



CITY OF FORT LAUDERDALE

**DRAFT  
MARINE ADVISORY BOARD  
100 NORTH ANDREWS AVENUE  
COMMISSION CONFERENCE ROOM – EIGHTH FLOOR  
FORT LAUDERDALE, FLORIDA  
THURSDAY, AUGUST 1, 2019 – 6:00 P.M.**

		<b>Cumulative Attendance</b>	
		<b>May 2019 – April 2020</b>	
Grant Henderson, Chair	P	3	0
Ed Strobel, Vice Chair	A	2	1
Cliff Berry II	P	2	1
Robyn Chiarelli	A	2	1
Richard Graves	P	2	1
Rose Ann Lovell	P	3	0
Kitty McGowan	P	1	2
Norbert McLaughlin	P	3	0
Ted Morley	A	1	2
Curtis Parker	A	1	2
Rossana Petreccia (arr. 6:23)	P	2	1
Roy Sea	P	3	0
Randy Sweers	A	0	2
Bill Walker	P	3	0

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, Marine Facilities Supervisor  
Sergeant Todd Mills, Fort Lauderdale Police 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 6:00 p.m.

**II. Approval of Minutes – June 6, 2019**

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

program to create a mega-yacht marina. She noted that the historic use of the property is commercial adjacent to residential use.

Ms. Figueroa continued that yachts extend past the property on which they are located before the proposed extension. Nearby residents have not been provided with detailed plans or a comprehensive description of the marina's operating program, such as a vessel traffic study. She concluded that there should be assurance that the request for approval takes the cooperative's new dock into account as part of its master plans, or at least assures the nearby community that approval would not adversely affect their ability to use their riparian rights to the full extent on the west and north frontages.

Mr. Chappell characterized the Application as a reduction rather than an expansion, stating that the Applicant is not changing operations or the size of vessels permitted. The request would decrease the southern extent of the dock by 71 ft. He reiterated that an existing access easement will remain in place.

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

Ms. McGowan commented that the reduced length of one dock seemed to provide easier access to and from the navigable waterway. Chair Henderson noted that while a very large vessel on the western dock would decrease access to the waterway, there is still ample room for other vessels. The channel of the Intracoastal Waterway is 225 ft. and the waterway itself is 650 ft. across.

**Motion** made by Ms. Lovell, seconded by Ms. McGowan, to approve. In a voice vote, the **motion** passed unanimously.

**VI. Waiver of Limitations – 1180 N. Federal Highway, Unit #1608 Slip #10 / Robert McComsey**

Adam Licht, representing the Applicant, showed a site map, stating that the location of the proposed waiver is north of Sunrise Boulevard and west of George English Park. Slip #10 is located 345 ft. from the natural shoreline of the Park. The waiver request would move the proposed boat lift 5 ft. to the east over the 25 ft. limitation. Two piles required within the waiver will serve as guide poles and will be permanently covered in reflective tape.

Mr. Licht advised that requests on the same property have been seen by the City on March 7 and April 4, 2019. Both requests were approved.

Mr. Cuba advised that there may be one boat lift per 100 ft. of the property, which is 410 ft. wide. Because the Application does not propose the fourth boat lift at that location, it is reviewable by the Board.

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

**Motion** made by Ms. McGowan, seconded by Mr. Graves, to approve. In a voice vote, the **motion** passed unanimously.

## VII. Presentation – Bareboat Charter Operations / Andrew Cohen

Andrew Cohen, representing Staying Afloat Party Boat, provided some background information on what is and is not legal for bareboat charter operations within Fort Lauderdale. For charter operations, the vessel owner gives up access of the boat to the charterer. A bareboat, on the other hand, does not allow owners to specify or dictate crew. The charterer has use of the vessel and is considered the owner for a given period of time. The contract must be provided on the vessel: electronic copies are not accepted by the Coast Guard.

Governing regulations for bareboat charters include but are not limited to:

- Passenger Vessel Safety Act of 1993
- Navigation and Vessel Inspection Curriculum No. 7-94
- HR 151-159 (further clarified the Passenger Vessel Safety Act)
- 46 Code of Federal Regulations (CFR) 175.110, 175.400, 24.10, 2102 for small passenger vessels

Determining the appropriate category for a vessel requires knowledge of the number of passengers on a vessel, as well as whether the vessel is used to carry passengers for hire, which are defined as passengers who have given a contribution for carriage on the vessel. Other considerations include whether or not the vessel operates under a charter agreement and if the crew is provided or specified.

Bareboat charters do not require passengers for hire, as ownership of the vessel is transferred to the charterer for a specific length of time. There are seven to twelve or fewer passengers on a bareboat, which is chartered without crew and considered a recreational vessel.

The following elements make a bareboat charter valid:

- Charterer must have the option to select crew and dismiss them at any point
- Master and crew are paid by the charterer
- All food/fuel stores are provided by the charterer
- Insurance is obtained by the charterer
- Charterer is responsible for safe navigation of the vessel
- Vessel may be used as a platform for events
- Vessel is surveyed upon delivery and return