



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
MARINE ADVISORY BOARD
VIRTUAL MEETING
THURSDAY, JANUARY 7, 2021 – 6:00 P.M.**

		Cumulative Attendance	
		May 2020 – April 2021	
Grant Henderson, Chair	P	5	0
Ed Strobel, Vice Chair	P	5	0
Cliff Berry II	P	3	2
Deirdre Boling-Lewis	P	4	1
Robyn Chiarelli (arr. 6:15)	P	3	2
Barry Flanigan	P	5	0
Richard Graves	P	4	1
James Harrison	P	5	0
Rose Ann Lovell	P	5	0
Kitty McGowan	P	4	1
Norbert McLaughlin	P	4	1
Ted Morley	P	4	1
Christopher Rotella	A	0	1
Bill Walker	P	4	1
Steve Witten	P	5	0

As of this date, there are 15 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
Jamie Opperlee, 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 – November 4, 2020

Mr. McLaughlin noted the following correction:

- P.2, paragraph 5: change “up” to “down”

- P.5, paragraph 8: the preferred height of the fixed bridge is 80 ft.

Motion made by Mr. Morley, seconded by Mr. Witten, to approve [as amended]. In a voice vote, the **motion** passed unanimously.

III. Statement of Quorum

It was noted a quorum was present at the meeting.

IV. Introduction of New Member – Christopher Rotella

Mr. Rotella was not present at the meeting.

V. 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 November 2020:

- 22 citations
- 56 warnings
- 4 safety inspections
- 3 accidents
- 1 derelict vessel
- 1 fuel spill

Sgt. Mills also reported the following activity from December 2020:

- 23 citations
- 82 warnings
- 5 safety inspections
- 3 docking accidents
- 1 burglary
- 2 derelict vessels
- 1 fuel spill

Sgt. Mills advised that the Marine Unit is working closely with Code Enforcement to check the progress on previous violations and determine whether or not there are additional issues. He concluded that the Fort Lauderdale International Boat Show was a success, while a recent air show was affected by weather conditions. Planning has begun for the next air show, which is scheduled for May 2021.

VI. Dock Waiver – 321 N. Birch Road / Robert & Nancy Berard

Steve Tilbrook and Tyler Chappell, representing the Applicants, showed a PowerPoint presentation on the request, which is for a boat lift. The subject property is on the east side of the Intracoastal Waterway, north of the Las Olas Bridge, and includes two finger

piers as well as mooring pile clusters. All of these structures were previously authorized through Resolution 14-0971.

The request is for a “no-profile” lift to be installed in slip #2. It will be located within slip boundaries as well as the existing mooring piles. The proposed lift would be 55 ft. from the property line. The requested waiver is for 30 ft. The river is 565 ft. in width at the subject location. Extraordinary circumstances include:

- Structures and piles will not exceed 30% of the width of the waterway
- The waterway width is considered extraordinary at the subject area
- The project will not impede navigation within the Intracoastal Waterway
- The proposed structure is necessary to safely moor vessels during severe weather and high wind events
- The subject area is not a No Wake Zone
- The boat lift will aid in the protection of natural and environmental resources

The Army Corps of Engineers has issued a permit for the project, and state and County permit issuances are anticipated within the next 30 days. Mr. Chappell provided letters of support from neighbors in the area.

Mr. Chappell advised that the lift is hydraulic and pilings will not rise above the structure. The platform will be located at 50 ft. into the waterway, with a marginal dock between the lift and the seawall. The total distance from the property line would be 55 ft. The Applicant’s boat is 50 ft. in length. It was noted that the lift will be 20 ft. closer to the seawall than what was approved by Resolution 14-0971.

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. McLaughlin, seconded by Mr. Berry, to approve. In a voice vote, the **motion** passed unanimously.

VII. Dock Waiver – 301 N. Birch Road, Unit 8S / Liam Coakley

Mr. Tilbrook and Mr. Chappell, representing the Applicant, showed a PowerPoint presentation on the request, which is also for a boat lift. There is an existing boat lift at the subject site, which is a four-slip marina with finger piers and mooring piles. The proposed addition would be a 20,000 lb. four-post boat lift on the southernmost slip within the property’s sovereign submerged land lease. The total distance from the property line is 35.5 ft., which means the waiver request if for 10.5 ft.

Extraordinary circumstances for this request include:

- The waterway is 605 ft. across at the subject location
- The waiver will not exceed 30% of the waterway width or impede navigation
- High wakes are common in the area, particularly during severe weather events

- The lift will provide an environmental benefit for benthic resources by removing the boat from the water

Permits from the Army Corps of Engineers, the state, and Broward County have already been issued. Mr. Chappell noted that the Applicant has received letters of support from the Birch Point Condominium as well as the adjacent property. A number of waivers have already been issued in the vicinity.

It was clarified that the proposed lift would not affect navigation by the Water Taxi, which has a stop in the area. A 10 ft. setback is maintained between the structure and the property line. Because only one lift is permitted within a 100 ft. area, a Site Plan Level II variance request has also been submitted and is currently being processed by the City. After the Board has reviewed the waiver, Staff will place both the waiver and variance requests on the City Commission Agenda. Mr. Chappell further clarified that the waiver request applies only to the boat lift itself, not the Applicant's vessel.

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

VIII. Old / New Business

Mr. Cuba reported that the City Commission is reviewing a number of key issues related to the Las Olas Marina, including the ground lease agreement and amendments, parking issues, revocable license, a procurement waiver, a lift station, and a turn lane modification. These items have yet to be finalized.

Mr. McLaughlin observed that Suntex will contribute approximately \$19 million toward the cost of initial improvements to the facility. He continued that over one year ago, the Board had sent a communication to the City Commission requesting that any changes to the plans for the marina be brought back before the Board. He noted that the current plans include significant modifications from the plans the Board had viewed. Mr. Cuba advised that the Board may restate this communication if they wished.

Mr. McLaughlin asked for clarification of the number of parking spaces at the site. Mr. Luscomb clarified that there are approximately 600 spaces, of which 100 would be reserved for Suntex. More spaces would be available for Suntex to lease on an as-needed basis.

Mr. McLaughlin noted that the City is sharing the costs of replacing the lift station on the property, with the City to provide approximately \$2 million and Suntex to provide \$400,000 of this expense. He felt this should be renegotiated. Mr. Cuba clarified that he

and Mr. Luscomb were not involved in negotiations for the marina. He advised that he would request an update be provided to the Board by the Department of Transportation and Mobility, including any changes made since the previous presentation.

Mr. McLaughlin addressed the issue of the proposed railroad bridge, noting that funding is available for the necessary support work, including the project development and environmental (PD&E) study and related surveys, on this issue. At the same time, Brightline is moving forward with plans for the proposed Coastal Link, which would bring more train traffic to the bridge. It was noted that Brightline service has been shut down since April 2020 and will remain so for approximately one year to 18 months.

IX. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:04 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.]