

**MINUTES OF THE MARINE ADVISORY BOARD  
100 NORTH ANDREWS AVENUE  
8<sup>TH</sup> FLOOR CONFERENCE ROOM  
FORT LAUDERDALE, FLORIDA  
TUESDAY, SEPTEMBER 23, 2014 – 6:00 P.M.**

<b><u>Board Members</u></b>	Attendance	<b>Cumulative Attendance May 2014 - April 2015</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
Barry Flanigan, Chair	P	4	0
James Harrison, Vice Chair (dep. 7:05)	P	3	1
F. St. George Guardabassi	P	4	0
Norbert McLaughlin	P	4	0
Jim Welch	P	4	0
Robert Dean	P	3	1
John Holmes (arr. 6:09)	P	4	0
Bob Ross	P	3	1
Joe Cain	P	2	2
Herb Rassing (arr. 6:07)	P	4	0
Frank Herhold	P	4	0
Zane Brisson	P	4	0
Erik Johnson	P	4	0
Jack Newton	P	3	1
Jimi Batchelor	P	3	1

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

**Communications to City Commission**

None.

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

Chair Flanigan called the meeting to order at 6:03 pm. and roll was called.

**II. Approval of Minutes – July 15, 2014**

**Motion** made by Mr. Ross, seconded by Mr. Herhold, 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 reported that during the month of August, the Marine Unit investigated 15 miscellaneous incidents, eight headers, and four vessel accidents, issued 11 citations, conducted 147 safety checks, and wrote 116 warnings. No burglaries or larcenies were reported.

The Board discussed safety measures associated with kayaks on the ocean. Sgt. Mills advised that diving kayaks are expected to be equipped with larger-than-usual flags; however, flags may not be displayed if no diver is in the water. It was suggested that this issue could be addressed through education or possibly through legislation.

He added that the current legislative session is looking into legislation regarding anchoring laws and mooring fields. Fort Lauderdale is seeking to establish its right to regulate anchoring in its waterways. At present, vessels may be anchored anywhere outside the navigable waterway as long as they are not abandoned or taking on water.

### **V. Application – Waiver of Limitations – ULDR Sec. 47-19.3 C, D, & E – L-5 Investments IV LLC c/o Robert and Rosemary Leonard – 726 NE 20<sup>th</sup> Ave.**

Tyler Chappell, representing the Applicants, stated that the subject property is located on the Middle River. He showed photographs of the property, explaining that the request is consistent with previously approved waivers in the neighborhood. The waiver request is for 10 piles at a distance from 14 ft. to 100 ft. and a finger pier at a distance of slightly over 67 ft. Extenuating circumstances include no structures exceeding 30% of the waterway, which has extraordinary width at this location. Additional piles are necessary for the safe mooring of vessels during severe weather. Mr. Chappell provided letters of support from adjacent property owners and other neighbors.

The Board members discussed the Application, clarifying that the two vessels docked at the property must be owned by the homeowner or homeowner's representative. The property is zoned RS-8. They also reviewed nearby properties for which waivers have been approved in the past.

There being no further questions from the Board at this time, Chair Flanigan opened the public hearing. As there were no 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. Ross, seconded by Mr. Cain, to approve as stated. In a voice vote, the **motion** passed unanimously.

## **VI. Reports**

- **Grant Status Update**

Mr. Luscomb advised that the City has applied for a grant to repair/replace the boat ramps at George English Park, as the raising of the bridge will allow larger boats access to the location. The City received this award in June 2014 and design funds are expected to be available by November. The next phase will be construction. Mr. Luscomb noted that the Broward Boating Improvement Program (BBIP) as well as the Florida Inland Navigational District (FIND) may be interested in the construction phase of the project.

He continued that he has also applied to BBIP for \$50,000 toward approved derelict vessel removal. These funds would be available for four years. The Broward County Sheriff's Office has received a similar grant for derelict vessel removal.

Regarding the proposed expansion of the Las Olas Marina, Mr. Luscomb stated that market and environmental feasibility have been examined and mitigation costs for dredging and expansion have been estimated; however, it is not yet clear what costs and/or environmental restrictions would be associated with digging out the parking lot. City Staff has been directed to hire a consultant who will review the work done thus far and determine the cost of digging out the parking lot and placing floating docks there. One potential environmental challenge would be how long it would take the basin to flush.

Chair Flanigan recalled that on July 1, 2014, the City Manager submitted an action plan on the proposed marina expansion to the City Commission, and the marina was made a high priority. Chair Flanigan expressed appreciation to the City Manager for this consideration. Mr. Cuba will serve as Project Manager, and other Marine Staff will be involved as well. Mr. Luscomb continued that a Competitive Consultants Negotiation Act (CCNA) process will be required by State statute for the dredging process. Once construction drawings are complete, the project can go out for bid. He cautioned the Board against seeing the project as a foregone conclusion, as more information will be necessary to present to the City Commission, including more input from stakeholders, before the Commission would approve the expansion project.

Mr. Luscomb advised that the City's 2015-2019 Community Investment Plan, which is available through the City's website, includes pump-out facilities and electrical

improvements on the north side of the New River in 2016. Regarding the seawall, work is ongoing on the Riverwalk seawall replacement on the north side. New pilings are also planned for the New River, with installation to begin following the Boat Parade in December.

- **Commission Agenda Reports**

None.

## **VII. Old / New Business**

Chair Flanigan distributed a handout on All Aboard Florida to the members, explaining that public meetings are being scheduled so individuals may attend and make comments. It was noted that an economic impact statement has been released which concludes that the impact of the freight plan on navigation would be minimal. The Board members were encouraged to attend the upcoming public meetings to express their concerns. Mr. Herhold confirmed that a camera was placed in the area by the Marine Industries Association of South Florida (MIASF) during the summer to collect data on bridge openings and closings. MIASF members will meet with the leadership from All Aboard Florida on October 8, 2014.

Mr. McLaughlin commented that two contractors are no longer working in Fort Lauderdale due to their inability to load/offload within the City. He expressed concern that this could lead to a higher cost for marine construction in Fort Lauderdale than in surrounding communities.

Mr. Cuba advised that the next Board meeting is scheduled for Thursday, October 2, which is the following week. It was decided that the October meeting would be cancelled and the Board would meet again in November.

The Board briefly discussed plans for the Downtown Fort Lauderdale Transportation Management Association (TMA) to establish free water trolley service on the New River. Plans are expected to be included on the next City Commission Agenda.

## **VIII. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 7:23 p.m.

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