



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, JANUARY 2, 2025 – 6:00 P.M.

Cumulative Attendance
May 2024-April 2025

Steve Witten, Chair	P	7	1		
James Harrison, Vice Chair	P	6	2		
Norm Bekoff	P	3	1		
Tyler Brunelle	P	7	1		
Jason Dunbar	P	7	1		
Barry Flanigan	P	7	1		
Robert Franks	P	6	2		
John Lynch (arr. 6:11)		P	7		1
Noelle Norvell	P	6	2		
Ed Rebholz	A	4	4		
Bob Swindell	P	1	0		
Bill Walker	P	5	3		
Robert Washington	P	7	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
 Luis Villanueva, Marine Facilities Senior Administrator
 Florida Representative Chip LaMarca
 Fort Lauderdale City Commissioner Ben Sorensen
 Susan Grant, Acting City Manager
 Sergeant Travis O’Neal, Marine Unit
 Dr. Nancy Gassman, Deputy Director of Public Works / Chief Resilience Officer
 L. Harmon, 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.

The following Items were taken out of order on the Agenda.

IV. Introduction of New Member – Bob Swindell

New Board member Bob Swindell introduced himself at this time.

III. Approval of Minutes – December 5, 2024

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

VI. Visit from Newly Elected District 4 City Commissioner Ben Sorensen

Chair Witten introduced Fort Lauderdale District 4 City Commissioner Ben Sorensen, who will serve as the City's Vice Mayor, as well as Florida Representative Chip LaMarca.

Representative LaMarca recalled that he had visited the Board at their September 5, 2024 to discuss the issue of anchoring/mooring. He advised that a process to address this issue is currently being considered.

Mr. Lynch arrived at 6:11 p.m.

Commissioner Sorensen provided a brief update on City issues, including the ongoing search for a permanent City Manager as well as a new City Attorney. The City is also working to determine next steps toward a new City Hall.

Commissioner Sorensen continued that he plans to put together an informal working group on how Fort Lauderdale can continue to improve the quality of its waterways. Efforts include planting and restoration of mangroves throughout the City, as well as initiatives such as living seawalls. The City is partnering with Miami Waterkeepers to test a number of sites throughout Fort Lauderdale and to trace the sources of high levels of bacteria and other components.

Commissioner Sorensen also addressed how commuter rail will cross the New River. He stated that he is more supportive of a tunnel than a bridge for a number of reasons, including potential impacts on the Downtown area as well as the effects of supporting structures. The Commission recently updated a Resolution indicating that a tunnel is the local preferred alternative for crossing the New River. He acknowledged that funding will remain a challenge for either a tunnel or a bridge, with the federal government expected

to provide half of this funding. He emphasized that he wished to move aggressively toward a solution, which may include the pursuit of grant funding. The initial engineering phase may take one to two years.

Susan Bailey, representing Residents 4 Resilience, provided a brief update on this organization's work to improve water quality in Fort Lauderdale. She noted that one ongoing issue is gray water. Dr. Nancy Gassman, Deputy Director of Public Works, explained that gray water can be the result of discharges from boats. The City requires live-aboard vessels to meet certain requirements to address discharge; however, boats that are not classified as live-aboard vessels can present a challenge.

Chair Witten noted that the Board has discussed black water at several meetings, as well as the difficulty in identifying the sources of this waste. It was suggested that the City's incoming Chief Waterway Officer may wish to consider requiring all marinas to provide pump-out facilities for black water as part of the City's clean waterway initiatives. It was noted that there are rules and regulations in place to address this issue, but enforcement can be difficult.

VII. Joint MAB & MIA SF (Marine Industries Association of South Florida) 2025 Kick-off

a. Goals for the coming year

Chair Witten requested input from the Board as well as members of the public on potential goals and issues to be addressed in 2025.

The Board discussed illegal charter vessels and "party boats," including the role of Code Compliance and City regulations in monitoring these vessels. It was clarified that addressing these boats while they are on the water can be difficult. If an illegal charter is apprehended, the result is immediate termination. The United States Coast Guard has partnered with Florida's Fish and Wildlife Commission (FWC) to identify illegal charters. There are heavy penalties and fines associated with this use.

One suggestion of a best way forward for the City was the imposition of fines for illegal "pick-ups" and "drop-offs," as well as the identification of pick-up and drop-off sites that the City may be able to monetize. Marine Unit Sergeant Travis O'Neal further clarified that when an illegal charter uses a dock at a City park, they can be charged with trespassing and banned from the specific park.

The Board also addressed boat maintenance activities that are prohibited on the water, such as scraping or sanding. Street runoff was also identified as a factor affecting water quality. Dr. Gassman advised that any stormwater system must be permitted with an 80% rebuttable assumption, which means water quality treatment may be provided through swales or catch basins, reducing the potential for pollution. She also noted that the City's

stormwater system is separate from its wastewater system, which means wastewater cannot be discharged through the stormwater system.

Mr. Flanigan recalled that the Board previously advocated for the positioning of a fire boat west of the railroad tracks. He recommended resuming this advocacy, pointing out that there are several marinas in that area. Chair Witten also pointed out that if the railroad bridge is in the down position, this could affect the ability of a fire boat to reach the west side. He noted that a local business operator may be able to provide a slip at which a fire boat could be docked.

Mr. Franks requested an update on the Waterways Analysis and Management (WAM) survey from the Coast Guard. It was clarified that there are two years remaining before the next survey will be done. There was also discussion of ensuring the continuation of jobs in the marine industry, which are typically higher-paying jobs held by residents of the City.

Mr. Walker emphasized the importance of awareness of waterway issues by both commercial and recreational boaters, as well as the importance of education and accountability at both levels. He expressed concern with the impacts of severe rainstorms and runoff into waterways. The discussion also addressed possible locations of public docking areas, particularly for smaller recreational vessels.

Chair Witten spoke in favor of accelerated removal of derelict vessels, stating that these can be a contributing factor to illegal discharge of fuel or other pollutants. It was noted that the derelict vessel process can take significant time, as this process is regulated by State Statute.

Chair Witten continued that boating safety is another concern, citing recent incidents in which impairment or lack of experience led to crashes and accidents. It was noted that there is the possibility of addressing this legislatively, such as requiring that individuals registering vessels must show proof that they have gone through some form of education and/or certification.

Vice Chair Harrison addressed dredging, recalling that the Board has brought up this issue in the past. It was clarified that while a dredging plan was proposed several years ago, there are no City funds allocated for dredging at present. It was also noted that there may be areas in which the bottom may be too polluted to dredge, and that street runoff can contribute to both the shallowing and pollution of canals.

Abigail Davis, Manager of the U.S. Army Corps of Engineers' Regulatory Division, advised that if an applicant wants to dredge the waterway, they must submit an application to the Army Corps for review. If that waterway has been dredged in the past and the applicant has a permit from the Army Corps, they are allowed to perform maintenance dredging to the previously permitted elevation; however, they will need to provide for

disposal of dredged material. She concluded that some permit processes are easier than others, depending upon whether or not resources would be impacted by dredging.

Chair Witten referred to the bathymetric study undertaken by the Marine Industries Association of South Florida (MIASF), stating that the assumption is that some areas may have shoaled significantly. Ms. Davis advised that the Army Corps would consider this and review specific details if, for example, a designed depth has been established for a waterway and an applicant wishes to maintain that depth. She added that if there may be impacts to mangroves, seagrass, or other resources, however, these areas would need to be avoided.

Phil Purcell, representing MIA SF, recalled that MIA SF was responsible for dredging a portion of the Intracoastal Waterway from 17th Street to Las Olas Boulevard. The Florida Inland Navigational District (FIND) paid for the bulk of this project. He estimated that FIND may also pay for some costs if the City undertook maintenance dredging of the New River. FIND is financed by ad valorem taxes.

Vice Chair Harrison recalled that when the City had proposed a dredging plan, there had been consideration of having individual property owners along canals fund the dredging of those canals. He reiterated that the canals may now be polluted, due in part to runoff from streets, and emphasized that the City would benefit by having deeper canals and cleaner water. He felt the City should devise a way to pay for this service fairly, stating that it would not be only property owners on those canals who would benefit from their dredging. He asserted that this is an infrastructure issue.

Chair Witten requested clarification of whether or not there may be environmental contaminants that could be disturbed by dredging. Dr. Gassman advised that there are environmental reasons not to disturb certain areas. In the case of locations where there are navigational reasons for dredging, the question is more accurately how the dredged material can be safely removed. This can lead to escalating costs related to the movement and disposal of sediments.

Possible means of funding dredging were discussed, including issuance of a bond for canal dredging, tax increases, or partnership with FIND. The latter was identified as the easiest option. Dr. Gassman noted that FIND grants apply to navigational waterways rather than residential canals.

It was suggested that the position of Chief Waterway Officer may be very important with regard to any dredging projects, particularly their phasing. The City may first need to develop a strategic approach, such as a Clean Waterways Master Plan. Chair Witten characterized today's discussion as a possible outline for the accomplishment of various issues by the City, MIA SF, and other organizations and advisory entities.

Susan Bailey, representing Residents 4 Resilience, stated that another concern is pollution related to construction, noting that some municipalities have very strict

ordinances that hold developers responsible for this type of contamination through heavy fines.

Chair Witten advised that one of his concerns is speed zones on waterways, noting that the maximum speed limit on waterways is 25 miles per hour with a maximum 12 in. wake. Mr. Purcell reiterated that there are several rules and regulations for this concern, but enforcement is lacking.

John Kelly, representing Bradford Marine, suggested that unimpeded access to the New River be added to the list of issues, particularly for pilots of freight vessels on the waterway. He showed a video identifying areas in which navigation may be very tight or impeded. He also expressed concern with waivers granted along the New River for construction of docks, pilings, or other structures.

Mr. Kelly emphasized that his intent was not to infringe upon the property rights of waterfront property owners, but to address “feature creep,” which he cautioned can negatively affect marine businesses that use the waterway to access clients.

Chair Witten recalled that the Board had previously requested that a moratorium on waivers on the New River be imposed for at least one year; however, the City Commission had not elected to move forward with a moratorium. Vice Chair Harrison pointed out that video evidence, such as the video shown by Mr. Kelly, was now available to show the Commission why a dock waiver on the New River might potentially be denied by the Board. He clarified that waiver requests are made in addition to what an owner can construct by right.

Chair Witten thanked the representatives of MIAAF, City government, and members of the public for their attendance and contribution to tonight’s discussion. Mr. Purcell concluded that boating is a major aspect of the Fort Lauderdale and South Florida communities and emphasized the importance of reaching solutions for the issues that have been raised.

b. 5 and 10 years down the road

c. “Headwinds”

d. Joining the meeting:

- i. Dr. Nancy Gassman, Deputy Director of Public Works / Chief Resilience Officer**
- ii. Lieutenant Guerschom Etienne, Chief, Waterways and Waterfront Facilities, USCG**
- iii. Alisa Zarbo, Chief, Regulatory Division, U.S. Army Corps of Engineers**
- iv. Abigail Davis, Manager, Regulatory Division, U.S. Army Corps of Engineers**

VIII. Dock Waiver – 1180 N. Federal Highway, Unit 1410, Slip #16 / Daniel Wobby

Stephen Garbutt, representing the Applicant, explained that the request is for a variance of 7.5 ft. beyond the 25 ft. setback for a second boat lift. One boat lift has already been installed at the subject property, which is a condominium. He noted that the water at the slip location is very shallow.

There being no 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. Bekoff, to approve. In a roll call vote, the **motion** passed unanimously (12-0) (Mr. Franks not present for vote).

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

Sgt. Travis O’Neal of the Marine Unit reported the following activity from December 2024:

- 62 calls for service
- 3 citations
- 9 marine accidents

Sgt. O’Neal addressed an explosion and fire that occurred at the Lauderdale Marina, recalling that the Broward Sheriff’s Office (BSO) responded to the incident along with the Fort Lauderdale Fire Department. He was also present at the scene. One fatality occurred as a result of the incident. Investigation of the death will be handled by FWC.

a. Update from Code Enhancement Division – Manny Garcia / Code Compliance Officer

No representative of Code Compliance was present at the meeting.

IX. Old / New Business

a. “Re-imagining the New River” – Discussion by Board Member Bob Franks

- i. Identify “pinch points” – review segmented sections of the recent bathymetric study – compile quantitative data to assist City Commissioners and local authorities in making well-informed decisions.**

Mr. Franks showed a slide presentation on “Reimagining the New River,” explaining that the federal navigational channel of the New River has a designed width of 100 ft. or wider as required for safe navigation. There are six bridges on the New River which can accommodate vessels up to 50 ft. wide. Docks may be constructed to extend up to 25 ft.

from a property owner's property line, and vessels docked there may extend up to 30% of the width of the waterway.

Mr. Franks continued that the City funded a survey to determine the width of the navigational channel throughout the waterway. He reviewed components including waterway depths, channel width according to the survey, and special navigation areas such as the "Little Florida" community and the Davie Boulevard bridge.

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

X. Adjournment – Wishing You and Families a Healthy New Year – See You February 6th

There being no further business to come before the Board at this time, the meeting was adjourned at 8:14 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.]