

**MINUTES OF THE MARINE ADVISORY BOARD
100 NORTH ANDREWS AVENUE
COMMISSION CONFERENCE ROOM – EIGHTH FLOOR
FORT LAUDERDALE, FLORIDA
THURSDAY, JUNE 7, 2018 – 6:00 P.M.**

<u>Board Members</u>	<i>Attendance</i>	Cumulative Attendance May 2018 - April 2019	
		<u>Present</u>	<u>Absent</u>
Grant Henderson, Chair	P	2	0
Jimi Batchelor	P	2	0
Cliff Berry II	P	2	0
George Cable	A	0	2
Susan Engle	P	2	0
Richard Graves	A	1	1
Rose Ann Lovell	P	1	0
Kitty McGowan	P	1	0
Ted Morley	A	0	2
Curtis Parker	P	1	0
Roy Sea	P	2	0
Ed Strobel	P	2	0
Randy Sweers	P	2	0
Bill Walker	A	1	1

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
Division Chief Stewart Ahearn, Fort Lauderdale Fire Department
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. Call to Order / Roll Call

Chair Henderson called the meeting to order at 6:03 p.m. and roll was called.

II. Approval of Minutes – May 3, 2018

Motion made by Mr. Strobel, seconded by Ms. Engle, 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. Introduction of New Member – Rose Ann Lovell

Mr. Cuba asked if the Board wished to reschedule the July 5, 2018 meeting for August 2, 2018.

Motion made by Ms. Engle, seconded by Mr. Strobel, to move the meeting from July 5 to August 2. In a voice vote, the **motion** passed unanimously.

New Board members Rose Ann Lovell, Kitty McGowan, and Curtis Parker introduced themselves at this time.

V. Waterway Crime & Boating Safety Report / Fire Department Report

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

- 30 calls, including 11 distress calls
- 5 capsized vessels
- 2 medical emergencies
- 4 fires
- 3 search and rescue calls
- 2 boating accidents
- 2 HAZMAT calls
- 1 drowning

Special events included the Air Show, National Marine Day at the International Swimming Hall of Fame, and the upcoming Marine Industry Day at Pier 66.

The Fire Department met with the City's Budget Advisory Board (BAB) on May 16, 2018 to discuss budget requests, including staffing of the fire boat. They are currently awaiting the BAB's recommendations.

VI. Discussion – South Fork Marina

Colby Cooper, Project Director for the South Fork Marina, showed a PowerPoint presentation on the project, which was also discussed at the May 2018 meeting. He showed a new rendering of the proposed facility, which is located in the Shady Banks neighborhood north of Lauderdale Marine Center. The project is intended to address the growing need to accommodate mega-yachts in the Tri-County area. It will include 34 slips with floating docks, encompassing 3940 linear ft. of dock space. The property will

also include a clubhouse and marina management office, 48 parking spaces, and one storage building.

The project is intended to be a clean marina, which means it will not provide heavy servicing of vessels. It is authorized to accommodate no more than 55 boats. The marina is intended to be compatible with the surrounding neighborhood. Enhancements will include a sewer line down SW 17th Street with laterals into the easement areas of adjacent neighbors.

Mr. Cooper addressed some of the questions raised at the May meeting, noting that the property is authorized by the state to have two submerged land lease lines. One is an outer line that encompasses the dredging footprint. The developers will dredge to 10 ft. mean low, marrying up to 10 ft. to prevent creating a ridge line. A secondary submerged land lease line includes the maximum length that boats at the marina may extend into the South Fork River. A covenant between the marina and Lauderdale Marine Center will ensure that the turning basin leading into the area is maintained at 165 ft.

Mr. Cooper explained that the project team hopes to gain the Board's support for the project. He recalled that the Board had attached conditions to their approval of previous models for the project. The current developer has worked closely with the Shady Banks neighborhood to enhance these conditions of approval. While City Staff has clarified that not all previous conditions may be enforced, the developer is willing to write any unenforceable conditions into a private restrictive covenant.

Ms. Engle noted that the submerged land lease is owned by Pier 17 Investments 2014, LLC. Mr. Cooper advised that the current developers are 50% owners in this company and is in the process of buying out the remaining partners to assume control.

Ms. Engle continued that in 2016, Pier 17 Investments made a presentation to the Board and agreed to the condition that vessels not extend more than 20 ft. past the property line. Mr. Cooper replied that the proposed project is entirely different from the previous design, and the submerged land lease is being updated along with the proposed dock configuration. The developers feel the vessels will not extend beyond the line of the submerged land lease by right.

Mr. Strobel recalled that the extension issue arose regarding the northeast corner of the property, which is no longer planned for development. Ms. Engle explained that she would like to see how the new project and submerged land lease affect the property's southeast corner, where there is a turn in the river. She estimated there will be only 79 ft. within which boats may turn this corner.

Mr. Cooper stated that while he could not speak to the Lauderdale Marine Center's plans, he believed they are also updating their submerged land lease. He identified the point of concern to which Ms. Engle had referred, pointing out that boats currently docked in that area may not be docked there in the future. The developers felt the

corner is navigable and do not plan to extend further into the waterway than has been previously done.

Mr. Sweers asked if the submerged land lease in the area remains the same as it had been for the past 12 years. Dan Fee, civil engineer for the project, replied that the lease was updated three to four years ago when the project was presented to the Board for approval. Prior to that time, it had been broken into multiple parcels. An updated survey was required of the developers, as fixed piers are no longer proposed.

Mr. Sea asked if the project will eventually be converted into “dockominiums.” Mr. Cooper stated that the current business plan is for rental lease units, although he could not speak to future changes.

Mr. Batchelor addressed concerns for erosion at the north end of the property. Mr. Cooper stated that a grant has been received to stabilize the shoreline at the Bill Keith Preserve, to which the project will connect. Mr. Fee added that the developers plan to align their excavation with the current shoreline and place riprap at the end of the seawall. Mr. Cooper noted that a condition of approval commits the developer to prevent damage to the preserve.

There being no further questions from the Board at this time, Chair Henderson opened the public hearing.

Barbara Haggerty, Chair of the Shady Banks Marine Advisory Committee, stated that the community has worked diligently with the developers and arrived at a list of conditions. An emphasis was placed on compatibility with both the 17th Street area and the general surrounding neighborhood. The 17th Street residents are satisfied with the current proposal. The only concern remaining is the one raised by Ms. Engle regarding the limitation of vessel extension to 20 ft. beyond the property line.

Another compatibility issue in the surrounding neighborhood is traffic. Ms. Haggerty stated that the developers have recently agreed to fund two raised intersections on SW 18th Avenue and 16th Street. She continued that another concern is safety for vehicles leaving the Shady Banks neighborhood and turning onto Davie Boulevard. The community hopes that the developers will agree to a condition limiting the hours of truck service. The neighborhood also asks that contaminated soil be dried, covered, and hauled away in small trucks to reduce the risk of street damage.

Heather Keith, private citizen, stated that she resides across from the Bill Keith Preserve and is also a member of the Shady Banks Marine Advisory Committee. She advised that the project team came before the Shady Banks Civic Association’s May 2018 meeting to present plans for the South Fork Marina. The Civic Association unanimously supports the project, subject to 25 voluntary conditions of approval that are included in the Board’s backup materials.

Ms. Keith addressed the turn in the river with which Ms. Engle had expressed concern, noting that the submerged land lease for the project has changed. The new lease was granted in fall 2017. An agreement was entered into between three marinas in the area, which agreed not to oppose each other from moving further into the river.

Ms. Keith referred to Condition 15, which states that vessels moored in the planned project may not extend beyond the current submerged land lease. Although City Staff is not in favor of this condition, she encouraged the City and the Board to include this stipulation as a condition of approval for the project. This means if the submerged land lease is amended at a later date, the developers may not request that vessels extend beyond the lease as it is currently surveyed.

Ms. Keith recommended that the Board submit a recommendation that the City approve the project with all 25 conditions. She explained that the neighborhood has additional concerns regarding traffic and wishes to ensure that the number of vessels within each slip is restricted. Another condition limits the type of work that can be conducted both in and out of the water, as the marina has not been represented to the public as a working marine yard.

As there were no other individuals wishing to speak on this Item, Chair Henderson closed the public hearing and brought the discussion back to the Board.

Mr. Batchelor asked if the developers were agreeable to all 25 conditions cited by the community. Mr. Cooper confirmed that they were comfortable with all conditions.

Ms. Engle also expressed concern with the conditions, stating that if the three marine facilities currently in agreement maximize their extension into the river, it may result in navigational issues. She asked if the Board has any recourse to ensure safe passage at the corner of the waterway. Mr. Cuba clarified that if neighboring facilities revise their submerged land leases, they would not be required to come before the Board; however, the City's 30% rule applies to all waterways in order to maintain a navigable channel. An applicant who wished to exceed 30% extension must come before the Board to request a variance.

Ms. Engle pointed out that according to the backup materials, the proposed marina extends 70 ft. into the river at the riverbend. Mr. Cooper reiterated that the marina has agreed not to exceed the submerged land lease line into perpetuity.

Mr. Cuba advised that the Board may take any action it wishes, but cautioned that the City may not be able to enforce the conditions as stated.

Motion made by Mr. Strobel, seconded by Mr. Berry, to support the project with the 25 neighborhood conditions intact. In a voice vote, the **motion** passed unanimously.

VII. Reports

Mr. Luscomb recalled that at the May 2018 meeting, he had reported the Mayor and City Commission reviewed a previous communication from the Board and recommended that the Marine Master Plan be discussed at an upcoming Prioritization Workshop. The plan did not make the list of priorities resulting from this workshop.

Ms. Engle stated that she had discussed this issue further with a member of the City Commission, who proposed an alternative approach in which the Board would work with Broward County and the Florida Inland Navigational District (FIND). She is working to develop an outline for this process and will reach out to the County to follow up. Mr. Cuba noted that another County summit is planned later in the year.

VIII. Old / New Business

Ms. McGowan introduced Megan Lagasse, Marine Director for Pier 66. Ms. Lagasse explained that Pier 66 recently purchased the Sails Marina and is considering ways in which that facility might be reconfigured and presented to the Board at a later date. She provided a handout on National Marina Day, which will be June 9, 2018.

Mr. Berry stated that the Broward County Marine Advisory Committee reviewed the marine elements in the County's Comprehensive Plan and removed many of them that did not apply to County oversight. The Committee also recommended that the Board of County Commissioners support a statewide fee for vessel registration, with the proceeds to be earmarked for use in a derelict vessel program.

Mr. Berry concluded that there were 13 manatee deaths in Broward County in 2017, six of which resulted from watercraft. There were 578 manatee deaths throughout Florida in 2017.

IX. Adjournment

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.]