commission, as well as copies of the letters from concerned members of the public.

Mr. Cuba added that a Board member or members should plan to attend the City Commission meeting at which the communication is presented in support of the Board's position. Mr. Guardabassi urged the members of the public to attend as well.

**Motion** made by Mr. Dean, seconded by Mr. Ross, that after lengthy deliberation and unanimous consent, the MAB wishes to convey their concern over the impact of the encroachment into the New River of the planned extension of the Riverwalk as part of the proposed Las Olas Yacht Club development. As a working river used by recreational vessels, the MAB's fear is for the safety for the public in navigating this area. Included are Exhibit A, four photos, and 11 letters of concern, which are attached. In a roll call vote, the **motion** passed 14-0.

#### **V. Update -- Sails Marina**

It was decided that this update would be presented at a later date.

#### **VI. Update – Floating Dock Enhancements**

Chair Flanigan recalled that the Board had previously discussed placing decorative wraps on these docks; however, it was determined that the cost of these wraps was too expensive. A more recent consideration is wrapping the poles with vinyl awnings, which could be changed to reflect various holiday seasons if desired. The estimated cost of these awnings will be presented at a subsequent meeting.

## **VII. Reports**

- **July 15<sup>th</sup> reminder**

Mr. Cuba reminded the Board that the July meeting will be held on Tuesday, July 15, rather than July 3.

- **Commission Agenda Reports**

Mr. Cuba advised that at the June 3 City Commission meeting, the dock waiver for 505 Idlewyld Drive was approved.

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

None.

## **IX. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 8:01 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

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