



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
MARINE ADVISORY BOARD
FORT LAUDERDALE FIRE RESCUE DEPARTMENT
528 NW 2ND STREET, STATION #2
FORT LAUDERDALE, FLORIDA 33311
3RD FLOOR CONFERENCE ROOM
TUESDAY, NOVEMBER 12, 2024 – 6:00 P.M.**

**Cumulative Attendance
May 2024-April 2025**

Steve Witten, Chair	P	5	1
James Harrison, Vice Chair (dep. 7:30)	P	4	2
Norm Bekoff	P	2	0
Tyler Brunelle	P	5	1
Jason Dunbar (dep. 7:44)	P	5	1
Barry Flanigan (arr. 6:07)	P	5	1
Robert Franks	P	4	2
John Lynch	P	5	1
Noelle Norvell	P	4	2
Ed Rebholz	P	3	3
Bill Walker	P	4	2
Robert Washington	P	5	1

As of this date, there are 12 appointed members to the Board, which means 7 would constitute a quorum.

Staff

Andrew Cuba, Marine Facilities Manager
Jonathan Luscomb, Marine Facilities Supervisor
Sgt. Travis O’Neal, Marine Unit Supervisor
K. Cruitt, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

- I. Call to Order / Roll Call

Chair Witten called the meeting to order at 6:03 p.m.

- II. **Statement of Quorum**

Roll was called and it was noted a quorum was present.

III. Approval of Minutes – October 3, 2024

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

IV. ‘A Moment of Silence for Tom Ansbro’ – A True Gentleman

All present observed a moment of silence in memory of former City Attorney Tom Ansbro, who recently passed away.

V. Waterway Crime & Boating Safety Report – Sgt. Travis O’Neal

Sgt. Travis O’Neal, representing the Marine Unit, reported the following activity from October 2024:

- 87 calls for service, none of which were burglaries
- 5 at-risk or derelict vessels under investigation

Sgt. O’Neal advised that there were no issues with the Fort Lauderdale International Boat Show.

Chair Witten requested information about the upcoming Winterfest Boat Parade. Sgt. O’Neal replied that his responsibilities for this event include having the entire Marine Unit on the water, as well as recruiting assistance from other jurisdictions.

The following Item was taken out of order on the Agenda.

IX. Old / New Business

New articles, trends, and concerns of our waterfront community as well as anything impactful on the local and national boating scene.

Chair Witten reported that attendance at the Boat Show exceeded 100,000, and congratulated the Marine Industries Association of South Florida (MIASF) on the event’s success.

Chair Witten continued that Fire Chief Stephen Gollan is working to determine whether or not the City can locate fire boats near some of the City’s boatyards.

Chair Witten advised that at the Boat Show, he met with representatives of Garmin to discuss ongoing issues with the theft of electronics. The representatives indicated that in the future, the company may add a recommendation to bolt their devices in place.

Port Everglades recently surpassed its own record for the number of cruise passengers, with over four million guests embarking thus far in 2024. The Chair also noted that Sgt.

O'Neal serves on the Port Everglades Harbor Safety Committee, which has recently discussed issues including the Boat Show, the Winterfest Boat Parade, and the New River Bridge, among others.

Chair Witten extended congratulations to the new and reelected Fort Lauderdale City Commissioners, as well as to Suntex on the ribbon-cutting ceremony at the new Las Olas Marina. He has suggested that a Broward County Marine Advisory Forum be held at that location during the next year.

VI. Presentation – Celebrating the Seminole Hard Rock Winterfest Boat Parade. “Best Show on H2O.”

“From Sawgrass to Seagrass: Waves of Holiday Cheer” Saturday, December 14, 2024. With over a million viewers along the 12 mile parade route and an economic impact to Broward County of over \$50 million, the parade is a Fort Lauderdale institution. Come celebrate with us.

Chair Witten introduced former Board member Kitty McGowan, who serves on the advisory board for the Seminole Hard Rock Winterfest Boat Parade. This year's theme is “From Sawgrass to Seagrass,” which emphasizes the role of waterways in the South Florida community. The upcoming Boat Parade is scheduled for Saturday, December 14, 2024.

Ms. McGowan encouraged any individuals who wish to participate in the parade to do so, pointing out that the Boat Parade is a family event. The cost of placing a boat in the parade is \$30. The event has been held in Fort Lauderdale for over 53 years and welcomes a mixture of participants. More than one million viewers watch the parade every year in person, on television, or through livestreaming.

Ms. McGowan continued that the Boat Parade is driven primarily by a full-time staff of three people. There are more than 45 advisory entities, including government agencies, the Coast Guard, the Marine Unit, BSO, Fort Lauderdale Fire/Rescue, the Department of Homeland Security, and others.

Festivities associated with the Winterfest Boat Parade include a Family Fun Day scheduled for Sunday, November 24, 2024, which is free to the public. The 2024 Boat Parade includes multiple Grand Marshals who will be recognized at a reception on Friday, December 13, 2024.

Ms. McGowan emphasized the importance of coordination on the water, particularly in light of tides. The parade route is 12 miles long, with viewing opportunities which include eight bridges as well as ground-level viewing.

Chair Witten added that Marine Advisory Board (MAB) member Bill Walker serves as chair of Winterfest's board. Mr. Walker advised that law enforcement, and the Marine Unit

in particular, provides significant support to this annual event. He noted that Vice Chair Harrison also participates in one of the Boat Parade's committees.

Chair Witten asked how individuals can volunteer in the event. Ms. McGowan encouraged any interested persons to contact WinterfestParade.com to learn about volunteer opportunities.

VII. Dock Waiver – 1414 SE 12th Street #2C / Nicolas & Sharon Dilorio

Nicolas Dilorio, Applicant, showed a PowerPoint presentation on the Application, explaining that the location is the Hemingway Landings condominium, which has an adjacent marina. The request is for a floating vessel platform with a distance limitation waiver of 11.4 ft.

Mr. Dilorio provided an overview of the Application, noting that the floating platform is already in place at the marina. It is located at slip 11, which is not a fee title slip. The slip has been cited by Fort Lauderdale Code Enforcement for being located more than 25 ft. into the waterway. Residents of the condominium disputed the violation and were encouraged by the City Commission to seek a waiver with the support of the City Attorney's Office.

The justification for the waiver application is that it would not create a navigational hazard and is short of the adjacent boat slips at the location. It would also contribute to a positive environmental impact by removing a boat from the water and placing it on the floating vessel platform. Mr. Dilorio continued that the platform was permitted and installed without any intent by salespersons or contractors to violate City zoning. Broward County environmental permits were issued prior to any installation.

Mr. Dilorio continued that the waterway at the subject location has an extraordinary width of 118 ft. He showed a survey of existing conditions at the site, including the adjacent seawall across the canal, the Hemingway Landings Marina seawall, and the floating vessel platform at slip 11.

Chair Witten asked if the Applicant plans to purchase a larger boat. Mr. Dilorio clarified that this was not the case and there are no plans to increase the size of the platform.

Chair Witten also noted that the Board has had an ongoing discussion regarding jet docks, particularly whether or not they are considered permanent or temporary structures. Mr. Cuba clarified that the City Attorney's Office has reviewed the structure and there is no issue with the fact that it is a jet dock or floating platform. The issue is the structure's extension beyond the 25 ft. limit.

Vice Chair Harrison commented that another issue is whether or not the structure in question is a vessel or a dock. He felt that the structure is a vessel, describing its function as "a boat lift that floats," and concluded that it should be allowed.

Mr. Bekoff asked what had led to the Code violation. Mr. Dilorio replied that when Code Enforcement came to the site, they had pointed out that the platform extended beyond 25 ft. into the waterway and issued a violation for the structure.

Mr. Dilorio continued that when he was informed that Code Enforcement intended to issue a violation, he had advised them that the structure had been issued a Broward County general license.

Chair Witten asserted that he agreed with Vice Chair Harrison that an owner who is entitled to a slip should also be entitled to place their boat on a lift or other structure to protect it. He also noted the environmental benefit of removing the boat from the water.

Mr. Franks recommended that lights or reflectors be placed on the structure so it is more visible at night.

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

Motion made by Vice Chair Harrison, seconded by Mr. Walker, to approve. In a roll call vote, the **motion** passed unanimously (12-0).

VIII. Dock Waiver – 357 Idlewyld Drive / Larry & Cathy Danielle

Alejandra Giraldo, representing the Applicants, distributed photographs of the subject location to the Board members, stating that the Applicants wished to relocate an existing piling cluster 7 ft. to the south. The cluster will be placed around a larger floating dock. A previously existing boat lift at the western end of the property has been eliminated.

Extraordinary circumstances include that the proposed floating dock and pilings are necessary for the safety of the residents' vessel, particularly during severe weather events. The additional distance into the waterway is necessary due to the shallow water depth at the property line. The waterway width at the subject location is close to 300 ft. The request is consistent with other waivers which have been granted in the area.

Ms. Giraldo also emphasized that neighbors on each side of the subject property are supportive of the proposal and have provided letters of consent.

Chair Witten requested clarification of the waiver request. Ms. Giraldo replied that the Applicants are seeking to replace an existing dock with a boat lift, and to relocate the pilings 7 ft. farther east. The pilings will remain at the same distance into the waterway.

Chair Witten commented that there are several locations on Idlewyld Drive where pilings extend into the waterway, and expressed concern for their impact on navigation. He

added that the subject site may be another area where navigation could be an issue in the dark.

Mr. Franks asked if the Applicants had a map showing the location of the dock and pilings in relation to an adjacent mooring field. Mr. Cuba advised that aerial photos show the structure is adjacent to one of the mooring balls and is within the same footprint as the current configuration, which had no impact on the field.

Mr. Cuba further clarified that the waiver is requested because the Applicants propose a new structure, even though that structure will remain within the same footprint of the previous structure.

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

Motion made by Mr. Lynch, seconded by Mr. Brunelle, to approve. In a roll call vote, the **motion** passed unanimously (12-0).

Chair Witten observed that when Board members vote on waiver or other requests at meetings, they have already looked into the applications in advance. He suggested that the Board ensure they discuss all aspects of an application and demonstrate that they do not review applications lightly.

IX. Old / New Business

New articles, trends, and concerns of our waterfront community as well as anything impactful on the local and national boating scene.

Chair Witten introduced Michael Lambrechts, recalling that he had attended the Board's April 2024 meeting to propose that Fort Lauderdale appoint a Chief Waterway Officer. The City is currently considering applicants for this position. He showed a QR code which will take potential applicants to the appropriate page on the City website where they may apply.

Mr. Lambrechts explained that the City Commission had approved the position of Chief Waterway Officer in the City's fiscal year (FY) 2024-2025 budget. The position was discussed by the Commission with respect to funding as well as whether or not the position may be redundant. Now that the position has been included in the budget, the work has begun to recruit candidates.

Mr. Lambrechts commended the City Manager's Office for using the job description he had used in his presentation at the April 2024 meeting. He emphasized the importance of empowering a Chief Waterway Officer to be successful, recalling that similar positions

have been proposed for the City in the past but have failed. The position will not be closely involved with enforcement, but will focus directly on water quality.

The City Manager's Office has also indicated that the Chief Waterway Officer position does not exist in any other Florida municipalities. Candidates for the position will need to be energetic, understand the City's waterways, be residents of Fort Lauderdale, and have a background in marine biology, among other requirements.

Chair Witten stated that Assistant City Manager Anthony Fajardo has requested that the Board be involved in the process of identifying candidates, and they hope to take a proactive role in assisting the City. He suggested that the Board members encourage potential candidates who are seeking an exciting career to apply, and concluded that he would report back to the Board on this initiative the next month.

Chair Witten next introduced resident Jim Dunn, who has reached out to the Board on numerous times regarding a vessel leaking diesel fuel. He requested further information on this issue, confirming that he has seen the vessel as well as the sheen of fuel on the water.

Mr. Dunn showed photos and a video of the subject location, which is a few houses east of his home. The photos date from August and November 2024. He noted that many of the incidents coincide with medium to large rain events. He has also spoken to the property manager of the subject location, who indicated that the dock is occupied by a tenant on the property. When he spoke to the tenant, that individual informed him that he had seen red liquid in the bilge and had attempted to mitigate the issue.

Mr. Dunn continued that he has also spoken with a Code Enforcement Officer, who explained that if he does not witness the leak himself, he cannot take action. He has also spoken with Fort Lauderdale Police Officers, who informed him that the Department of Environmental Protection (DEP) is addressing the issue, and a Broward County Environmental Protection investigator, who did not witness the leak. He has also contacted a personal representative of the estate that owns the property, although there have been no changes as a result of his outreach.

Mr. Dunn stated that no identification is visible on the transom of the vessel, which is approximately 50 ft. in length. He reiterated his concern that the waterway is unusable due to the presence of the fuel, which limits recreational activities in the area.

Sgt. O'Neal advised that when the Marine Unit responds to an incident of this nature, they are required to witness the leak happening. They can then undertake an initial investigation and report the leak to DEP, which is expected to conduct a follow-up investigation. He added that because the boat is docked rather than anchored, Code Enforcement is empowered to begin an investigation as well, although this seems to have stalled.

Sgt. O'Neal continued that the Marine Unit has investigated the vessel, which he described as being substantially dismantled. This automatically makes the boat in question a derelict vessel. Since that time, his Officer has issued a citation, taken photos, and marked the vessel with a sticker. The owner of the boat has been sent a certified letter informing him that he has 21 days to either remove or repair the vessel or request a hearing to challenge the vessel's derelict status. If the Marine Unit receives no response within those 21 days, they may legally remove the boat. He concluded that if the boat continues to leak, he can continue to send Officers to the location, and if they witness the leak, the owner can be charged.

Mr. Dunbar asked if the video provided by Mr. Dunn would be sufficient proof of the leak. Sgt. O'Neal replied that the Marine Unit cannot move forward on charges on the strength of the video, as it does not show fuel actually spilling into the waterway.

Chair Witten requested additional information on what may happen if the vessel's owner does not respond within 21 days of his notice. Mr. Luscomb explained that there are three different means the City can use to remove the vessel. If Code Enforcement takes action, they may ultimately place a lien on the house if the City disposes of the boat. He continued that the Florida Inland Navigational District (FIND) has a small-scale derelict vessel removal program, although he did not know if the boat would qualify for that program. If that program is used, FIND would pay 75% of the removal costs, and the City would pay the remaining 25%.

Mr. Luscomb continued that the Florida Fish and Wildlife Commission (FWC) also has grants for the removal of derelict vessels; however, the City would have to apply for the removal of the vessel in advance, while FIND can act after the fact. The Broward County Boating Improvement Program is also an option, as they are in the process of executing a \$15,000 derelict vessel debit account to cover 100% of the removal costs for derelict vessels.

Mr. Luscomb advised that if the City wishes to wait for grant funds to become available, they will need to monitor the boat until that time. He pointed out that the fluid may be something other than diesel fuel.

Mr. Bekoff commented that there should be a short-term solution, such as removing all fluids from the boat. Chair Witten explained that FIND's programs can expedite the process of acting on the issue, and reiterated that the Marine Unit has already taken action.

Chair Witten concluded that he would work with Sgt. O'Neal to keep Mr. Dunn abreast of further developments regarding this issue.

Mr. Walker asserted that action should have been taken by this point, as a fuel leak is a federal violation. There was also discussion of how a spill of hazardous materials is addressed by cleanup entities. Sgt. O'Neal advised that Code Enforcement has fined the

entity in control of the property for the spills and has indicated that the boat must be removed. He concluded that governmental entities are limited on what they can do to take, enter, or alter private property due to potential liability.

a. Announcing the lineup for the Tortuga Music Festival for April 4-6, 2025

Chair Witten showed a brief video on the April 4-6, 2025 Tortuga Music Festival, which will feature artists including Keith Urban, Ludacris, Jelly Roll, Luke Combs, and others.

Mr. Bekoff congratulated the Water Taxi on its recent expansion of service to the city of Pompano Beach. He continued that he recently assisted with water quality forums hosted by local Captains, both of which were held in October 2024 and were very well-attended. This gave local candidates for office an opportunity to interact with the public on water quality issues.

Chair Witten recalled that the Board addressed clean water initiatives during the recent moratorium, and planned to take these issues up once more in the future.

The next MAB meeting is scheduled for December 5, 2024.

X. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 7:50 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.]