



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
THURSDAY, DECEMBER 5, 2024 – 6:00 P.M.

Cumulative Attendance
May 2024-April 2025

Steve Witten, Chair	P	6	1		
James Harrison, Vice Chair	P	5	2		
Norm Bekoff	A	2	1		
Tyler Brunelle	P	6	1		
Jason Dunbar	P	6	1		
Barry Flanigan	P	6	1		
Robert Franks	P	5	2		
John Lynch (arr. 6:13)		P	6		1
Noelle Norvell (via Zoom)	P	5	2		
Ed Rebholz	P	4	3		
Bill Walker	A	4	3		
Robert Washington	P	6	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
John Herbst, Fort Lauderdale City Commissioner
Robert Dunckel, Assistant City Attorney
Marc Johnson, Marine Unit Officer
Antoine Loar, Code Compliance Supervisor
Manny Garcia, Senior Code Compliance Officer
Luis Villanueva, Senior Administrative Assistant
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 6:02 p.m.

II. Statement of Quorum

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

III. Approval of Minutes – November 12, 2024

This Item was not addressed.

IV. Holiday Visit by District 1 Commissioner John C. Herbst

- **Shared Initiatives & Front Burner Items for 2025**
- **2024 Recap**

Chair Witten introduced Fort Lauderdale District 1 City Commissioner John C. Herbst. He invited the Commissioner's feedback on any issues with which he felt the Board could be of assistance.

Commissioner Herbst confirmed that clean water and waterways are a concern in his District, particularly with respect to debris that may fall into the water. The City has recently increased contracted services to keep the waterways clean.

Another issue is the anchoring of sailboats in waterways. Many residents are hopeful that a new Ordinance may provide an opportunity for redress. Commissioner Herbst has discussed outreach to affected areas with the City Attorney's Office, and is considering a joint meeting so City officials and Staff can speak with residents about these concerns. While waterway views are not subject to protection, property owners and waterway users must be able to safely use the waterways as well.

Commissioner Herbst continued that he also appreciates the marine industry's contribution to the City and its economy. One challenge faced by the City Commission is balancing the interests of various parties, including recreational boaters, property owners, and the marine industry. He emphasized the value of the MAB's expert advice to the Commission in maintaining this balance.

The City Commission also hears from members of the public who contact them directly regarding issues and concerns. Commissioner Herbst advised that if the Commission takes action that is not consistent with the advice provided by the Board, it may be because there are other constituencies reaching out to them representing different interests. He concluded that the Board's work is critical in informing and educating the Commission and helping them make better decisions.

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

Marine Unit Officer Marc Johnson reported the following activity from November 2024:

- 68 calls for service
- 38 citations
- 4 accidents, none with injuries
- 1 burglary

Chair Witten recalled that at the recent Fort Lauderdale International Boat Show, he spoke with representatives of electronics manufacturer Garmin regarding issues with device thefts from boats. He anticipated a visit from a company representative in early 2025 to discuss this further.

- **Update on Code Compliance**

Senior Code Compliance Officer Manny Garcia stated that since 2020, he has worked with the Marine Unit to perform waterway inspections. One of the issues he addressed during the COVID-19 pandemic was derelict vessels, with which he continues to work every week. He advised that Code Compliance wants to work with the MAB as much as possible.

Officer Garcia reported that from October 1 to today, Code Compliance has performed 74 different inspections on the water. He noted that he often sees individuals working on vessels while they are on the water, which can result in illegal debris. The fine for this violation can be up to \$15,000. While it is legal to wax a vessel while it is on the water, painting, sanding, or grinding is not permitted.

Officer Garcia added that landscapers often blow leaves or other debris into the waterway, where it can damage boat engines. He emphasized the importance of educating property owners about why this is not permitted.

Mr. Brunelle asked why this prohibited activity would result in a fine to the property owner but not to the landscaper. Officer Garcia explained that Code Compliance may only cite properties rather than people. In addition, a company may be registered in a city other than Fort Lauderdale, which means there is no action the City can take against them. If a property owner is cited, they are likely to seek redress from the company.

Mr. Brunelle commented that a property owner may not be aware of the exact work a contractor is doing on their property. Assistant City Attorney Robert Dunckel stated that when a property owner is given a notice to appear (NTA) and/or issued a fine, they are unlikely to allow that violation again.

Mr. Brunelle asked if there is any action that can be taken to hold individuals and companies responsible in addition to the property owner. Officer Garcia reiterated that Code Compliance cannot issue an NTA to an individual who is not a resident of Fort Lauderdale.

Officer Garcia continued that the magnitude of an incident depends upon the amount of debris that is being dumped. A few leaves will not result in a citation, but a large amount of debris can create a hazard. He added that the Special Magistrate makes the decision regarding the amount of a fine based on the severity of the violation.

Code Compliance Supervisor Antoine Loar further clarified that the power of Code Compliance lies in its ability to place liens on property. If a property owner does not pay a fine, a lien will be imposed against their property. The owner is responsible for the businesses and/or individuals they hire.

- **The Role of FLPD vs Code Enforcement**

Chair Witten invited Officer Garcia to attend subsequent Board meetings to provide greater clarity on the different responsibilities of these entities. Officer Garcia emphasized that Code Compliance works closely with the Marine Unit and each contacts the other as needed.

VI. Review of 2024 – Thoughts on 2025

- **“Crystal Ball Discussion;” Goals, Initiatives, ‘Free Wheeling’ Conversation**

Chair Witten advised that the next MAB meeting is scheduled for January 2, 2025, which will be a joint meeting with the Marine Industries Association of South Florida (MIASF). In February 2025, a senior representative of Port Everglades has been invited to give a presentation to the Board on the Port’s daily operations.

A schedule of the 2025 Board meetings was distributed to the Board members. The Board will continue to meet on the first Thursday of each month, with no meeting scheduled in August 2025. Mr. Cuba noted that the July 2025 meeting is scheduled for Wednesday, July 3 to avoid conflict with the holiday.

Chair Witten stated that the Board will continue to address issues such as clean water and safe waterway access in 2025. They will also continue to make decisions on a case-by-case basis with regard to waiver requests.

Mr. Franks gave a brief presentation on bathymetrics and how they affect waterway regulations. He reviewed the boundaries of the federal channel, pointing out that there are tight navigational areas on the waterway where visibility may be limited or dockage may create difficulties for large vessels.

Chair Witten requested that the full presentation be placed on the January 2025 Agenda.

VII. Old / New Business

- **News, articles, trends and concerns about our waterfront community as well as anything impactful on the local and national boating scene**

Chair Witten recognized Marine Facilities Supervisor Jonathan Luscomb, who plans to retire, for his years of service to the City. Mr. Cuba introduced Senior Administrative Assistant Luis Villanueva, who will succeed Mr. Luscomb.

A meeting is scheduled for Thursday, December 12, 2024 to discuss replacement of the Riverwalk seawall.

Ray Parker, private citizen, stated that current City Ordinances prohibit the rental of dock space in most zoning categories. He noted that a memorandum to the City Commission from earlier in 2024 suggests that these Ordinances be amended so docks can legally be rented in RS-4.4 and RS-8 zoning districts. The rental of space would require permits, and permit fees would be used to fund the position of a Chief Waterways Officer. Mr. Parker concluded that he did not agree with this proposal.

Attorney Dunckel commented that he was not familiar with this suggestion, but pointed out that docks are currently considered as an accessory to the upland use of a property. If dock space is rented, this would create a new principal use, which could have a significant impact on waterfront neighborhoods and condominiums. He also asserted that he was not in favor of this proposal.

VIII. Adjournment – Warm Holidays & A Healthy New Year – See You in 2025!

There being no further business to come before the Board at this time, the meeting was adjourned at 7:12 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.]