



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
MARINE ADVISORY BOARD
THURSDAY, APRIL 7, 2022 – 6:00 P.M.**

		Cumulative Attendance January-December 2022	
Grant Henderson, Chair	P	3	0
Ed Strobel, Vice Chair	P	3	0
Robyn Chiarelli	A	2	1
Bob Denison	A	1	2
Barry Flanigan (arr. 6:08)	P	3	0
James Harrison	P	3	0
Rose Ann Lovell	P	3	0
Kitty McGowan	A	1	2
Norbert McLaughlin	P	2	1
Ted Morley	P	2	1
Noelle Norvell	P	3	0
Christopher Rotella (arr. 6:08)	P	2	1
Steve Witten	A	1	1

As of this date, there are 13 appointed members to the Board, which means 7 would constitute a quorum.

Staff

Andrew Cuba, Marine Facilities Manager
Sergeant Travis O’Neil, Fort Lauderdale Police Department
Carla Blair, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. Call to Order / Roll Call

Chair Henderson called the meeting to order at 6:04 p.m. and roll was called.

II. Approval of Minutes – February 3, 2022

Motion made by Vice Chair Strobel, seconded by Mr. Morley, to approve. In a voice vote, the **motion** passed unanimously.

III. Statement of Quorum

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

IV. Waterway Crime & Boating Safety Report

Sergeant Travis O'Neil of the Fort Lauderdale Police Department's Marine Unit reported the following activity from March 2022:

- 4 boating accidents
- 2 burglaries
- 64 citations

During the month of March, the Marine Unit worked closely with Code Enforcement to reach out to the owners of vessels on the New River which were at risk of becoming derelict. They have also monitored jet ski rental companies to ensure they are in compliance with Code.

Sgt. O'Neil noted that the Fort Lauderdale Air Show is scheduled for later in the month of April, and the Tortuga Music Festival will be held this weekend.

Mr. Harrison asked how many Officers are assigned to the Marine Unit. Sgt. O'Neil replied that there are five Officers other than himself. There have traditionally been eight Officers and one Sergeant when the Marine Unit is fully staffed. The Unit uses its Marine Law Enforcement Grant (MLEG) to cover the cost of 25 to 30 hours per week. There are currently 10 operational vessels within the Unit, although some are in need of engine replacement.

Mr. Flanigan and Mr. Rotella arrived at 6:08 p.m.

Joe Cain, member of the public, noted that Fort Lauderdale has received the highest fine in the state of Florida related to pollution of its waterways. He asked what procedure the City uses for testing boats in its anchorage areas, including whether or not these boats have holding tanks. Sgt. O'Neil replied that the Marine Unit seeks to identify boats that are leaking fuel or wastewater, which are then referred to the U.S. Coast Guard for further investigation. The Marine Unit also performs inspections to ensure that wastewater tanks are closed.

V. Dock Permit – 1342 Ponce De Leon Drive / Nelson & Jasmin Fernandez

Chair Henderson asked if the Board has previously approved the requested dock when it was a Cordova Road project. Mr. Cuba confirmed that the primary residence tied to the dock is on the Ponce De Leon Drive side; when the two properties were joined, the Cordova Road dock became an appurtenance to the Ponce De Leon Drive address.

Jessica Fernandez, representing the Applicants, stated that the dock has been fully constructed. Mr. Cuba explained that Code requires that the subject property obtain a permit, as its previous permit was non-transferable.

Motion made by Ms. Lovell, seconded by Mr. Rotella, to approve.

Mr. Witten asked if there are any compliance issues with the existing dock. Mr. Cuba reiterated that the Board is asked to recommend the issuance of a dock permit for the private use of public property in order to acknowledge the existing dock. There have been no changes to the structure's configuration.

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 the Item, Chair Henderson closed the public hearing and brought the discussion back to the Board.

In a voice vote, the **motion** passed unanimously.

VI. Old / New Business

The Board and Mr. Cuba acknowledged Chair Henderson's six years of service, three of which were spent as Chair.

Mr. Cuba reported that the City Commission voted to approve a dock waiver for a property at 625 SW 5th Place, for which the Board had not recommended approval. The proposed dock will include four to five slips which can accommodate vessels of up to 70 ft. in length.

Mr. McLaughlin stated that he has reviewed past variances approved by the Board, some of which included stipulations limiting the size of the vessels that can be docked at those locations. He asserted that he has found boats larger than these stipulated sizes at these addresses, and that the contractors' plans for the structures did not include references to restricted or maximum sizes. He noted that some structures may extend into the waterway at a distance which can impede the navigational channel.

Mr. McLaughlin also addressed the walkway at the Ikon property, recalling that the Board had approved this structure with the condition that a railing be attached. The rail was intended to serve as a safety measure as well as to discourage docking at that location. He stated that plans for this walkway do not include a railing.

Mr. McLaughlin continued that restrictions have also related to the placement of a boat on a boat lift, including whether the boat is placed stern-in or bow-out on the lift. He pointed out that this can mean boats on lifts may extend as far as 10 ft. to 12 ft. beyond the structure, even though the applicants did not apply for a variance for the vessel itself.

Mr. McLaughlin also asked if an application denied by the Board or withdrawn from consideration by the applicant would go to the Commission, and if the meeting minutes at which the application was discussed would be provided to the Commission as well. Mr. Cuba replied that he has not previously scheduled applications rejected by the

Board to move forward to the Commission; however, he has been instructed to schedule all recommendations for Commission consideration going forward, even if the Board has voted to deny them.

Mr. McLaughlin expressed concern that the City Commission may not read the Board's discussions or instructions regarding variances unless an application was rejected. Vice Chair Strobel advised that he recently attended one of his City Commissioner's District meetings in order to answer any questions that Commissioner might have had about the application the Board had denied. He noted that his Commissioner had voted against the application when it came before the full Commission.

Mr. McLaughlin suggested that the Board may wish to send a communication to the City Commission recommending that Code be changed to refer to the extension by either a vessel or a structure into the waterway, as few of the properties he had viewed continued to comply with the required limitation.

Mr. Flanigan commented that this is a Code issue. Mr. Cuba advised that if a member or members could provide him with the address of a property with a navigational hazard, he would report the issue to Code Enforcement.

Joe Cain, member of the public, thanked Vice Chair Strobel for his work toward improving the City's boat ramps, and suggested that other Board members may wish to join the Vice Chair in these efforts. He added that the City's existing ramps are outdated, and that the City owns sufficient waterfront space to accommodate commercial needs.

The Board members discussed boat ramps, recalling a discussion at the February 2022 meeting of an unused City-owned property that could accommodate a boat ramp as well as storage. Chair Henderson proposed that the Board consider making a recommendation to the City Commission regarding the use of this space.

Mr. Cuba recalled that when this was discussed at a previous meeting, he had forwarded the draft minutes of that meeting to the Director of the Parks and Recreation Department, explaining the Board's interest. That Director had in turn forwarded the draft minutes to the City Manager's Office. Mr. Cuba advised that he had been directed to inform the Board that City Staff is exploring different possibilities regarding this topic. Mr. Morley suggested we see what level of interest there is from the Parks Department and the Commission. He suggested that each MAB member speak to appointing Commissioner. Ed Strobel reiterated this. Mr. Cuba confirmed that members may reach out to their individual Commissioners or to the Parks and Recreation Department, and added that he can send draft minutes of today's meeting to that Department once more.

It was requested that this discussion be included as a future Agenda Item. Mr. Cuba noted that including this issue as an Agenda Item would not necessarily affect the

outcome of the discussion. He reiterated that he would forward the draft minutes to the appropriate parties once they have been received.

Vice Chair Strobel stated that he was resigning from the Board after tonight's meeting due to the Commission's lack of consideration of their recommendations and input. He thanked the Board members for the opportunity to serve the City with them.

VII. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 6:52 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.]