



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
MARINE ADVISORY BOARD
VIRTUAL MEETING**

THURSDAY, SEPTEMBER 3, 2020 – 6:00 P.M.

		Cumulative Attendance	
		May 2020 – April 2021	
Grant Henderson, Chair	P	3	0
Ed Strobel, Vice Chair	P	3	0
Cliff Berry II	P	2	1
Deirdre Boling-Lewis	P	3	0
Robyn Chiarelli	A	2	1
Barry Flanigan	P	3	0
Richard Graves (arr. 6:15)	P	3	0
James Harrison	P	3	0
Rose Ann Lovell	P	3	0
Kitty McGowan (arr. 6:25)	P	2	1
Norbert McLaughlin	P	2	1
Ted Morley	A	2	1
Bill Walker	P	2	1
Steve Witten	P	3	0

As of this date, there are 14 appointed members to the Board, which means 8 would constitute a quorum.

Staff

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

Communications to City Commission

None.

I. Call to Order / Roll Call

Chair Henderson called the meeting to order at 6:00 p.m. and roll was called.

II. Approval of Minutes – September 3, 2020

Motion made by Vice Chair Strobel, seconded by Ms. Boling-Lewis, to approve. In a voice vote, the **motion** passed unanimously.

III. Statement of Quorum

It was noted a quorum was present at the meeting.

IV. Waterway Crime & Boating Safety Report

Sergeant Todd Mills of the Fort Lauderdale Police Department's Marine Unit reported the following activity during the month of September 2020:

- 7 citations
- 101 warnings
- 33 vessel inspections
- 8 incidents, including 2 burglaries
- Collaboration with U.S. Coast Guard to look for illegal chartered vessels
- 2 sunken vessels, including 1 barge
- 1 small vessel accident

Sgt. Mills noted that preparations for the Fort Lauderdale International Boat Show are currently underway in condensed format.

Mr. Witten asked if the Marine Unit still needs to limit its Officers' hours due to budget constraints. Sgt. Mills replied that while there had been budget concerns related to maintenance, this was due to a lack of communication, and funds are sufficient.

Chair Henderson asked if the public is becoming more aware of illegal charter activity. Sgt. Mills advised that the Coast Guard has taken this issue very seriously over the past year, and this activity may be lessening.

V. Waiver of Limitations – Mark Tkach / 1776 SE 10th Street

Mr. Graves arrived at 6:15 p.m.

Tyler Chappell, representing the Applicant, recalled that this Item also came before the Board at their September 3, 2020 meeting. The Applicant has decided to relocate his boat lift to the east side of the subject property rather than the south side. This will allow better access to and from the canal as well as providing the Applicant with greater privacy.

The requested waiver is for 6.2 ft., as the boat lift would be 31.2 ft. from the property line. The lift and marginal dock width remain the same as in the previous presentation. Extraordinary circumstances include the width of the waterway, which is 1395 ft. The lift will be used to safely moor the boat against wakes from the Intracoastal Waterway and alleviate any shading of benthic resources below the water. Two additional individuals provided letters of support since the previous presentation.

Mr. Harrison asked if the Application will require dredging. Mr. Chappell confirmed that dredging is proposed on the south and east sides of the property.

There being no further questions from the Board at this time, Chair Henderson opened the public hearing. As there were no individuals wishing to speak on this Item, the Chair closed the public hearing and brought the discussion back to the Board.

Motion made by Mr. Berry, seconded by Ms. Lovell, to approve. In a roll call vote, the **motion** passed 10-1 (Ms. Boling-Lewis dissenting).

VI. Waiver of Limitations for Beach Boating Restricted Area – Atlantic Beach Clubs Two, Inc. / Adjacent to 3049 Alhambra Street

Chair Henderson advised that the Applicant has been selected through the City's request for proposal (RFP) process for motorized beach rental concession. This Item addresses the business's ingress/egress within the beach boating restricted zone, which lies between a high water mark to the west and 100 yards east of the mean high water mark of the Atlantic Ocean.

Mr. Cuba noted that the Applicant's representative was not present at the meeting. The Board is asked to make a recommendation for or against the proposed waiver that would allow them to launch on the beach.

Mr. Harrison asked if there were any changes from a previously submitted plan. Mr. Cuba replied that the concessionaire has been the same party for the past five years. Sgt. Mills confirmed that there have been no reported issues at this location, and the vendor regularly uses buoy markers. Mr. Luscomb added that the concessionaire has met all requirements listed in the City's RFP.

Vice Chair Strobel recommended that the Item be tabled until a representative of the Applicant was present to respond to questions about the concession's operations. Mr. McLaughlin explained that his questions were intended to determine what kind of licensing was necessary and the types and capacity of boats used for operation.

Ms. McGowan arrived at 6:35 p.m.

Ms. Boling-Lewis also recommended that the Item be tabled until the next meeting when the Applicant and/or representative may be present to respond to questions. Mr. Cuba stated that the Item in question is a Procurement Item, on which the Board is asked to make a recommendation regarding the launch corridor.

David Heemskerk, representing the concessionaire, advised that should the operation's chase vessel become disabled, that watercraft would be pulled from the rental fleet and replaced. Banana boats may accommodate a maximum of six individuals. No additional vessel is needed to pull the banana boat: a boat from the existing fleet is used for this purpose. A captain licensed for a 100 ton vessel is on staff and other members of staff are seeking "six-pack" licenses. If appropriate equipment is not available, banana boat

operations will not take place. The concession will operate between approximately 11 a.m. until 6 p.m.

Mr. Heemskerk continued that he is responsible for determining whether weather conditions permit rentals. Criteria include presence of whitecaps, a shore break of more than 2.5 ft., lightning, and red flags by lifeguards. He emphasized that safety is the concession's priority. The operation includes 10 wave runners, all of which are equipped with mirrors. The Coast Guard permits individuals to rent and operate vessels at age 16 or older with a boater's license and parental consent. Depending upon conditions, more than one person may or may not be permitted on a vessel, with the usual maximum set at two riders. In the event of proximity to a turtle nest, operations are moved so they observe sufficient distance.

Mr. Witten noted that the concessionaire may not have adequate insurance in case of a catastrophic loss. Mr. Luscomb stated that the Applicant has met the insurance requirements set forth in the City's RFP.

Mr. Cuba clarified that the beach boating restricted zone extends 100 yards from the shoreline into the Atlantic Ocean so swimmers on the Fort Lauderdale Beach can safely swim without intrusion of boats. The concessionaire is requesting the ability to launch through a corridor 50 ft. wide and 100 yds. long, where it may safely access ingress/egress in an area without swimmers.

Motion made by Ms. Boling-Lewis, seconded by Mr. Harrison, to support ingress/egress in the restricted area. In a roll call vote, the **motion** passed 12-0.

VII. Presentation – Tom Blackney / Point Man Pump Out

Tom Blackney, owner/operator of Point Man Pump Out, showed a PowerPoint presentation on his business, which is an on-water mobile offload service in Fort Lauderdale. Its flagship vessel is a 23 ft. center-console boat with a 420-gallon capacity. The operation can reach any vessel that is anchored, privately moored, or kept at a marina. They have over 40 years' experience in mobile black water hauling and feel the best way to achieve compliance with environmental regulations is to offer convenient, reliable, and sanitary service.

Services are charged at a rate of roughly \$1 per gallon. Mr. Blackney advised that while affordability is key in maintaining compliance, they do not wish to undercut any other offloading providers. They have not applied for any government subsidies, although there is consideration that their next boat could be operated under a Clean Vessel Act (CVA) grant, which offers 75% reimbursement.

Ms. McGowan asked if the business has considered working with gray as well as black water. Mr. Blackney replied that they are considering all options to grow the business.

VIII. Old / New Business

Mr. McLaughlin noted that when a variance is requested for a boat lift parallel to the shore, the request is for the farthest point of the lift itself. This is also the case when a variance is requested for a boat lift that is perpendicular to the shore, although in most cases, a perpendicular lift does not represent the farthest extension into the waterway. The boat on a perpendicular lift may extend even further from the property line or wet face of the seawall, which means the boat itself should be the subject of the request for additional distance. Chair Henderson stated that the Board would keep this in mind when evaluating future variance requests.

Mr. Walker requested an update on a City-approved \$200 million parks bond, noting that some of these funds were intended for use toward upkeep of seawalls and marine space in City parks and facilities on the New River. He stated that these funds appear to be slated for use toward different types of improvements, which would affect the City's marine capabilities, including seawall repairs and flooding, if another source of funding has to be identified for them.

Mr. Luscomb advised that he did not have information on the use of these bond funds. Mr. Flanigan added that many of the City's seawalls are in significant disrepair due to erosion and lack of maintenance. He asserted that the Board has the right to request some follow-up on how these parks bond funds are being used.

Ms. McGowan stated that although the U.S. Super Yacht Association will not have a pavilion at this year's Boat Show, they will hold a meeting on Friday, October 30, 2020, at noon. It will be a hybrid virtual/in person meeting.

IX. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:15 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.]