



CITY OF FORT LAUDERDALE

MINUTES OF THE MARINE ADVISORY BOARD
100 NORTH ANDREWS AVENUE
COMMISSION CONFERENCE ROOM – EIGHTH FLOOR
FORT LAUDERDALE, FLORIDA
THURSDAY, APRIL 5, 2018 – 6:00 P.M.

Cumulative Attendance
May 2017 - April 2018

Table with columns: Board Members, Attendance, Present, Absent. Lists members like F. St. George Guardabassi, Grant Henderson, Jimi Batchelor, etc., with their respective attendance counts.

As of this date, there are 14 appointed members to the Board, which means 8 would constitute a quorum.

Staff

- Andrew Cuba, Manager of Marine Facilities
Jonathan Luscomb, Supervisor of Marine Facilities
Sergeant Todd Mills, Marine Police Staff
Division Chief Stewart Ahearn, Fort Lauderdale Fire Department
Lian Chan, Recording Secretary, Prototype, Inc.

Communications to City Commission

Motion made by Ms. Engle, seconded by Mr. Berry, to request that the Commission approve the City to undertake a Marine Master Plan with potential funding from FIND and other partners; the Master Plan would include but would not be limited to dredging, slip inventory, property retention, understanding and economic impact of ancillary businesses, working waterfront retention, accessibility, sustainability, and growth of the industry. In a voice vote, the motion passed unanimously.

Chair Guardabassi called the meeting to order at 6:00 p.m. and roll was called.

**I. Approval of Minutes – March 1<sup>st</sup>, 2018**

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

**II. Statement of Quorum**

It was noted a quorum was present at the meeting.

Mr. Batchelor arrived at 6:05 p.m.

**III. Waterway Crime & Boating Safety Report / Fire Department Report**

Division Chief Stewart Ahearn of the Fort Lauderdale Fire Department reported the following activity from March 2018:

- 21 calls, including 12 distress calls
- 3 fires, 2 of which were on land
- 2 offshore responses
- 1 boat accident
- 1 dive rescue call

Division Chief Ahearn continued that the new metalcraft fire boat was briefly taken out of service to repair jets. It will be on the water for the upcoming Tortuga Festival.

Sergeant Todd Mills of the Marine Unit reported the following activity for the month of March 2018:

- 7 citations
- 54 written warnings
- 41 safety inspections
- 2 accidents
- 2 burglaries
- 1 abandoned sailboat
- 2 boat fires

**IV. Discussion – Working Waterfront / Industry Retention**

Chair Guardabassi stated that this discussion will focus on marinas lost to development, and will address how to limit further loss of marine infrastructure.

Ms. Engle advised that if the industry has what it needs to grow, such as the dredging of the Dania Cutoff and the Intracoastal Waterway (ICW), investors will be encouraged to redevelop marinas rather than convert them to other uses. Over recent years, the

character of the New River has changed, with several facilities formerly located in areas of the river now gone. Marine facilities have been pushed farther west, where they are now working to accommodate larger vessels. She pointed out that dredging in these areas would help with this accommodation.

Mr. Welch asked if the greater concern is maintenance of storage facilities or the ability to continue to work on boats. Ms. Engle replied that the hope is for Fort Lauderdale to preserve and invest in its working waterfront and for private companies to continue to upgrade their facilities. She pointed out that the City's variety of marine facilities allows them to compete for marine business. Historically, the marine industry has been the second-highest job creator in Fort Lauderdale after tourism.

Chair Guardabassi asked if any group is working on a long-range plan to preserve marine uses on the waterfront. Ms. Engle stated that she was not aware of any additional plans, although she felt this could be revisited to update plans to maintain the marine industry in Fort Lauderdale. She suggested the Board reach out to the Florida Inland Navigation District (FIND). Mr. Berry added that the Marine Industries Association of South Florida (MIASF) can also play a key role in this initiative.

Mr. Sea suggested outreach to property owners to determine if they were willing to give up their right to rezone to residential uses in exchange for other incentives, such as lower taxes. Ms. Engle cautioned that it is more useful to give these properties what they need in order to increase their property values and their business. She pointed out that there is a great deal of current activity in the marine industry, so this is a good time to take action.

Chair Guardabassi also noted that the marine industry in Fort Lauderdale has both in- and out-of-state competition, as yachts can more easily reach some other areas for repairs. Mr. Strobel pointed out that labor costs can be significantly lower out of state.

Mr. Sea commented that one way to maintain the health of the marine industry would be to eliminate the residential units planned at Bahia Mar, which would allow for more marina storage. This would allow for a more transient environment and dynamic industry for large yachts.

Mr. Walker observed that the Greater Fort Lauderdale Chamber of Commerce's Marine Advisory Committee includes several representatives of the marine industry, who have indicated the biggest issue is awareness that the marine industry accounts for roughly 20% of all jobs in Broward County. He continued that there may be a need for more proactive studies of the marine industry in Fort Lauderdale that acknowledge its role in the local economy, and to reach out to newly elected City officials to engage them and raise awareness of the industry's importance.

Mr. Cuba advised that the Board may send a communication to the City Commission if they wish to request a current industry study. It was noted that the City recently completed a study on the economic impact of mega-yachts.

## **V. Reports**

Mr. Berry advised that the Broward County Marine Advisory Committee has approved Enhanced Marine Law Enforcement Grants (EMLEGs) for various cities throughout Broward County. Fort Lauderdale received a grant of \$169,000 to provide enhanced and aggressive law enforcement hours. The Committee also approved \$21,000 for Police classes that provide waterborne training, and the Broward Sheriff's Office (BSO) received \$343,192 for enhanced law enforcement. Other grant recipients include Hallandale Beach, Hillsboro Beach, Hollywood, Wilton Manors, and Lighthouse Point.

Sgt. Mills explained that the EMLEG grant helps the Marine Unit pay for Officers to provide extra hours after the regular 7 a.m. to 5 p.m. shift. Many of the Marine Unit's rescues have been made due to funding provided through this grant. Aggressive hours begin at 2 or 4 p.m. through the week and allow for safety inspections and other land-based activities. Weekend patrol hours extend through 2 a.m.

Sgt. Mills continued that the Marine Unit often receives more hours than it is able to fill. They are asked to use approximately 70% of these hours if possible, although he acknowledged that it can be difficult to find Officers willing to work extra hours after they have worked regular 12 hour shifts.

Mr. Berry stated that the 2018 budget for Broward County includes \$5000 for BSO to purchase children's life jackets. They are looking to marine purveyors to donate some of these items, and are seeking additional sponsors for the program.

## **VI. Old / New Business**

Chair Guardabassi addressed dredging, which was discussed the previous month. Ms. Engle reported that she had found one base survey of the City's dredging activity, and noted that it would be a good idea to keep these surveys in a common location for reference. Mr. Cuba added that he will distribute a memo on the City's dredging status to the Board members in the near future. There is no budget for dredging the City's waterways in 2018.

Chair Guardabassi continued that the Board's concern is for dredging both at the City's marinas and on its canals. He also noted there is a gap between the east side of the ICW channel and the area that Bahia Mar is responsible for dredging.

Broward County FIND Commissioner Frank Gernert stated that some communities are proposing that waterways and canals outside the ICW be dredged. Although this is a major issue, FIND has not become involved in it. FIND has, however, ensured that the

ICW remains navigable at the required depth. They have been involved in a 10-year \$28 million dredging project, which began in Dania Beach and ended at Las Olas. One location outside the channel at the entrance to the Pier 66 property has been surveyed before and after this dredging project, and there have been public representations that suggest FIND may have contributed to this problem. He asserted that this is not true, based on extensive review of surveys.

Mr. Gernert continued that he has also met with Bahia Mar representatives to determine their intentions, as there is a transition of utilities near the Swimming Hall of Fame. While the City of Fort Lauderdale and AT&T have successfully removed their utilities, there were additional issues with Florida Power and Light (FPL), which continue to be a factor in that area. FIND will work with other parties to remove approximately 60 cubic yards of material at the transition area near the Swimming Hall of Fame once the utility transition is complete.

Ms. Engle stated that the City's original vision was to deepen the waterway to accommodate larger vessels, and the property owners would work with FIND to dredge their own facilities. The dredging footprint ultimately shrunk due to the need to preserve seagrass.

Chair Guardabassi addressed the dredging of canals, recalling a City study that identified roughly 14 miles of City canals in need of dredging in addition to private canals. He asked if there was a chance of securing FIND money for the dredging of residential canals. Mr. Gernert replied that while he could not offer an opinion on behalf of FIND, he had not yet seen a compelling argument for the use of FIND dollars to dredge residential canals.

Ms. Engle commented that it may be possible to demonstrate canals are silting into the channel. She also noted that it would be helpful to deposit the material dredged from canals at the dredge disposal site in partnership with the City.

Mr. Gernert agreed that if a canal is silting into the primary channel and affecting navigation, he would be in favor of dredging it, and he would not take issue with the use of the dredging disposal site for private properties. He noted that FIND is taking a County-by-County inventory of public access to waterways and boat ramps. The next step is to identify which commercial sites are available, by County, that provide access for commercial vessels to the waterway. There are surprisingly few such locations within Broward County.

Mr. Gernert also addressed the proposal for economic impact studies, stating that MIA SF has taken the lead in commissioning these studies for the local market. There have also been County-by-County economic impact studies, which have not yet begun for Broward County.

Ms. Engle advised that FIND, as a quasi-governmental organization, has a different mission from MIASF or the Board. They have a strong presence in lobbying at the national level to bring funding back to South Florida to maintain the ICW. Previous economic studies have focused on the importance of bringing these dollars to the state.

Chair Guardabassi asked if any communication sent to the City Commission by the Board should take the cost of any such studies into account. Mr. Gernert advised that FIND traditionally provides matching funds up to \$100,000 for one or two Marine Master Plans per year. These plans are then used to demonstrate the need for federal funding. He cautioned, however, that funding may be tight this year, as FIND's primary concern at this time is waterway accessibility.

Mr. Berry requested additional information on Marine Master Plans. Mr. Gernert replied that these plans are typically submitted by cities with regard to their need for navigable commercial waterways. Applications for grant funds are made by the City, the County, or both entities. FIND funding does not come from the federal government, but is funded by tax dollars from 12 Florida counties that border the ICW. Federal funds are typically used for larger projects, particularly in times of emergency or disaster.

Patience Cohn, representing MIASF, stated that she has been informed by FIND that they will not take the lead in dredging the New River, although they may help make funding available. She added that this would most likely be a maintenance dredge. MIASF plans to go to the City Manager and request that he direct the City's Marine Division to participate in the grant process.

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Chair Guardabassi requested an update on bridge openings/closures on the New River. Ms. Cohn advised that MIASF is working with passenger train service Brightline to ensure that all rules are being followed; however, several entities, some of which are located upstream of the bridge, have complained that the bridge stays down too long. The bridge may remain closed for 60 minutes of every 120 minutes, with Brightline to decide which 60 minutes it will be open.

Ms. Cohn continued that FIND has imposed a railroad failure to comply notice regarding bridge closures. Captains stuck at the bridge must report the violation to the U.S. Coast Guard: the MIASF may not make this report on behalf of any vessel. She emphasized that calling the railroad number posted on the bridge is not helpful, as this contacts Brightline rather than the Coast Guard. Signage may not be placed on the bridge itself, as the bridge is owned by the FEC railway and is private property.

Mr. Batchelor requested additional clarification of what constitutes a bridge violation. Ms. Cohn stated it is a violation for a boat to be held up on the waterway for more than 60 minutes. This regulation was determined by the Coast Guard. MIASF has continued to work with Brightline to arrive at solutions to any issues. Ms. Cohn added that there have not been a great many complaints thus far. She pointed out that Brightline is working to create a mobile app that would allow a captain to see when the bridge is expected to be open or closed. Safety measures have been enacted when a train is expected to enter the Fort Lauderdale station to ensure that the bridge will be closed.

Mr. Walker commented that the two-hour time frame in which the bridge must be closed no more than 60 minutes applies to the majority of trains, not just Brightline. Ms. Cohn noted that there have been discussions of placing signage at the entrance of the New River as well as placement of a countdown clock that is visible from the waterway. The Coast Guard has approved the use of a private day marker for this purpose.

Ms. Engle asked if MIASF is responsible for disseminating information to the marine community. Ms. Cohn replied that depending upon the information itself, it is sent to commercial boaters. She estimated that there have been more than 10 violations of the bridge closure regulation since September 2017, when monitoring began. The Coast Guard has requested video evidence of openings and closures within certain blocks of time. MIASF has monitored bridge openings and closures since before the beginning of Brightline service. Brightline has also asked MIASF to form a subcommittee that includes Brightline representatives as well as decision-makers from within the marine industry. FEC plans to move some of its freight traffic to another rail.

Ms. Engle asserted that the marine community should take a proactive stance on this issue, pointing out that the Coast Guard has suggested holding traffic of large yachts so they can come up the river only at certain times. This is not what the community would like to see: instead, they hope to encourage boaters to help themselves. She concluded that the City should assist boaters to this end.

Ms. Cohn stated that another issue is the proposed construction of another bridge, which must be a community project funded by a public entity. The Broward Metropolitan Planning Organization (MPO) does not, however, include this proposed project in its 2045 Metropolitan Transportation Plan, as there is no identified funding source for the project at this time. Either Broward County or the City of Fort Lauderdale must take the lead on this proposal.

Chair Guardabassi commented that better monitoring of bridge openings and closures would be helpful, and suggested that the City be willing to help facilitate monitoring and statistics. Ms. Cohn advised that the magistrate who oversees fines does not consider complaints submitted by any entity other than a boat. The Board discussed the possibility of inviting a Coast Guard representative to attend a future meeting and

provide additional information on the process. Ms. Cohn recommended that the Board also take City events involving use of the bridge into consideration.

Ms. Cohn added that Fort Lauderdale has requested that a pedestrian bridge to be constructed over a tunnel be a "statement bridge;" as a result, consultants have reached out to MIA SF to discuss this project, as it will be over water. She also noted that the City encouraged MIA SF to help create Marine Foreign Trade Zone 241, which includes the area encompassing Bahia Mar, Pier 66, and the Lauderdale Marine Center. Production authority has been granted to build within this zone.

Ms. Cohn continued that work will soon be necessary on the 3<sup>rd</sup> Avenue Bridge, which will require closure of the river for a number of days. She advised that the Florida Department of Transportation (FDOT) reached out to MIA SF with this information and should reach out to City Staff as well.

## **VII. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 8:00 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.]