

City of Fort Lauderdale

City Hall
100 North Andrews Avenue
Fort Lauderdale, FL 33301
www.fortlauderdale.gov



Meeting Minutes

Tuesday, February 2, 2016

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
ROBERT L. McKINZIE Vice Mayor - Commissioner - District III
BRUCE G. ROBERTS Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
ROMNEY ROGERS Commissioner - District IV

LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney

Mayor Seiler called the meeting to order at 6:06 p.m.

ATTENDANCE ROLL CALL:

Present: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor John P. "Jack" Seiler

Quorum Established

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, Sergeant At Arms Sergeant Jaime Costas

Invocation Father Paul J. Schweinler – Fort Lauderdale Police Department Chaplin

Mayor Seiler asked for a moment of silence in remembrance of Dr. El Sanadi and Mr. Doyle Rogers.

Pledge of Allegiance Assistant Fire Chief Timothy Heiser

Roll Call Order for this Meeting:

Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor John P. "Jack" Seiler

No public comments were submitted by email for the February 2, 2016 Regular Commission Meeting.

Approval of MINUTES and Agenda

16-0196 Minutes for Conference Meeting of December 15, 2015, Conference Meeting on January 5, 2016, Regular Meeting January 5, 2016, and Juvenile Justice Workshop of January 20, 2016

Commissioner Trantalis made a motion to approve the noted Minutes, which was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor John P. "Jack" Seiler

PRESENTATIONS

PRES- 16-0199 Proclamation declaring February 11, 2016 as National 2-1-1 Day in the
1 City of Fort Lauderdale

Commissioner Roberts presented Billy Morgan, Broward Special Needs and Behavioral Health Manager, with a Proclamation from the Office of the Mayor and City Commission declaring February 11, 2016, as National 2-1-1 Day in the City of Fort Lauderdale. Commissioner Roberts read the Proclamation in its entirety.

Ms. Morgan thanked Commissioner Roberts and the Commission stating it was an honor to be there and appreciated the acknowledgment. She noted 211 was the Help-Line for Hope for the entire community 24 hours a day.

PRESENTED

PRES- 16-0192 Recognition of City of Fort Lauderdale - Host Committee for the Sunshine
2 State Games Annual Florida Sports Foundation 40 and Over Dominos
Tournament

City Manager Feldman called Susan Reistra up to the podium stating the Host Committee for the Sunshine State Games Sports Foundation 40 and Over Dominos Tournament was proud to be acknowledged. Ms. Reistra noted the City of Fort Lauderdale was the Host City for this event being held on Saturday, February 20, 2016, at 9:00 a.m. at Carter Park off of Sunrise and Interstate 95.

PRESENTED**CONSENT AGENDA**

Mayor Seiler announced the procedure for consent agenda items and announced the following updates and changes to the Consent Agenda: Items CM-4, CM-7, CR-2, CR-4, CR-5 were pulled by the public. There was a change to PUR-4 that included updated exhibits, and a change to PH-1 involving a change in the maximum distance of the dock waiver distance limitations from 47' to 44' 3" on the dock located at 811 SW 6th Street for the installation to two triple-pile cluster piles.

Mayor Seiler also explained the need for a Walk-On Resolution for the meeting. He noted as a result of Dr. El Sanadi's vacancy; the Commission must, by law, name a replacement to the position of Medical Director for the City of Fort Lauderdale via a Walk-On Resolution. Mayor Seiler noted this item would be voted on later in the meeting.

CONSENT MOTION

Commissioner Trantalis motioned for the removal of Consent Agenda items CM-4, CM-7, CR-2, CR-4, CR-5 from the Consent Agenda for separate consideration and for the remaining Consent Agenda items to be approved as recommended, which was seconded by Commissioner Roberts.

Approval of the Consent Agenda

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CM-1 16-0106 Motion to Approve Event Agreements: Kist: Sun, Sand, Sex Ed; Clueless on Las Olas and KID 14th Annual Inlet Challenge

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CM-2 16-0102 Motion to Approve Event Agreements and Related Road Closings: Bellissima Gala, Annual Sistrunk Historical Festival/Parade, Riverwalk Blues & Music Festival, Walk for the Animals and Al Fresco Dining

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CM-3 16-0136 Motion to Approve Lease Agreement with the Harbor Shops, LLC for the property 1845 Cordova Road, Suite 207

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CM-4 16-0087 Motion to Accept a Grant from Broward Cultural Council-2016 Memorial Day Weekend Beach Activities - \$19,600

Mayor Seiler opened the floor up for public comments.

Charles King, 105 N. Victoria Park Road, expressed his views on this item noting Memorial Day turns into a day of mischief.

There being no one else wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Mayor Seiler closed the public hearing

Commissioner Roberts made a motion to approve CM-4-On Resolution and was seconded by Commissioner Trantalis, which was read by title only.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CM-5 16-0082

Motion to Approve the Proposed Lease Agreement with Addendum with the State of Florida Department of Transportation for the Excess Parcel 5542 at the Fiveash Water Treatment Plant

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CM-6 16-0017

Motion Authorizing Funding for the Food Network and Cooking Channel South Beach Wine and Food Festival Presented by FOOD & WINE

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

16-0172

WALK ON - Motion approving Benny Menendez, M.D., as Interim Medical Director for the Fire-Rescue Department - \$32,864

Commissioner Trantalis asked City Manager Feldman for some background on Dr. Menendez. City Manager Feldman stated Dr. Menendez was Dr. El Sanadi's backup Medical Director for the City. Assistant Fire Chief Tim Heiser stated over the last five years Dr. Menendez has filled in when Dr. El Sanadi was out of town and worked with the City Fire Department's personnel. His duties included teaching the medics, working on protocols with the firefighters, and doing ride-alongs. Assistant Fire Chief Heiser emphasized Dr. Menendez' knowledge of the City's emergency system.

Mayor Seiler asked Assistant Fire Chief Heiser if Dr. Menendez had all qualifications and mandatory licenses necessary under the Florida Administrative Code and Florida Statutes as is required for his serving in the capacity as backup to Dr. El Sanadi. Assistant Fire Chief Heiser confirmed this for the Mayor and the Commission.

Commissioner Roberts motioned to approve the Walk-On Resolution and was seconded by Commissioner Rogers, which was read by title only.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CM-7 16-0179 Motion Authorizing Professional Services for Aquatic Center Evaluation - Walters Zackria Associates - \$78,209.47

Mayor Seiler opened the floor up for public comments.

Art Seitz, 1905 N. Atlantic Boulevard, expressed his views on this item noting prior studies done regarding evaluations of the Aquatic Center.

There being no one else wishing to speak on this item, Commissioner Roberts made a motion to close the public hearing, which was seconded by Commissioner Rogers. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis asked if there was a timeline in the contract, and Mayor Seiler suggested putting in a 90-day deadline.

Commissioner Roberts made a motion to approve this item as amended with the inclusion of a 90-day deadline and was seconded by Commissioner Rogers, which was read by title only.

APPROVED AS AMENDED - 90 day deadline

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CONSENT RESOLUTION

CR-1 16-0078 Resolution Approving Consolidated Budget Amendment to Fiscal Year 2016 - Appropriation

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CR-2 16-0173 Resolution Extending the Date for Consideration of Lease Approval for a Portion of Holiday Park to the YMCA of South Florida, Inc. to March 1, 2016

Mayor Seiler opened the floor up for public comments.

Art Seitz, 1905 N. Atlantic Boulevard, expressed his views on this item noting he learned to swim at the YMCA. He suggested urging the YMCA to take on competitive swimming events.

There being no one else wishing to speak on this item, Commissioner Roberts made a motion to close the public hearing, which was seconded by Commissioner Trantalis. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Roberts introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CR-3 16-0174

Resolution Supporting the Concept of a Broward County Charter

Amendment to Implement an Office of the Director of Public Safety Communications and Public Safety Communications Advisory Council

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CR-4 16-0095

Resolution to Accept a Grant of up to \$258,898 from Florida Inland Navigation District (FIND) for the Las Olas Marina and Access Dredging Project Phase -I (BR-FL-15-114)

Mayor Seiler opened the floor up for public comment.

There being no one else wishing to speak on this item, Commissioner Roberts made a motion to close the public hearing, which was seconded by Commissioner Trantalis. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CR-5 16-0096

Resolution to Accept a Grant of up to \$206,543 from Florida Inland Navigation District (FIND) for Bahia Mara Yachting Center Dredging Project Phase -I (BR-FL-15-115)

Mayor Seiler opened the floor up for public comments.

There being no one else wishing to speak on this item, Commissioner Roberts made a motion to close the public hearing, which was seconded by Commissioner Rogers. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CR-6 16-0127 Qualified Target Industry Tax Refund Incentive for Project Segoo

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

CR-7 16-0076 Resolution Authorizing the Acceptance of Grant Funds and Execution of a Joint Participation Agreement with Florida Department of Transportation for the Design of Airfield Electrical Vault Improvements at Fort Lauderdale Executive Airport

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PURCHASING AGENDA

PUR-1 16-0023 Motion to Approve Asphaltic Concrete Pavement Contract with Weekley Asphalt Paving, Inc. - \$147,750 (estimated annual cost)

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PUR-2 16-0058 Motion to Award Continuing Contracts for Purchase of General Environmental Engineering Consulting Services - \$200,000

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PUR-3 16-0067 Motion to Approve Master Service Agreement for Purchase of Cloud-Based Project Planning Tool - Clarizen, Inc. - \$32,880

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PUR-4 16-0083 Motion to Approve the Purchase of an Excavator, Backhoe, and Dump Truck - Nortrax, Inc. - 366,302

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PUR-5 16-0085 Motion to Approve the Purchase of Fixed License Plate Readers - Safeware, Inc. and CDW-G - \$84,324.84

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PUR-6 16-0086 Motion to Approve Purchase of Rifles and the Use of Federal Law Enforcement Trust Fund (Justice) - Bravo Company Manufacturing, Inc. - \$45,253.25

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PUR-7 16-0089 Motion to Approve Purchase of Lucas 2 Chest Compression Devices from Physio-Control, Inc. - \$136,740.66

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PUR-8 16-0112 Motion to Approve Purchase of Vehicles for the Fire-Rescue Department - Don Reid Ford, Inc. - \$111,975

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

MOTIONS

M-1 16-0104 Motion to Approve an Event Agreement and Related Road Closings for Fort Lauderdale A1A Marathon

Commissioner Trantalis motioned to approve the item M-1 and was seconded by Commissioner Roberts. Motion M-1 was read by title only.

APPROVED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

16-0228 WALK-ON - Opposition to Open Carry Law

Commissioner Roberts introduced the Walk-On Resolution, which was read by title only.

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

NEIGHBOR PRESENTATIONS

NP-1 16-0142 Art Seitz - Fort Lauderdale

Art Seitz, 1905 N. Atlantic Boulevard, expressed his view on the City citing his serving on the Central Beach Advisory Board of Directors and his advocating for continuity for pedestrian and bicycle safety issues within the City. He also noted the need for alternative transportation in the City.

RECEIVED

NP-2 16-0145 Charles King - Guns Down Bikes UP

Charles King, 105 N. Victoria Park Road, expressed his views on the City and the Broward County Sheriff's response the Guns Down Bikes UP event that ventured into the City.

RECEIVED

RESOLUTIONS

R-1 16-0149 Appointment of Board and Committee Members

Mayor Seiler and the Commission members had no updates or changes to the appointments of the Board and Committee Members noted below. Mayor Seiler noted there was a need to appoint a City Commission Member to the Regional Advisory Board for the Central Wastewater Region. Commissioner Roberts volunteered to serve on the Regional Advisory Board for the Central Wastewater Region. Mayor Seiler noted the other members serving on this board and this board met twice a year. City Clerk, Jeff Modarelli, noted this appointment will be on a Resolution for the February 16, 2016, City Commission Meeting. When asked by Mayor Seiler about an appointment from someone from his District to the Central City Redevelopment Board, Commissioner Trantalis noted he is waiting to hear back from someone for appointment to the Central City Redevelopment Advisory Board.

The appointments for this Resolution were read as noted below:

AFFORDABLE HOUSING ADVISORY COMMITTEE

Mitchell Rosenstein is appointed to the Affordable Housing Advisory Committee, in the category of Residential Home Building Industry in Connection with Affordable Housing, to complete an unexpired term ending June 26, 2016, or until his successor has been appointed.

AVIATION ADVISORY BOARD

Tom Moody is appointed to the Aviation Advisory Board for a one-year term beginning March 4, 2016 and ending March 3, 2017 or until his successor has been appointed.

BEACH REDEVELOPMENT ADVISORY BOARD

Marvin Mitchell and Anthony Abbate are appointed to the Beach Redevelopment Advisory Board for one-year terms beginning February 5, 2016 and ending February 4, 2017 or until their successors have been appointed.

Thomas McManus is appointed to the Beach Redevelopment Advisory Board for a one-year term beginning April 1, 2016 and ending March 31, 2017 or until his successor has been appointed.

CEMETERY SYSTEM BOARD OF TRUSTEES

Patricia Hayes is appointed to the Cemetery System Board of Trustees for a one-year term beginning February 6, 2016 and ending February 5, 2017 or until her successor has been appointed.

GENERAL EMPLOYEES RETIREMENT SYSTEM, BOARD OF TRUSTEES

Ronald Cameron was appointed to the General Employees Retirement System Board of Trustees by Resolution 15-256 for a three-year term beginning January 1, 2016 and ending December 31, 2018 or until his successor has been appointed.

MARINE ADVISORY BOARD

Chuck Black is appointed to the Marine Advisory Board to complete an unexpired term ending April 15, 2017.

SUSTAINABILITY ADVISORY BOARD

Lawrence Clark is appointed to the Sustainability Advisory Board for a one-year term beginning March 3, 2016 and ending March 2, 2017 or until his successor has been appointed.

SPECIAL EVENTS REVIEW COMMITTEE

Ralph Stone, Michael Weymouth, Jim Ellis, Jeff Ostrow, Ina Lee, Genia Ellis, Tim Schiavone, Marilyn Mammano, Dan Lindblade and Tim Petrillo are appointed to the Special Events Review Committee for

one-year terms beginning February 2, 2016 and ending February 1, 2017 or until their successors have been appointed.

City Clerk, Jeffrey Modarelli, noted a change in the duration of the term for Ronald Cameron's appointment to the General Employees Retirement System Board of Trustees being two years rather than three years.

Commissioner Roberts introduced the resolution, which was read by title only.

ADOPTED AS AMENDED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

R-2 16-0030 Resolution Accepting the Analysis of Impediments to Fair Housing Choice

Jonathan Brown, Manager Northwest Progresso Flagler Heights CRA and Manager Housing & Community Development, presented his recommendation to accept the analysis of impediments to Fair Housing Choice to the Commission noting it is a requirement of the Federal Department of Housing and Urban Development (HUD) for the City Commission to review the application. Mr. Brown stated following the completion of the City's Consolidated Plan, the City must ensure there is an assessment of Fair Housing issues within the City whether it is related to the City or issues within the City. Mr. Brown further stated the City uses analysis as a guide for Affordable Housing Programs and Fair Housing Programs going forward. Hope for Housing is the agency the City uses to complete the analysis of impediments as well as assisting the City to remain compliant with the City's Fair Housing issues.

Commissioner Trantalis introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

ORDINANCE FIRST READING

OFR-1 16-0122 An Ordinance Amending the Code of Ordinances of the City of Fort Lauderdale to Create a New Article entitled "Communications Facilities in the Public Rights-of-Way"

City Manager Feldman gave a brief summary of the ordinance noting the purpose is to prevent a proliferation of antennas throughout the City, to address their location and encourage co-location. City Manager Feldman further stated the ordinance develops standards for installation of distributed antenna systems and other types of antenna systems in the City's rights-of-way. City Manager Feldman noted the City has received significant industry comments. The recommendation is the City adopts this on first reading and then schedule the second reading 60 days later, on April 5, 2016 to allow sufficient time for the City to meet with industry representatives. Additionally, the City will bring forth a resolution on February 16, 2016 extending the moratorium to at least 30 days past April 5, 2016.

Mayor Seiler asked how other municipalities in the area are handling this issue. Assistant City Attorney Bob Dunckel introduced Keith Davis, Esq. of Corbett, White, Davis and Ashton, P.A. Mr. Davis spoke regarding his work with this ordinance over the past eight months. Mr. Davis stated he was also drafting a similar ordinance for the City of Miramar as well as using this ordinance as a model for municipalities in Palm Beach County and Miami. The goals are to protect residential rights-of-way, encourage stealth design and co-locations, and to direct the placement of wireless towers to larger rights-of-way versus smaller local roads. When asked by Mayor Seiler if this model had been challenged, Mr. Davis stated it has not been challenged. Mr. Davis noted he had worked closely with industry representatives to work through issues at the front-end they were able to accept. It was noted the City has a unique section in its ordinance dealing with AT&T/U-verse facilities already in place, and this posed some unique challenges which were overcome.

Assistant City Attorney Bob Dunckel requested the moratorium be extended until April 19, 2016 rather than May 5, 2016.

Hope Calhoun, Esq., of Dunay, Miskel and Backman and on behalf of Crown Castle, spoke stating they had been working City Staff to get some of their facilities in the City's rights-of-way. Ms. Calhoun said they have comments on the proposed ordinance but have not yet given them to Assistant City Attorney Dunckel. Mayor Seiler confirmed with Ms. Calhoun they had adequate time to review the proposed ordinance and the timeframe to work through items was adequate.

Assistant City Attorney Dunckel stated AT&T, Comcast, FP&L, and FPL FiberNet had submitted comments that are being worked through.

There being no one else wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Vice-Mayor McKinzie. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced this ordinance for First Reading, which was ready by title only.

PASSED FIRST READING AS AMENDED subject to dates

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

ORDINANCE SECOND READING

OSR-1 16-0068 Ordinance Amending Nomenclature Relating to Fire Assessments

There being no one else wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Vice-Mayor McKinzie. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the ordinance for Second Reading, which was read by title only.

ADOPTED ON SECOND READING

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

OSR-2 16-0047 Quasi-Judicial - Ordinance Vacating a Portion of Right-of-Way known as SE 7th Street - Case # V15004

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Mayor Seiler announced he had the same disclosures as he disclosed on the First Reading in addition to another site visit. Commissioner Trantalis, Commissioner Rogers, Commissioner Roberts, and Vice-Mayor McKinzie stated they had the same disclosures as they disclosed on the First Reading and have no additional disclosures.

There being no one else wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Roberts introduced the ordinance for Second Reading, which was read by title only.

ADOPTED ON SECOND READING

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PUBLIC HEARINGS

PH-1 16-0144 Resolution Granting a Dock Waiver of Distance Limitations at 811 SW 6th Street for the Installation of Two Triple-Pile Mooring Cluster Piles

As Mayor Seiler stated earlier in the meeting, he again noted the distances in this Resolution had been changed from 47 feet to 44 feet 3 inches; and this change was now is a matter of record. Commissioner Rogers asked for clarification as to the distance and modifications of this waiver. Assistant City Attorney Bob Dunckel stated Tyler Chappell had an objection to the 180 days to complete construction from the date of the resolution which was modified. Consequently, they now have 180 days from issuance of the last permit. Mr. Dunckel noted this same text change was made in this Resolution. Mayor Seiler confirmed that it was necessary to include reflective tape and was added to the item.

There being no one else wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Roberts introduced the resolution which was read by title only.

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PH-2 16-0014 Evaluation and Appraisal Report of the Comprehensive Plan

Ella Parker, Department of Sustainable Development, gave a presentation to the Commission outlining the Evaluation and Appraisal Report (EAR) of the Comprehensive Plan. Ms. Parker introduced consultant, Mr. Jerry Bell of the engineering firm the Corradino Group, and Lorraine Tappen, Department of Sustainable Development – Project Planner III.

Mr. Corradino gave a PowerPoint presentation of the EAR of the Comprehensive Plan stating the EAR places a focus on the alignment with the City's vision and strategic goals. It explores the following seven major topics:

- Climate change and resiliency;
- Sustainability and energy conservation;
- Housing diversity;
- Multi-modal transportation and connectivity;
- Urban design and "sense of place";
- Optimizing economic development;
- Creating an illustrative, user-friendly format for the Comprehensive Plan update.

A copy of Mr. Corradino's presentation is attached to these minutes.

Commissioner Roberts commented on the Comprehensive Plan noting it is a timely process to take the Comprehensive Plan and marrying it to the City's Vision Plan. Commissioner Roberts asked what happens to the public's recommendations. Ms. Parker stated in the next phase, taking place this summer; conversations will occur with the community about the objectives, goals and the policies which will be more specific and will require more interagency coordination. Further discussions ensued on the EAR Comprehensive Plan, the timeline involved, and ways to identify priorities.

Commissioner Trantalis asked for clarification regarding the recommendation that future development and growth should be located towards higher ground in areas where infrastructure and transportation currently exist. Mr. Bell stated transit corridors are located in areas where premium transit exists with a range of transit options. Ms. Parker stated the EAR Plan is 5, 10, 25 Year Vision Plan.

Mayor Seiler noted the last time this Plan was done was in 2008. He asked the timeline process to complete the Plan done in 2008. Ms. Parker confirmed the completion of the 2008 Plan would be 2019. Ms. Parker stated the State's requirement for updating these plans is approximately every seven years and includes a follow-through process with many outside agencies' input.

Ms. Parker confirmed Commissioner Trantalis's inquiry about this Plan being used as a guide post with the goal for all involved to have an easy way to maneuver through the Plan. Additionally, Ms. Parker stated there is no specific State deadline, and adjustments will be made to the Strategic and Vision Plans. The three-year timeline is to ensure an extensive public process to include appropriate workshops with the public, and an adequate review by the Planning and Zoning Board and the Broward County Planning Council.

Assistant City Attorney D'Wayne Spence clarified for the record the requirements under Florida State Statutes. Mayor Seiler emphasized the need for a review by the City Staff and the City Advisory Boards' Staff to allow their input on the Comprehensive Plan. Ms. Parker stated she anticipated having specific meetings with the public, City Staff, and City Advisory Boards' Staff as they move into the next phase of the effort. This phase allow the updating the "meat" of the Comprehensive Plan (Volume One) including specific objectives, goals, and policies that require a more intense vetting process. Commissioner Trantalis concurred with Mayor Seiler's recommendations. Further comments and discussions ensued on this item.

There were no other questions or comments from the Commission. Mayor Seiler opened the floor up for public comments.

Steve Glassman, President of Broward Trust for Historic Preservation Board, addressed the Commission. Mr. Glassman urged an amendment of the EAR Plan to include all of the recommendations offered by the Council of Fort Lauderdale Civic Associations, neighborhood representatives, and members of the Broward Trust for Historic Preservation Board from the November 18, 2015, Planning and Zoning Board Meeting. Mr. Glassman noted those recommendations would strengthen the Plan and he outlined those recommendations.

Marilyn Mammano, President of the City of Fort Lauderdale Council of Civic Associations, addressed the Board noting the Council of Fort Lauderdale Civic Associations testified at the Planning and Zoning Board Meeting on November 18, 2015, regarding specific concerns regarding the EAR Plan. She expressed the overall concern of the EAR Plan relating to the consensus report on density and other important items to satisfy the needs of the residents of Fort Lauderdale. These included traffic congestion and code enforcement challenges resulting from the needs of an increasingly dense urban city. Ms. Mammano noted that every new development in the City gets reviewed without the benefit of looking at the cumulative effects on the City as a whole. Ms. Mammano stressed the need for a built-out scenario, so everyone understands the current and future land use, plan and zoning ordinances, and its relation to the total development of the City in the current Comprehensive Plan. Ms. Mammano urged the Commission to include funding for the completion of a built-out scenario in the Commission's next annual action plan.

A copy of Ms. Mammano's full comments is attached to these minutes.

Charles King, 105 N. Victoria Park Road, asked if anything in the Plan addresses seawall heights in the City. He noted this is an important issue as it relates to the City's current lack of a minimum seawall height for new construction and noting there is a maximum seawall height. Commissioner Trantalis responded noting City Staff is working on this, and the Commission will be receiving a report in the next 30 days giving recommendations as to how to move forward to address the need for a seawall minimum height requirement to accommodate the rising sea levels. Mr. King also addressed the issue of the City's taking of historical buildings.

There being no one else wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PH-3 16-0045 Public Hearing to Consider the Adoption of a Resolution Designating a Site-Specific Green Reuse Area - Wisdom Village Crossing- located at 615 North Andrews Avenue

Charles King, 105 N. Victoria Park Road, noted the location is at NE 6th Street and Andrews Avenue and gave a brief history of this site. He noted the development currently going on at this location. He stated he felt here is no need to adopt this resolution as it will only provide a tax benefit of the developer.

Michael Goldstein, Esq., Goldstein Environmental Law, One SE Third Avenue, Miami, Florida, spoke on behalf of the applicant, Wisdom Village Crossing. He stated the development is a high-end residential development involving a capital cost of over \$29,000,000 and noting the developer is credentialed and experienced. Mr. Goldstein stated this project would provide affordable worker housing to those being priced out of the City's urban core market, not low-income housing. Commissioner Trantalis asked the income range. Mr. Goldstein stated it was a percentage of the average median income or 60 percent. Additionally, the parcel's designation as a Brownfield provides a limited and narrow financial subsidy under State law and not local government resources. Mr. Goldstein further elaborated on the details of the subsidy, the five eligibility criteria required and presented the facts surrounding this resolution.

Mayor Seiler asked if Section 376 has any negative impact on any neighboring properties when a property is designated as a Brownfield. Mr. Goldstein stated there is no empirical evidence showing there is a negative effect or impact on property values whatsoever. Mr. Goldstein also elaborated on the aspect of the rise of property values for the subject property and the entire neighborhood as a result of the removal of the environmental risk and the associated uncertainty.

The strict environmental guidelines and timeframes that must be followed were also discussed. The timeline is as follows: after the Second Hearing, assuming the Commission approves the designation, they anticipate executing the agreement within 2-4 weeks. It is currently under review by County Regulatory Staff and County Legal Staff. When approved, an executed document for counter-signature will be provided to County Staff. Mayor Seiler asked if the City has any involvement in the agreement with the County for enforcement purposes. Mr. Goldstein stated the primary enforcement mechanism was by the County on behalf of the County and State Environmental Regulators.

Commissioner Rogers asked about the extent of the clean-up. Mr. Goldstein responded noting the process and timeline.

There being no one else wishing to speak on this item, Commissioner Rogers made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the resolution, which was read by title only.

PASSED ON FIRST READING

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner

Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

PH-4 16-0074 Quasi-Judicial - Ordinance Rezoning from South Beach Marina and Hotel Area District to Innovative Development Zoning District including Approval of Associated Development Plan - Bahia Mar - TRR Bahia Mar LLC - Case Number 15001

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Mayor Seiler disclosed numerous site visits, meetings with the applicants, their legal counsel and representatives, verbal and written communications, receipt of experts' opinions, and meetings and discussions from those who will be affected by the proposed development, i.e., various Homeowners Associations, Marine Industries Association leadership and their counsel, and Boat Show Management leadership and have all been made part of the record.

Commissioner Trantalis disclosed a meeting at the home of Ann and Jim Hilmer, numerous site visits, meetings with the applicants, their legal counsel and representatives, verbal and written communications, and receipt of experts' opinions, and meetings and discussions from those who will be affected by the proposed development, i.e., various Homeowners Associations, Marine Industries Association leadership and their counsel, and Boat Show Management leadership and have all been made part of the record.

Commissioner Rogers disclosed numerous site visits, meetings with the applicants, their legal counsel and representatives, verbal and written communications, and experts' opinions, and meetings and discussions from those who will be affected by the proposed development, i.e., various Homeowners Associations, Marine Industries Association leadership and their counsel, and Boat Show Management leadership and have all been made part of the record.

Vice-Mayor McKinzie disclosed numerous site visits, meetings with the applicants, their legal counsel and representatives, verbal and written communications, and experts' opinions, and meetings and discussions from those who will be affected by the proposed development, i.e., various Homeowners Associations, Marine Industries Association leadership and their counsel, and Boat Show Management leadership have all been made part of the record.

Commissioner Roberts disclosed numerous site visits, meetings with the applicants, their legal counsel and representatives, verbal and written communication, and experts' opinions and meetings and discussions from those who will be affected by the proposed development, i.e., various Homeowners Associations, Marine Industries Association leadership and their counsel, and Boat Show Management leadership have all been made part of the record.

Robert Lochrie, Esq., Lochrie & Chakas, P.A., 1401 East Broward Boulevard, representing the applicant, announced all those present representing the applicant. Additionally, he announced those who will be speaking on behalf of the applicant to address specific items regarding the proposed development. Mr. Lochrie gave a presentation on the proposed development and answered the Commissions questions as they arose during the presentation.

A copy of Mr. Lochrie's presentation is attached to these minutes.

Scott Lamont, EDSA – Planners and Landscape Architects and representing the applicant, addressed the Commission noting his involvement with Bahia Mar when the marina was initially upgraded. Mr. Lamont expressed his comments and expert opinion regarding the opportunity the proposed redevelopment of Bahia Mar presents for the City and the Boat Show elaborating on Mr. Lochrie’s presentation.

Greg Brewton, Owner and President of Greg Brewton and Associates and representing the applicant, spoke to the Commission noting his work with the City for over 30 years. Mr. Brewton stated he had been asked to review the proposed development plan and to confirm it is consistent with the City’s ULDR and other aspects of the City’s Code, Master Plan, etc. Mr. Brewton spoke in support of the proposed plan for Bahia Mar stating it meets all of the City’s requirements as a result of the City’s past efforts going back 30 years to create zoning districts and a Master Plan to make the City a resort destination. Mr. Brewton endorsed the proposed plan as it related to neighborhood compatibility noting it will also encourage redevelopment along the City’s other corridors.

Adrian Dabkowski, a Transportation Engineer representing the applicant, noted his qualifications as a registered professional engineer in the State of Florida and a registered Professional Traffic Operations Engineer with Kimley- Horn & Associates, 600 North Pine Island Road, Plantation, FL. Mr. Dabkowski noted his 13 years of experience in traffic engineering and transportation planning focused on traffic impact, parking, site circulation, and access management studies.

Mr. Dabkowski outlined the steps in the methodology and process to analyze the proposed development’s traffic and shared parking studies stating these parking studies satisfy the City’s requirements. Mr. Dabkowski stated all of his calculations are based on the Institute of Transportation Engineers’ Trip Generation Manual.

Commissioner Trantalis and Mayor Seiler asked Mr. Dabkowski about the City’s Adopted Threshold for the Central Beach Area related to traffic generation. Mr. Dabkoski stated the threshold was 3,220 Weekday p.m. Peak-Hour Trips and currently there are 2,334 pm Weekday Peak-Hour Trips committed or pending, leaving an excess capacity of 886 trips. With the Bahia Mar project there would be an additional 347 pm Weekday Peak Hour Trips leaving a capacity of 539 pm trips in the Central Beach Area and noted this ties into the Capacity Analysis looking at the roadway segments and the intersections. Mr. Dabkowski noted for a mixed-use project such as the proposed project, the peak hours will vary.

Central Beach Area Traffic Generation

Current a.m. Weekday Peak Hour Trips (7:00 a.m. – 9:00 a.m.) for one hour	Weekday Peak Hour Trips (7:00 a.m. – 9:00 a.m.) for one hour with proposed development
123	329
Current p.m. Weekday Peak Hour Trips (4:00 p.m. – 6:00 p.m.) for one hour	Weekday Peak Hour Trips (4:00 p.m. – 6:00 p.m.) for one hour with proposed development
286	347

Mr. Dabkowski also discussed the issue of the southbound segment on A1A that currently fails on the weekends under existing conditions and future conditions, with or without the proposed project in place. Commissioner Rogers and Commissioner Trantalis asked about these trip numbers. Mr. Dabkowski stated the current failed weekend threshold number for Southbound that has already been reached on the weekends without the proposed development is 1,630, and the threshold on weekdays for the Southbound area of A1A is 1,230. Mr. Dabkowski stated the addition of 410 trips will make the current delays on the weekends longer.

Segment of Southbound A1A on Weekends

Current threshold for Weekday Peak Hour Trips (4:00 p.m. – 6:00 p.m.) for one hour	Current Weekday Peak Hour Trips (4:00 p.m. – 6:00 p.m.) for one hour
1,230	327
Current failed threshold for p.m. Weekend Peak Hour Trips (4:15 p.m. – 6:15 p.m.) for one hour	Additional p.m. Weekend Peak Hour Trips (4:15 p.m. – 6:15 p.m.) for one hour with proposed development
1,630	410

Mr. Dabkowski stated it was important to note that the weekend is the non-concurrency period.

Commissioner Rogers asked Mr. Dabkowski to explain the correlation. Mr. Dabkowski stated the capacity of the roadway is held constant throughout. On the weekday period, when the 410 trips are added, the existing trip count is not above that threshold.

Mr. Dabkowski confirmed for Commissioner Roberts the FDOT City Adopted Level of Service for the southbound segment of A1A is currently “D” rated. Mr. Dabkowski also stated it is a “F” rated failing road during the Weekend Peak-Hours and all intersections operate at adopted “D” level of service.

Mr. Dabkowski confirmed for Commissioner Rogers the intersection at Bahia Mar entrance operated at a “C” rating adopted level of service during the p.m. Weekday Peak-Hour. In the a.m. Weekday Peak Hour it operated at a “A” rating. In the Weekend p.m. Peak-Hour, it operated at a “C” rating.

Questions regarding the traffic analysis, different traffic timeframes, and related correlations were asked and discussed.

Mr. Dabkowski discussed the issue of site access and driveways for both the existing plan and the proposed project’s driveways and site access. The proposed project’s driveways and site access shift the driveways away from one another to meet FDOT Access Management Criteria, which governs where the driveways are and how they are set up.

Mr. Dabkowski gave additional details to the Commissioner relating to the proposed development project. He stated having a Publix grocery store in the proposed development would lessen the current grocery store traffic that currently exists when traveling to grocery stores on 17th Street, Sunrise Boulevard, and Federal Highway.

Mr. Lochrie clarified for the Commission that the 3.46 acres he referred to in his presentation included the promenade, sidewalks, public plaza, and landscaping all of which are purely pedestrian areas. Mr. Lochrie confirmed for Commissioner Trantalis that the green-space area of the proposed project consists of 2.2 acres.

Jim Hetzel, Urban Design and Planning for the City, discussed the Bahia Mar rezoning request to rezone the property from South Beach Marina and Hotel Area Zoning District (SBMHA) to an Innovative Development Zoning District (ID). Mr. Hetzel discussed the goals of an ID Zoning District. These

include the intent of flexibility, mixed land use design, compact urban form and development, and an area that creates an exceptional urban environment focusing on urban design principles that encourage high-quality architecture and design, visual interest and creating a sense of space.

Mr. Hetzel stated the outreach process is significant for ID Zoning and is unlike other sections of the City's Code. Additionally, the applicant has identified the creation of uses and utilized dimensional requirements through the ID Zoning process not found in the SBMH Zoning District noting the location of this information was in the backup material given to the Commission. Mr. Hetzel went through the review criteria for the rezoning to ID District Zoning (located in ULDR Section 47-37a.8) and rezoning in general (located in ULDR Section 47-24.4). He said after the City's Department of Sustainable Development Staff analysis, it was determined the proposed project meets both the SBMH Zoning and the ID Zoning criteria and was consistent with those CRA projects being proposed by the City on City-owned land located adjacent to Bahia Mar to the North. It has also met a technical review and the 1989 Beach Redevelopment Plan's goals and objectives.

Mr. Hetzel stated a component of ID Zoning was the public realm/public benefits component. City Staff looked at the Boat Show and how the proposed project incorporates, through its redevelopment, the design of the Boat Show in a way that is unique to the overall project. As such, it has a benefit to the community. Additionally, the promenade and the public space/public park will benefit the community. The public access and mobility aspect benefits pedestrian connectivity from the public sidewalks along Sea Breeze Boulevard into the site and the waterfront promenade. The connection to the plaza also provides public benefits to the community. Mr. Hetzel noted the public access and mobility connects to various forms of public transportation such as the Water Taxi, Broward County Transportation, and the Sun Trolley.

Mr. Hetzel noted the applicant, before submitting an application to the City's Department of Sustainable Development, had met the requirements the Public Outreach Process. Unique to the ID Zoning, the application asked for certain requirements to meet the intent of the ID Zoning's flexibility in design elements. In this case, the applicant has identified several: building height, setbacks, building length and width, and a reduced amount of parking of 3.2 percent from the required code.

A copy of the details of the City Staff's conditions for approval and the applicant's affidavit as to the public outreach process are attached to these minutes.

Mr. Hetzel discussed the phasing of the proposed project noting Phase One has three segments. Additionally, the applicant provided a traffic study, a parking analysis, and identified mitigation measures.

Commissioner Trantalis asked about the 1989 Redevelopment Plan and the ID Development and how City Staff has been able to link the two, specifically regarding buildings' heights and how it is consistent with the original Comprehensive Plan. Mr. Hetzel discussed the goals of the 1989 Redevelopment Plan noting the goals of eliminating blight, to provide for and encourage mixed uses, to foster change to a family environment, to be family activity oriented, and to make the beach more recreational and open to the public. Additionally, the 1989 Redevelopment Plan's goals addressed public access to the waterways and the water view corridors. ID Zoning has very similar goals in these areas: a mix of land uses; fostering of urban form; and a vitality of activities. ID Zoning was created to achieve things the applicant may need to provide for flexibility such as open space and things for public benefit.

Commissioner Trantalis questioned the need for two buildings over 400 feet in height to accomplish open space and items for the public benefit. Mr. Hetzel responded that Staff did not go through other options

of what could be built; they were responding to what the applicant was proposing and working with them through design elements. Mr. Hetzel stated they did not look at various design scenarios for the site.

Mr. Hetzel confirmed City Staff is not recommending this is the only way to reach the 1989 Redevelopment Plan's stated goals. Rather, it is just the way the applicant is offering the proposed design. From an analysis and a design perspective of the applicant's proposal, the City receives greater open space in exchange for increased building height.

Mr. Hetzel confirmed for Commissioner Trantalis that this is not the only way to reach the goals of the 1989 Redevelopment Plan; it is just the way the applicant is offering them. Mr. Hetzel reiterated as far as City Staff is concerned, this will accomplish the stated goals of the original 1989 Redevelopment Plan, but it is not the only way. Mr. Hetzel stated the current design plan is driven by receiving the public benefit, noting they are under significantly their density (floor/area ratio). Mr. Hetzel confirmed that the public benefit aspects of the project were tied to the first new building phase.

Commissioner Roberts asked for confirmation the process used meets all of the City's Code criteria, and the City used an independent traffic consultant to verify the findings of the applicant's traffic consultant. Mr. Hetzel confirmed both of these points. Mr. Hetzel confirmed the density is 48 units an acre, and the applicant is proposing 39.77 (upland).

Commissioner Trantalis asked additional questions regarding the proposed development's neighborhood compatibility. Mr. Hetzel referred to page nine of Commission Agenda Memo 16-0074 attached to the PH-4 Agenda Item.

A copy of Commission Agenda Memo 16-0074 is attached to these minutes.

Ms. Alia Watson, Transportation and Mobility Department, spoke regarding the proposed development's addressing of traffic issues such as a pedestrian safety, bicycle safety, and transit improvements. Ms. Watson stated it was estimated there will be a 15 percent reduction in trips near the Las Olas and A1A area, and the mitigation methods the proposed development provides will make it more convenient for people to safely bike and walk. Additionally, the development will provide the opportunity for pedestrians to come to this destination and not be concerned with driving.

Further discussions ensued on density, land use, neighborhood compatibility, and transportation mobility issues regarding the proposed project.

Mary Fertig, 511 Poinciana Drive and on behalf of Idlewyld Improvement Association, spoke in opposition to PH-4 stating in past meetings and plans for the proposed project presented, the applicants had never requested input from residents of Idlewyld. Ms. Fertig introduced Mr. Jeff Katim, representing Idlewyld Improvement Association.

Jeff Katims, Mellgren Planning Group - 3350 NW 53rd Avenue, Suite 101, Fort Lauderdale, FL, spoke in opposition to PH-4. Mr. Katims said he was retained by Idlewyle Improvement Association as a consultant to speak before the Commission on this item. Mr. Katims stated his qualifications include a Masters Degree in Urban and Regional Planning from Florida State University, certification by the American Institute of Certified Planners, accreditation by the Congress of New Urbanism, and has 24 years of experience in planning, zoning, and land use matters. Mr. Katims stated he was providing expert testimony concerning specific aspects of the proposed rezoning and site plan of the proposed development to establish a record. Mr. Katims said after a review of the Beach Redevelopment Plan,

the Comprehensive Plan, the ULDR's, the City Staff back-up, the proposed rezoning application and the site plan application; in his professional opinion, the approval of the requested rezoning and site plan should be denied because would violate the adopted Fort Lauderdale Beach Community Redevelopment Plan, the City's adopted Unified Land Development Regulations, and the City's adopted Comprehensive Plan. Mr. Katims gave a brief overview of the Florida Statutes governing the need for adherence to these plans and stated these all need to be amended and cannot be ignored. He stated the Comprehensive Plan trumps zoning and all regulations relative to consistency requirements. Additionally, the City's Comprehensive Plan fully incorporates and raises the status of the CRA Plan. The City Staff Report merely states that the proposed uses are consistent with the uses permitted in the beach rack but it does not include any analysis of the goals, objectives, and policies. Simply comparing uses does not constitute a consistency analysis. The majority of the plan does not contain permitted uses. Rather, it has other types of things that apply in a consistency analysis. The current zoning of the property was put in place to implement the Redevelopment Plan that was to realize redevelopment on a size and scale that would create an urban village. The City's ULDR's specifically state that the SBMHA Zoning is intended to preserve, protect, and enhance the character, design and scale of the area along A1A as it existed upon the enactment of the District more than 25 years ago. This language implements the intent of the Adopted Redevelopment Plan and the Central Beach Regulations specifically state this. The proposed rezoning would allow development that is approximately 122 percent longer and 236 percent taller than the current SBMHA Zoning would allow. The proposed development does not further the intent of the Beach Redevelopment Plan to create an urban village because the dimensional characteristics are significantly more intense than the current zoning would allow. The applicant recognizes this and has requested rezoning because the proposed development is so grossly inconsistent with the current zoning.

Mr. Katims stated the appropriate process would be to apply for variances noting that numerous variances would have to be requested, and because there is no hardship, the variances would have to be denied legally. The applicant's rezoning request is a way to circumvent the Code that was put in place specifically to implement the Adopted Beach Redevelopment Plan and to protect the desired character of the beach as articulated in the Redevelopment Plan. Further, Mr. Katims stated that ULDR Section 47.37(a) 3, contains conditions for rezoning to ID District. He noted criterion D states that an applicant must be the owner of the property with fee simple title or his or her agent. However, the subject property is owned by the City and the applicant does not have fee simple title. Consequently, the applicant would have to have been an authorized agent for the City or else this application would violate a provision of the ULDR. Mr. Katims stated the rezoning and the site plan applications have been accepted by Staff being deemed complete and fully reviewed, considered by the Planning and Zoning Board, the Beach Redevelopment Area Board. These applications are now at a first City Commission Hearing despite the fact the applications still do not comply with this requirement and there is no mention of it in the backup. Furthermore, Criterion B of ULDR Section 47.37(a)3 requires that for properties located in the City's Regional Activity Centers, proposed developments shall be consistent with the goals, objectives, principals, and guidelines of the respective plans for those areas. The subject applications would violate this provision of the ULDR as well.

Mr. Katims stated, in summary, the City has adopted the Fort Lauderdale Beach Community Redevelopment Plan, the Comprehensive Plan, and Unified Land Development Regulations all of which carry the weight of law. There are provisions within all three of these documents that would be violated by an approval of this rezoning and this site plan request. Therefore, Mr. Katims stated the application should be denied.

Commissioner Rogers asked Mr. Katims if he was retained, how many hours he spent on researching his testimony, and his hourly rate. Mr. Katims confirmed he was retained by Idlewyld Homeowners

Association and he spent a “handful” of hours on his testimony. His hourly rate is approximately \$175.00 per hour and was hired as a consultant. Mr. Katims clarified that he was not basing his testimony on the contents of the actual site plan.

Commissioner Roberts asked Mr. Katims if the City is allowed to have a process that allows ID Zoning. Mr. Katims replied “no” not without amending the Redevelopment Plan that has been adopted and is in effect for this parcel.

Ms. Fertig stated some issues for the record noting this area has been spoken of in the context of a world-class resort destination, but the proposed development before the Commission is not a resort; it is a new residential development on a scale never seen before on the barrier island in Fort Lauderdale. Ms. Fertig noted the barrier island is a fragile environment and planners long ago hypothesized about what levels of traffic and development it could sustain before being adversely impacted.

Ms. Fertig’s hand-outs to the Commission are attached to these minutes.

Ms. Fertig introduced Joe Maus, 1778 SE 25th Avenue. Mr. Maus spoke in opposition to PH-4 citing traffic, emergency services, and neighborhood compatibility. Mr. Maus asked where the residents were during this whole proposed development process. He raised the issue of correspondence sent to the Commission on the regional traffic congestion issues on 17th Street, Las Olas, A1A, and Sunrise Boulevard requesting regional peak season traffic studies and solutions to the traffic and gridlock that currently exists. He questioned the traffic study presented by the applicant’s consultant who spoke earlier this evening necessitating the need for the City to do an independent traffic study and the need for a comprehensive plan to address these traffic concerns on the barrier island. Mr. Maus noted the ID Zoning’s requirement to protect the health, safety and welfare of the neighborhoods. He stated the proposed project does not do this and will make the current bad traffic situation worse. Mr. Maus cited a case in the Third District Court of Appeals in Florida about similar rezoning issues in *Alvey v. City of North Miami Beach, 2015 WL 8937617*.

A copy of this case as submitted by Mr. Maus is attached to these minutes

Anne Hilmer, 621 Idlewyld Drive, spoke in opposition to PH-4 raising the issue of shadowing of the Bahia Mar Marina, the Aquatic Center, and the beach. Ms. Hilmer also questioned the developer’s stated 2.2 acres of open space on the promenade and the park on the Intracoastal as being for the greater public benefit noting the only large open space is the three-quarters of an acre on the Intracoastal. Ms. Hilmer also raised environmental concerns regarding the proposed development.

Ms. Fertig stated for the record that she had submitted to the Commission both paper petitions and petitions from change.org in opposition to the proposed development. She requested the Commission deny the application and to direct the developer, City Staff, and the community to work together to bring back a great plan for our City.

A copy of Ms. Fertig’s submissions to the Commission is attached to these minutes.

John Weaver, 101 S. Fort Lauderdale Boulevard and President of the Central Beach Alliance (CBA), spoke in support of PH-4. He gave a brief background stating the CBA is the neighborhood most directly

affected by the development, representing approximately 4,000 unit owners on the beach. He gave a brief history of the CBA vote approving the concept of the proposed development subject to the developer providing additional offsite enhancements, and stated the official vote was 184 to 1 at the June 8, 2015 CBA Meeting. Mr. Weaver discussed the reasons why the CAB is for the proposed development and discussed traffic related concerns.

Commissioner Trantalis asked Mr. Weaver if the CBA approval was contingent upon offsite improvements to mitigate the impact of the development on the beach. Mr. Weaver confirmed CBA's approval was contingent on offsite improvements. Commissioner Trantalis also asked if the developer has offered any offsite improvements to the CBA. Mr. Weaver stated this dialogue has not taken place.

Abby Laughlin, 425 Bayshore Drive, spoke in support of PH-4. Ms. Laughlin discussed the precedent of the proposed Bahia Mar project and the Innovative Development Zoning Ordinance. Ms. Laughlin suggested alternatives to address traffic bottlenecks. Ms. Laughlin asked the Commission to ensure that any money from Innovative Development Zoning in the future be used for impacted neighborhoods.

Commissioner Trantalis asked Ms. Laughlin if she has had any dialogue with the developer about the neighboring offsite improvements they would consider funding to secure support by the CBA. Ms. Laughlin stated she has not had this dialogue other than the developer was given a copy of the CBA's position statement. Ms. Laughlin stated she would like the topic of the developer's funding of offsite improvements to affected neighborhoods discussed.

Bill James, President of Harbor Inlet Association, 1823 Admirals Way, spoke in opposition to PH-4. Mr. James stated Harbor Inlet is a residential community located on the barrier island at its southernmost tip and is made up primarily of working families who must commute to work on a daily basis utilizing the 17th Street Causeway. The Harbor Inlet community would be significantly impacted by this development and any development along A1A or SE 17th Street due to the fact they are between the airport and the beach. He stated the community was not approached for any input by the developer. At a meeting in January 2016, they voted unanimously to oppose this project due to the height and scale that are incompatible with the character of the beach and neighborhood. Mr. James also cited existing traffic issues as a basis for opposition to this proposed development.

Commissioner Roberts acknowledged Mr. James' frustration and stated the Metropolitan Planning Organization and the State are trying to find solutions to the 17th Street traffic issues as well as other streets in the City. Commissioner Roberts asked if Mr. James had seen a presentation from the applicant. Mr. James stated he had not.

Jack Abdo, 1 SE 17th Avenue, spoke in support of PH-4. He urged the Commission to vote for this item.

Chuck Borgell, 1229 SE 13th Terrace, spoke in opposition to PH-4. He specifically mentioned existing traffic issues and proposed getting vehicles going to and from the beach off SE 17th Street by using a high-speed ferry on the Intracoastal Waterway. He suggested the City and State agencies getting more in tune and working together to solve the traffic congestion.

Bob Swindell, 1317 Tangelo Isle, spoke in support of PH-4 as the proposed development will allow the community as well as visitors to enjoy the Bahia Mar area.

Mara Shlackman, 2100 S. Ocean Drive, spoke in opposition to PH-4, citing the two 420 foot tall towers are completely out of scale to the surrounding area. It also sets a dangerous precedent for developers

who may want to pursue similar behemoth projects. Her additional concerns related to sea level rise and the loss of taxable real estate.

Albert Miniaci, 375 Idlewyld Drive, spoke in support of PH-4 urging the Commission to approve PH-4.

Christian Henaff, 340 Sunset Drive, spoke in opposition to PH-4. He did not feel the proposed development is compatible with desirable urban planning or the neighborhood due to the 39 story towers' disproportionate height.

A copy of Mr. Henaff's comments is attached to these minutes.

Maria Miniaci, 1414 SE 12th Street, spoke in support of PH-4. Ms. Miniaci stated she is directly affected by this project, and 100 percent supports it as the developers have worked hand-in-hand with the Boat Show to create a property that will benefit future Boat Show events resulting in a continuous revenue stream for the City. Additionally, the applicant has worked to adhere to specific criteria to provide residents the opportunity to use public outdoor space. It will also benefit the community economically with jobs, shops, and restaurants.

Mimy Walters, 3765 NE 19th Street, spoke in opposition to PH-4 stating this is a premature vote due to unresolved questions, and there is no clear idea of exactly what the traffic situation will be ten to twenty years from now. She stated she felt this proposed development does not qualify as the highest and best use of this property for the benefit all citizens of the City.

Bob Moss, 625 Third Key Drive, spoke in support of PH-4 acknowledging the developers and their experts are good partners on this project.

Phil Purcell, Executive Director of the Marine Industries Association, 2312 S. Andrews Avenue, spoke representing the Boat Show and its positive impact on the City and community. The Marine Industries Association supports the revitalization of Bahia Mar, and the developer has been very cooperative in meeting the Boat Show's needs on both the upland site and the water site. Mr. Purcell stated the Boat Show needs a rent that is tenable, and their cost needs to be in the \$4,000,000.00 - \$4,500,000.00 range. He asked the Commissions to ensure there is a 30--year agreement in place that is tenable and ensures this future development goes forward.

Mayor Seiler stated there is no deal with the developers unless there is an agreement in place between the Boat show and the developers. Mayor Seiler asked for confirmation of the need for the garage or if the proposed garage space could be better utilized to reduce costs. Mr. Purcell stated they would work with or without the garage and it is up to the Commission and the developer as to what the garage adds to the property. The Boat Show can work with it either way and are flexible on this point.

Commissioner Trantalis asked about Mr. Purcell's statement regarding lawsuits. Mr. Purcell confirmed there had been conversations regarding lawsuits. Commissioner Trantalis confirmed with Mr. Purcell that the Boat Show in Miami pays \$1,600,000 in rent.

Commissioner Trantalis raised the issue of the fact that there is still no agreement signed between the Boat Show and the developers. Mr. Purcell confirmed there was no agreement in place with the developers and the Boat Show.

Commissioner Roberts reiterated the fact that it is paramount for there to be an agreement in place for a thirty-year contract between the developers and the Boat Show before the approval of any proposed development.

Mayor Seiler stated that all current entities involved in this deal were not involved in the negotiation of the lease payments and all parties inherited the it.

Tiffany Lavarich, 2570 Del Lago Drive, spoke in opposition to PH-4 from an emergency rescue situation perspective. Ms. Lavarich said it takes the police and fire department a long time to answer an emergency call at her residence due to traffic issues on 17th Street and felt it will only get worse with this proposed development. Ms. Lavarich also raised the issue of the barrier island's ability to sustain the added weight of the two proposed towers stating her Harbor Beach neighborhood already has severe water problems.

Susanne Sabadash, 2348 NE 7th Place spoke in opposition to PH-4 due to the scale, compatibility, and negative traffic impact as currently proposed stating it is not something that will be good for the community. Ms. Sabadash asked that the Commission vote against this item in its current form.

Richard Finklestein, 2520 Laguna Terrace, spoke in support of PH-4. Mr. Finklestein stated he has no association with the developers but is for approving the development.

Roy Sea, 3030 SE 22nd Street, spoke in opposition to PH-4 as presented. Mr. Sea stated it seems like we are making the neighborhoods suffer to save the Boat Show. His opposition to the proposed project relates to its size and incompatibility with the rest of the beach and the traffic impact. He recommended the City going back to the drawing board to get it right.

Count Rosenthal, 1237 NW 4th Avenue, spoke in support of PH-4 personally endorsing the developers.

Johanna Fields, 2071 SW 38th Avenue, spoke in opposition to PH-4 stating the weekend traffic is a nightmare and the shading the two proposed towers is also an issue.

Doug Fields, 333 Las Olas Way, spoke in support of PH-4 stating the Bahia Mar is a tired old building in need of updating noting two 42 story buildings were approved next to the Las Olas River House.

Mary Wood, 1619 Sea Breeze Boulevard, spoke in opposition to PH-4. Ms. Wood stated she has strong objections to the effective sale of public property to create a residential development on a parcel that is a unique asset of the City. Ms. Wood noted the property was intended to be used as a hotel and marina, not as private residences. The Bahia Mar property should remain a destination resort and a public property for the residents of the City of Fort Lauderdale. She said adding 625 residential condominiums on a small parcel of land will exacerbate the existing high density and will almost double the current density of Harbor Beach. Additionally, she noted the traffic implications should be revisited addressing the SE 17th Street, Las Olas Boulevard, and Sunrise Boulevard.

Ms. Wood also stated the letter sent to the City by the Harbor Beach Property Homeowners Association on July 10, 2015 did not have a basis to represent the views of Harbor Beach residents. The Harbor Beach Property Homeowners Association's board members made their recommendation based on the views of 5 board members only without soliciting any information from the residents. Additionally, they did provide any information to the residents until January 13, 2016 six months after the directors sent their letter of support. As such, Ms. Wood said the Commission should give very little weight to that letter of support.

Mayor Seiler stated he received a letter from the President of the Harbor Beach Homeowners Association this evening at 6:17 pm. Ms. Wood stated she had no knowledge of the letter noted by Mayor Seiler. Ms. Wood stated there was a meeting on June 13, 2015 where the developers came and presented their redevelopment to those in attendance but no vote was taken at that time.

Brett Wood, 1619 Sea Breeze Boulevard, spoke in opposition to PH-4. Mr. Wood encouraged the Commission to embrace the original vision of Bahia Mar as a world-class resort encompassing a world-class marina with no residential component. He encouraged the building of a destination resort rather than residential towers.

Ina Lee, 2000 S. Ocean Drive, and Vice-Chair of the Beach Redevelopment Advisory Board (BRAB), spoke in support of PH-4. Ms. Lee noted the BRAB voted 5 to 2 for the project noting the Boat Show is the heart of the City's tourism industry.

Patricia Halliday, 50 Nurmi Drive, spoke in opposition to PH-4 stating she first heard of the proposed project approximately 30 days ago. Additionally, at the Beach Redevelopment Advisory Board (BRAB) Meeting held January 27, 2016, members acknowledged their prior communications between themselves and the developers of the proposed project. Ms. Halliday stated she felt there should have been a couple of recusals for the BRAB's vote endorsing this project as the Florida Sunshine Law was enacted for these types of situations. Ms. Halliday stated this project belongs to all citizens of Fort Lauderdale and Broward County.

Miranda Lopez, 3031 NE 21st Street, spoke in opposition to PH-4 noting the beach and the ocean are the City's two biggest assets. She stated the two 400 foot tall towers and the parking garage located adjacent to the beach would visually and physically destroy its beauty. Additionally, the intent of the ID Zoning narrative is to foster, encourage, and provide for betterment and to incorporate innovative elements. As proposed, the development is limited to high setbacks, length and accommodation for the Boat Show. ID Zoning states that building heights should be consistent with adjacent developments. The shadowing of the beach, the marina, and the Aquatic Center by two 400 foot towers will deprive the City of Fort Lauderdale of its most cherished landmark, the open view of the marina, Intracoastal, and ocean from A1A.

A copy of Ms. Lopez' comments is attached to these minutes.

Saint George Guardabassi, 820 SE 5th Court, spoke regarding PH-4 but was neutral. He asked the Commissions to get the input of the Marine Advisory Board of which Mr. Guardabassi is a member. He stated the Marine Advisory Board was not aware of this project until three weeks ago, and they have never discussed it.

Patricia Roth, 333 Sunset Drive, spoke in opposition to PH-4. Her specific objections include occupancy, potential money laundering, traffic and gridlock, parking gridlock, and the overwhelming density. Ms. Roth noted Riverfront and Beach Place were previous private/public projects in the City noting the Riverfront is now closed and Beach Place became a high-crime area and almost closed in 2013. Ms. Roth noted Las Olas is successful because it is low rise, low density, and people friendly. Ms. Roth agreed the Boat Show is critical to the City.

Bill Cole, 1942 SE 24th Avenue, spoke in opposition to PH-4 due to all the reasons previously stated such as height, shadows, scale, and traffic. He stated the project is similar to a small city that has to merge

with A1A. As A1A is currently rated at a D or F road, it is hard to understand how this proposed project would work from a traffic perspective. He commented on the previous traffic study stating he felt it needed further clarification. He asked the Commission to slow the process down because there are too many unanswered questions to ensure the City gets this right. He urged the Commission to not extend the lease until it is known exactly what would be built on the property and to involve the public as it is public property.

Mr. Cole suggested perhaps a referendum is needed to get the public involved. He also recommended limiting the building height to 24 stories, reduce the garage structure, reduce the retail as it is the largest traffic generator, and create more open space designed to function for the Boat Show. Additionally, new parking garages will not address the current traffic failures on A1A.

Karen Herstik, 615 Poinciana Drive, spoke in opposition to PH-4. Ms. Herstik noted everything in her letter to the Commission reiterates what has been previously said this evening. Ms. Herstik and her family live in the Idlewyld neighborhood and are opposed to the project in its present form. The emergency response time is over 20 minutes and asked what provisions will be made to address this problem caused by existing traffic congestion. Ms. Herstik further stated the proposed development will only increase density making traffic and emergency response times worse in addition to shadowing the beach.

Jim Hilmer, 621 Idlewyld Drive, spoke in opposition to PH-4, noting all of the key points have been made and did not wish to repeat them. However, he recommended the Commission should defer this item and negotiations with the community at large and with the developer should begin. He said it is clear neither the Commission nor the community understands two things. First, what the true traffic impact will be and the commission and the community need a clearer understanding of what Innovative Design Zoning means and its implications. It is clear that everyone wants Bahia Mar redeveloped, but the problem with the current proposal is scale. He recommended the Mayor and the Commission initiate the negotiation process starting with the height of the buildings being 24 stories and eliminating the parking garage completely. Mr. Hilmer stated that if the City is serious about being the Yachting Center of America and having the Boat Show remain in Fort Lauderdale, they should consider creating an iconic facility to display and demonstrate boats and the services the industry provides rather than high-rise residential units.

Regarding the speakers signed up for tonight's meeting, Mayor Seiler confirmed the 8th floor was empty except staff, and there was no one signed up to speak waiting on the 8th floor.

Bridgette Guerrero, 111 SW 11th Avenue, former President of The Graduate Business Student Association for the Huizenga College of Business Entrepreneurship and Nova Southeast University, spoke in support of PH-4. Ms. Guerrero supports the proposed project due to the job and economic opportunities it will provide.

Kathleen Ginestra, 1201 River Reach Drive, spoke in opposition to PH-4. Ms. Ginestra questioned where the balance is between development, change, growth, and quality of life for life-long and new residents. She felt that the City needs to go back to the drawing board to find this balance noting this project could be the tipping point for the beach ending equal access for all the residents of Broward County going to the beach. She requested the Commission rethink this and not approve this tonight. There is a need to have something beautiful at this location, but the current proposed development is not suitable.

Joe Piechura, 5780 NE 18th Terrace, spoke in opposition to PH-4. Mr. Piechura stated this decision is a very big deal and the current proposal as presented today should not take place. He noted it is a public/private venture and past public/private ventures such as Beach Place, and Riverwalk have been disasters in addition to the resulting density and traffic issues the proposed project will generate. Mr. Piechura further felt the 39 story buildings make sense for everyone except the constituents of Fort Lauderdale. He has asked the Commission to find a better more reasonable use for this property.

Paul McGee, 801 Middle River Drive, spoke in opposition to PH-4. Mr. McGee stated his concern is over the Innovative Development Zoning and its impact on trends for future developments and how it will impact the East Sunrise Boulevard corridor. He did not believe the proposed development is meeting the trend for future developments along the Intracoastal regarding heights. Mr. McGee's concern was regarding the flexibility in the ID Zoning requirements. He felt it should be in the range of 10 percent, not 60 percent.

Peter Kosinski, 300 NE 8th Avenue, expressed his views on PH-4 regarding the height of over 200 feet. Mr. Kosinski, an architect and city planner, congratulated the neighbors for all their input and their dedication and the time by spent by the Commission. He believes redevelopment is important for Fort Lauderdale. The concept of high-density, mixed use urban development, and ID development is important. He asked if there was any consideration to putting the height of the project on the back Northwest corner. In doing so, there would be no shadows anywhere on the beaches. Mr. Kosinski suggested looking at all available options before making a decision.

Lisa Malcolm, 1900 Admiral Way, spoke in opposition to PH-4. Ms. Malcolm asked the Commission to say no to this project stating this could cause a domino effect for other high-rise projects in the City and on the beach.

Ron Hancock, 2501 Lucille Drive, spoke in opposition to PH-4. As a resident of Harbor Beach, he opposes this project because of the proliferation of development in Fort Lauderdale's North Beach and stated he thinks there should be a moratorium on all building projects along A1A. Mr. Hancock stated the proposed project's towers will be out of scale with the rest of the buildings on the beach and will set a precedent for additional similar structures to follow. Mr. Hancock also raised the issue of shadows being cast on the beach from the proposed development. He also questioned if a survey had been done of the residents that would be directly impacted.

Betty O'Connor, 730 Isle of Palms spoke in opposition to PH-4. Ms. O'Conner stated there were too many unanswered questions that need to be addressed regarding the site plan and the rezoning. She urged the Commission not to vote on this and to delay the vote until it has spoken to the Marine Advisory Board and they have had more time to reflect on the possible community impact.

Michael Seligsohn, 1118 N. Rio Vista Boulevard, spoke in support of PH-4. Mr. Seligsohn stated he thought the buildings were beautiful and would bring the Boat Show to a whole new level. He urged the Commission to support PH-4.

John Roth, 333 Sunset Drive, spoke in opposition to PH-4. Mr. Roth discussed the traffic on Sea Breeze Boulevard /A1A and the driveways for the proposed development.

A copy of Mr. Roth's comments is attached to these minutes.

Michael Sperling, 801 Seabreeze Blvd., spoke in support of PH-4.

Charles King, 105 North Victoria Park Road, spoke in support of PH-4 noting the increased tax revenue would benefit other needs of the City.

Jim Morlock, 3037 Harbor Drive and representing Bahia Vista Club, spoke in opposition to PH-4. As a real estate broker, Mr. Morlock stated the condo component of the proposed development is not warranted from the data he has seen. He noted we are in a slowing market and may have peaked. However, there is a need to provide a marina and for the Boat Show, not for more condominium units.

Bob Golden, 101 S. Fort Lauderdale Beach Boulevard and on behalf of the Central Beach Alliance, spoke in support of PH-4. Mr. Golden is for the project as he feels the area is tired and the proposed project will provide much needed public access.

Kristen Maus, 1778 Marietta Drive, spoke in opposition to PH-4. Ms. Maus' concerns relate to the shadowing on the beaches noting they are the City's crown jewel and need to be protected. South Beach Park is for the middle-class citizens of the City, who travel for picnics, family time, and they do not have access to that with the proposed project. They deserve that park without shadows. She stated that the South Beach Park is the most utilized part of the beach and should be preserved for the citizens of the City.

Barbara Mallett Overman, 2500 East Las Olas Boulevard and representing Marine Tower Condominium, spoke in opposition to PH-4. Ms. Overman urged the Commission to vote against the proposed development for numerous reasons. The proposed project threatens almost every previous planning tenant, community compatibility, size, scale, density, and residential use of public land, open space, public access, emergency services, traffic, and the environment. Additionally, the plan seems to be a bad financial deal for the City.

Jerry Jordan, 1109 SE 4th Street, spoke in opposition to PH-4 citing traffic in his neighborhood and the adverse ripple effect on the historic neighborhoods of Beverly Heights and Cooley Hammock where he resides. Mr. Jordan stated he is all for development, but the proposed development is too dense recommending the towers be cut in half.

Shirley Smith, One Las Olas Circle and on behalf of the Venetian Condominium, spoke in opposition to PH-4. Ms. Smith stated they supported improvements to the Bahia Mar property provided they upgrade the property in a manner that is beneficial to all citizens of Fort Lauderdale. Any renegotiation of the land lease by the City should be favorable to the citizens of the City. They do not support any variance that allows constructing the proposed 39 story towers on Fort Lauderdale Beach, and any development should be in keeping with the aesthetics of the beach.

Ms. Smith stated is a founding member of the Central Beach Alliance (CBA). She emphasized the CBA vote of 184 to 10 was only on a concept of the proposed development noting there were no details provided regarding the size of the towers, traffic implications, and shadowing. At a subsequent CBA meeting of January 14, 2016 members wanted to make a motion to recommend lowering the towers to 24 stories, but the CBA Board would not permit it. CBA members then made a motion to reconsider the previous CBA's vote of support requesting the developer return and explain all the proposed projects' details. At this meeting, the president and the board of the CBA delayed the requested motion for so long that many attendees left the meeting. By the time it was voted on, it was 75-59 not to reconsider. Ms. Smith stated the entire board voted unanimously against the motion to reconsider the previous vote. Ms. Smith said the CBA was put together to protect the beach. Ms. Smith requested to see the minutes of the last CBA meeting.

Barry Somerstein, 2555 Lucille Drive and speaking on behalf of Bahia Mar, spoke in support of PH-4. Mr. Somerstein said he never had a problem with traffic except the weekends due to his ability to time his departures and arrivals. Mr. Somerstein stated the Commission's job was to balance the benefits against some of the issues raised. He requested the Commission to support the project.

Commissioner Trantalis asked if Mr. Somerstein worked for the developer. Mr. Somerstein replied, "yes," he does work for the developer.

Susan Symons, 2701 Isla Bahia Drive, spoke in opposition to PH-4. Ms. Symons thanked the City Commission for serving and stated the most important thing is for people treat each other in a civilized manner. She went on the record stating she is against the development as it stands primarily because of the height, and density.

Judy Summers, 400 NE 17th Way, spoke in opposition to PH-4 suggesting it would be a better fit for Weston. She stated this entire agreement is predicated on the Boat Show agreement which is not in place. Therefore, the City is not prepared to have a vote. She recommended holding off and make an agreement with the Boat Show and start from there. Mayor Seiler clarified for Ms. Summers the fact that there are numerous moving parts to this deal. Ms. Summer acknowledged the towers are beautifully designed, but we do not need them on Fort Lauderdale Beach. Ms. Summers stated it is public land and should have a public vote and a referendum.

Marco Morjain, 801 Seabreeze Boulevard, spoke in support of PH-4. Mr. Morjain stated he works at Bahia Mar as a Yacht Broker. He does not see a huge problem with the traffic and building this iconic development brings many jobs. Mr. Morjain stated Fort Lauderdale is one of the largest markets in the world for boating, and the development will encourage people to purchase a residence in Fort Lauderdale and to purchase and keep their boats here. It will also employ many people in construction, new restaurants and new services associated with the proposed development. Additionally, it will provide a revenue stream to the City in the form of taxes to keep Fort Lauderdale moving forward.

Nancy Thomas, 1924 SE 24th Street, spoke in opposition to rezoning the Bahia Mar property that will remove the current height restrictions. She also requested the Commission vote against this proposed development and not renew a Master Lease for this property as public opposition to the project is clear.

A copy of Ms. Thomas' comments is attached to these minutes.

Anthony Bruno, 520 SW 17th Street, spoke in opposition of PH-4. Mr. Bruno stated the numerous implications of the already severe traffic congestion along Seabreeze Boulevard and SE 17th Street and in those adjacent residential neighborhoods both during construction and after completion.

Additionally, no one has questioned the height of the towers, the cost of the units or the public boat docks noting the only proposed development's public access consists of a sidewalk. He also requested an explanation of the definition of "next level" as bringing Fort Lauderdale to the "next level" has repeatedly been raised. Mr. He asked the Commission if the type of empty high rises that exist on Miami's downtown Brickell Avenue is what they want for the City of Fort Lauderdale. Burno stated he is not against redeveloping the Bahia Mar for the Boat Show.

John Malcolm, 1900 Admirals Way, spoke in opposition to PH-4. Mr. Malcolm stressed the Commission should not make a decision tonight stating no decision made after midnight is a good decision.

Additionally, many questions arose tonight which have not been answered. Mr. Malcolm had two additional questions: Is this the best possible deal for Fort Lauderdale? What is the hurry as it is a 97-year decision, which is a very abstract concept? He noted if a decision on an important issue such were made 97 years ago, in 1916, we would just be coming out from under a decision made long ago. This is why this decision must be the right decision. He asked the Commission to take the time to truly consider this decision and get a lot more questions answered. He asked the Commission to please delay their decision.

James Flavell, 2231 NE 17th Court, spoke in opposition to PH-4. Mr. Flavell stated he was impressed by the presentation and came away with many questions. However, he questioned the need for two 420-foot buildings. He noted he had grown up in Harbor Heights/Harbor Inlet area in Fort Lauderdale, and his family home is still there and traffic is very tough in this area. Mr. Flavell envisions more gridlock from the project. Mr. Flavell suggested getting additional answers about the proposed project. He noted there is much promise in the development at this site and acknowledged the fact the developers are local highly respected individuals. It is a very important decision for the community, and it is important to take time and not be in a hurry. Additionally, the Boat Show deal needs to happen and the Marine Advisory Board's concerns need to be addressed. It is important to get these loose ends pulled together to mold this proposed project to into a reasonable project. He felt there was no need for exorbitantly tall building. The goal is to get the project reasonable and make it happen.

Sherif Ayad, 1800 S. Ocean Boulevard, spoke in support of PH-4. Mr. Ayad stated he sincerely would purchase a condo in the proposed development noting the Commission is not hearing the voices of people who are interested in having the project move forward and felt there would be many of them. Additionally, he thought praise should be given to the developers for making every effort to stay away from the western side of the property. He felt what is being proposed for the Boat Show is fabulous and will put Fort Lauderdale on the map as a global destination. Currently, he feels the Boat Show is selling multimillion dollars boats out of what looks like tents and a flea market.

Helen Surovek, 608 Poinciana Drive, spoke in opposition to PH-4. Ms. Surovek stated the two 39 story building are way too high, way too much, and the City is not ready for it. If the zoning allowed it, she would oppose it but because the parcel must be rezoned, she definitely opposes it stating it is nothing against the developers, just the project. She recognized the Bahia Mar needs revitalization but not to this scale.

Mayor Seiler recognized the presence of former Commissioner Tim Smith and former Mayor Jim Naugle.

Former Commissioner Tim Smith, 1720 NE 9th Avenue, expressed his view about his opposition to this item. Commissioner Smith felt this development was wrong from the moment he saw it. He wanted to tell the Commission in person he felt there is a need to redevelop the Bahia Mar in addition to many things in the City. However, with all due respect to the developer, Commissioner Smith felt this plan is just wrong. The problem with the project it is way too large, supersized, and so far moved from what has been decided to do in the City. As a former Commissioner in Commissioner Trantalis' District, he recalled that in 1997 when the Palms were approved to be built at 39 stories, he was elected he had to find a way to settle the citizenry down. Consequently, there was a moratorium put on building on the beach and had a serious study done that took six months. As a result, the Commission came up with new rules. It was determined three hundred feet was too tall for the beach, and they cut 20 percent out that brought it down to 240 feet. This calmed everyone down, and prevented the City from becoming another Hallandale. That decision has been in place since then, and there has been some discussion reducing it further to 200 feet for the next set of buildings. Commissioner Smith expressed his views that buildings over 400 feet are wrong, and he hoped the Commission would not do anything tonight.

Geno Gargiola, 2231 SW 16th Terrace, spoke in support of PH-4. Mr. Gargiola stated he is in the marine industry and does much work in the area with regard to boating. He looks at this issue from the point of view that Bahia Mar is dated and in need a redevelopment. He felt the City needs to make it feasible for the developers to put the money into the project to build what they need. If they need two 39 story buildings to make the numbers work, that is what needs to be done. Mr. Gargiola stated he was for the project.

Charlie Cassel, 1525 S. Ocean Drive in Harbor Beach, and President of Harbor Beach Surf Club spoke in opposition to PH-4. Mr. Cassel stated he was speaking to clarify the position of the Harbor Beach Community. In late December, 2015, Mr. Cassel and his fellow Surf Club Directors learned the advanced stage of the approval process of the Bahia Mar site plan. Upon learning that the Harbor Beach Property Homeowners Association, Inc.'s Director Ross and Director Somerstein had spoken in support of the project at the City's Planning and Zoning Meeting, and had sent a letter of support to Mayor Seiler in July 2015, they sought to take action. Mr. Cassel stated he was attending tonight's City Commission Meeting to clarify the position of the Harbor Beach community stating the Harbor Beach Homeowners Property Association has not held a vote or done a survey of its broad membership. Mr. Cassel noted a board member of the Harbor Beach Property Homeowners Association has a conflict of interest as Mr. Somerstein is employed by the developer.

Mr. Cassel stated the Harbor Beach Surf Club did in an independent email survey of 160 of the 170 residents on December 30, 2015. This survey resulted in 42 of 51 respondents being opposed to the project due to the resulting traffic impact on the SE 17th Street/A1A corridor, adjacent residential neighborhoods, and delayed emergency response times.

The Harbor Beach Surf Club urges the City Commission to deny the application for the site plan stating the City can do better.

Al Fernandez, 1608 SE 10th Street, spoke in support of PH-4. Mr. Fernandez stated for the record he is affiliated with the developers and has been friends with the Tate's for over thirty years and has done business with most if not all of these professionals. Mr. Fernandez stated he was here as a resident living in Rio Vista. He believes this project will bring value to our community. He believes the developers have brought forth a fantastic plan evidenced by City Staff's statement it fits and complies with all of the City's Codes and Ordinances. He urged the City Commission to consider passing the development as proposed because it will be a great benefit to the City.

Kelly Overman, 2500 E. Las Olas Boulevard, spoke in opposition to PH-4. Mr. Overman stated most in the community are just learning about this, have not heard about it, believe the project as proposed is just a negotiating tactic, or are beginning to take the proposed project seriously. Mr. Overman made comparisons of the project's towers to the Empire State Building in Manhattan and illustrated the proposed towers and the degree to which they are out of scale with the current buildings along Fort Lauderdale Beach. He recommended scaling down the heights of the towers.

Copies of the Mr. Overman's submission to the Commission are attached to these minutes.

Nelson Fernandez, 2415 Delmar Place, spoke in support of PH-4. Mr. Fernandez stated for the record he has known the Tate family for a very long time and is confident they will do a fantastic job in the redevelopment of Bahia Mar. He stated his was in support of the project as proposed. It will be a

tremendous facility for the Boat Show and will improve it tremendously. Mr. Fernandez stated that this project would attract people to a great destination and urged the Commission to pass PH-4 tonight.

Craig Kurlander, One Las Olas Circle and a member of the Central Beach Alliance (CBA) spoke in opposition of PH-4. He confirmed speaker Shirley Smith's statement regarding the many people on the CBA who thought the first vote by the CBA should be reconsidered and changes made. Mr. Kurlander reiterated that many people on the CBA are not in concert with everything that has been proposed. Mr. Kurlander is in support of redeveloping this property. He noted the closest communities to the proposed project such as Idlewyld and the Venetian, are firmly against this project. He felt the two towers overwhelm the property and are totally out of place, particularly the north-south orientation and the resulting shadowing of the beach. Mr. Kurlander noted the current traffic is terrible and adding more residences to the beach would only make it worse.

Steve Ganon, 2517 N. Atlantic Boulevard and speaking on behalf of Lauderdale Beach Homeowners Association, spoke in opposition to PH-4. The general feedback from the Lauderdale Beach Homeowners is that they do believe redevelopment should be done on the Bahia Mar property, and the Boat Show needs to stay there. However, the towers are too tall and need to be redesigned.

Geary Cotton, 615 Idlewyld Drive, spoke in opposition to PH-4. Mr. Cotton spoke regarding the proposed leases and the report from Fishkind & Associates on the fairness opinion. Mr. Cotton questioned all aspects of the lease regarding favorability to the City. Additionally, he questioned the fair market value of the lease and the proposed 50-year extension of the lease noting a hundred year lease on the property is like selling the public's property. Mr. Cotton opposed PH-4 and asked the Commission to defer a decision and think about some of the issues raised as well as new ideas on which to reach common ground because the project should be redeveloped.

Mayor Seiler asked Michael Kulik, EDSA Landscape Architect, about the project's acreage. Mr. Kulik clarified the 3.46 acres described included the public promenades, sidewalks, and plaza as well as landscape area. The park total on the site is .97 acres. There are 2.2 acres of landscape/green space on the site that includes grass areas on the property, and landscaping areas throughout. They have it broken down to a dozen different categories consistent with the open space requirements in the City's Code.

Howard Steinholz, 2600 Barcelona Drive, spoke in opposition to PH-4. Mr. Steinholz stated much of his concerns had been presented. He said he had recently become aware of the magnitude of this project when informed by the co-community of Idlewyld. He was surprised by the picture and the size of the project noting the greatest community problem is traffic. He is concerned about gridlock as it relates to the impact this project will do to compound the existing traffic problems. He is for redevelopment but with something that will ensure community compatibility. He recommended to the Commission that they get a regional transportation plan for the community.

Robert Dean, 3001 E. Sunrise Boulevard, spoke in opposition to PH-4. Mr. Dean stated everything has been said but wanted to come back to the Boat Show as he is very passionate about the marine industry. The Boat Show and the Marine Industry is everything about this City and its benefits to the city include employment and jobs. He noted the disappointment regarding the people in the Marine Industries Association and the Boat Show people who were not permitted to talk about the proposed project. He noted this project has been discussed for some time, and the voices of the Marine Industries Association and the Boat Show people should not be kept out of this conversation. Mr. Dean noted his concern that the Boat Show is in an untenable position because they of the four-year duration of their current lease and is a cause of concern for the City's negotiating position.

Joe Hessman, P.O. Box 3230267, spoke in support of PH-4. Mr. Hessman served on the Marine Advisory Board for 12 years and noted the first Boat Show was at Pier 66. Mr. Hessman has attended almost every Boat Show stating that is the best thing this City has stressing the need to keep it in Fort Lauderdale. The Las Olas Marina has 2.5 workers and 40 slips and they gave the City \$1,300,000 noting it was very good for just two employees. The Las Olas Marina is the finest marina on the east coast. Bahia Mar has 40 boats and some concessions that gave the City \$1,600,000. Mr. Hessman asked why the developers cannot scale down the project stating it is way too much for this size property stating the marina portion will always be the best thing the City has.

Dev Motwani, 1630 NE 5th Street, spoke in support of PH-4. Mr. Motwani stated he is here for the project and has been following the project since it was presented to the Central Beach Alliance in June of 2015. He noted all the good questions by the community, most notably a permanent home for the Boat Show that comes with a long-term lease and a significant reduction in the Boat Show's annual lease payments. This proposed development also provides increased revenues to the City and public access to the walkway, the promenade as well as retail and restaurants along the promenade which is a great amenity to the beach for residents and tourists. The addition of a grocery store many residents of the beach have asked for over the years is another benefit. He noted the developers' efforts to provide the City and its residents with those requested items and the developers did not ask for the full density rather asked for lower density. Mr. Motwani did not think the traffic implications were enough to slow this down.

Steve Glassman, 2821 N. Ocean Boulevard, spoke in opposition to PH-5. Mr. Glassman was speaking as President on behalf of the Broward Trust for Historic Preservation (the "Trust"). Mr. Glassman stated this site was one of the most historically significant properties in the entire City. Mr. Glassman stated the Broward Trust for Historic Preservation had taken no formal position pro or con on this rezoning and site plan. However, if and when construction begins on the redevelopment of Bahia Mar, the Trust urges the Commission to require a dedicated space or gallery that memorializes the historic significance of the site and also treat it as an archeological site.

Mr. Glassman stated as a citizen of Fort Lauderdale, stated here has been no give and take with the site plan before you tonight and nothing adheres to the recommendations of the Council of Fort Lauderdale Civic Associations' Consensus Statement on Development/Density as it relates to the barrier island.

A copy of Mr. Glassman's complete statement and additional submissions to the Commission are attached to these minutes.

Jack Newton, One Las Olas Circle, spoke in opposition to PH-4. Mr. Newton noted his view from the 16th Floor of the Venetian Condominium was the lower end of Las Olas Boulevard. He noted there has been very little mention of the traffic problem Las Olas Boulevard stating it is a parking lot on the weekends, and there is not much that can be done about it. He also wanted to point out the much-touted vote of the Central Beach Alliance voting overwhelmingly for the project, but it was a fluke as most of the people did not realize they were voting for more than a concept of redeveloping and improving the property. There was no site plan presented at that meeting; there was no traffic plan; and, there was no shadow study presented. Mr. Newton stated they were just voting for a concept and asked that the Central Beach Alliance not be quoted. He also commented on the current available parking in the area noting the one at Las Olas Bridge and the one across from the Elbow Room on the beach. The one across from the Elbow Room on the beach is 2.5 acres and has 258 parking places having surveyed them over a number of months. The City is discussing and considering the bulldozing the parking lot

next to the Elbow room at a cost of \$12,000,000 noting it is the escape hatch for traffic coming over the Las Olas Bridge. Without this parking lot, people will drive around the area looking for parking. Additionally, the parking lot would be replaced with an open-air music venue which is an attraction. However, he felt there is no need for more attractions on the beach as there is not enough traffic capacity.

Richard Whitecloud, 3104 NE 9th Street, spoke in opposition to PH-4. Mr. Whitecloud raised the environmental impacts associated with the proposed development of this size and scale. The shadow study did not incorporate much shadow information regarding Sea Turtle Nesting Season. Tourists do not like shadows when they are trying to sunbath. Sea Turtle nests do not like excessive shading when they are trying to incubate. The shading value of sea turtle nests in the vicinity of this project is going to affect the incubation windows of endangered sea turtles that reside on our nesting beaches. Furthermore, it is going to affect the microfilaria ecology in the sand which promotes healthy beach ecology. The microorganisms that live in the sand that promote healthy sand beach ecology are vital to sunlight nutrients. Additionally, Mr. Whitecloud referred the sea level rise projection or storm surge maps as something that should also be looked at for consideration about the proposed project.

A copy of Mr. Whitecloud's presentation packet is attached to these minutes.

Art Seitz, 1905 N. Atlantic Boulevard, spoke in opposition to PH-4. Mr. Seitz noted the Central Beach Alliance is not a neighborhood association. It is a not-for-profit corporation. John Weaver was not elected to anything, and Abby Laughlin was not elected to anything, and she is a snowbird. None of the board was elected. The last election was in 2008. The items Mr. Glassman asked to have posted about the proposed project were not posted. He noted the vote of the CBA was not an accurate representation. Mr. Seitz stated the Commission received only one bid for \$76,200,000 instead of the three required by law, no due diligence, no verification or certification. Mr. Seitz noted the need for a cohesive, comprehensive plan for the 31 acres the City owns that currently does not exist. Mr. Seitz felt the City could do so much better.

Mayor Seiler read the names of those who signed up to speak but who not responded when called to give them a second opportunity to present their views. It was assumed that due to the late hour, they had left the meeting.

Mr. Lochrie wanted to get on the record the following corrections. The proposed towers are not half the height of the Empire State Building. The Empire State Building is 1,500 feet tall, 1,250 feet tall to the observation deck alone. The numbers of units around the site include 2,363 existing condominium units. Additionally, there are over 2,200 hotel rooms generating more traffic than residential units. It is also important to note there 180 residential units in the original project submitted in 2008 but that also included well over 480 new hotel units. This current proposal reduces the number of hotel rooms and is important from a traffic perspective. Mr. Lochrie noted the Blackstone project which was approved by the City Commission provided for a building that was 330 feet tall well over the 300 feet in addition to being wider than the proposed project as well as including additional hotel rooms. Regarding comments from the neighborhood's consultant regarding the Beach Redevelopment Plan, it is very clear. The zoning code was adopted in 1988. The Beach Redevelopment Plan came in 1989. It does not say that you cannot rezone in the future; it actually provides it in that Plan that the City was supposed to rezone portions of the property and make tweaks to the zoning code. The PUD rezoning was done on this site back in 2011 and more recently, last month, the Commission changed the permitted uses on beach zoning districts. This was brought up at the Planning and Zoning Board which was considered and went ahead and voted to approve this, and there is a consistent pattern of doing this.

This project has many elements that were included in the first project going back to the 2008 plan. When going back to the 2008 plan, some have asked why the project cannot go back to 24 story buildings closer to the west. This was the plan. However, the Commission did not want to see. The project came back and was taller and pushed to the east. Additionally, the view corridor that was on the north side where the tower is now also was already obstructed by the five-story project building approved for that site. There was a mention that the towers are 400 feet tall, and they are. The tower portion of that building is not 420 feet wide; it is only 200 feet long by approximately 100 wide.

The shadow is an item that was disclosed by the applicant and put in the record and made part of the program. Mr. Lochrie noted that this property is not subject to the beach ordinance unlike those that are further to the north and directly across from the sand, as one of the previous speakers indicated. Mr. Lochrie gave the Ritz Carlton being 60 feet from the sand as an example. As such, in the case of the proposed project, the beach shadow ordinance does not apply. However, the applicant did do their own shadow study due to the fact they are asking for an ID. As part of that study, the applicant was able to demonstrate the City's usual standard, which is you cannot shadow the beach for more than 50 percent of the time on March 21 between 9:00 a.m. and 5:00 pm. Mr. Lochrie noted they exceed that at all times.

Mayor Seiler asked Mr. Lochrie for a percentage on the shadowing. Mr. Lochrie stated there is no shadow on the beach 3:00 p.m. there is a 15 percent shadow on the beach, at 4:00 p.m. there is a 25 percent shadow on the beach, and at 5:00 p.m. there is a 28 percent. Mr. Lochrie said what really important is the existing hotel already shadows a portion of the beach, Additionally, the boat launch area has a shadow, a portion of the basketball court is shadowed, and the majority of what is shadowed is the parking lot between Seabreeze and the beach. In the area north where the Australian Pines, the picnic tables and the playground are located, there is no shadowing. Mr. Lochrie noted every building on the beach will shadow the beach at 5:00 p.m. even those buildings that meet the strictest of the City's requirements.

Commissioner Roberts asked for confirmation that March 21 is the most significant date during daylight time to measure shadow. Mr. Lochrie confirmed this, and there will be less shadowing than noted above during the summer.

Commissioner Roberts asked Mr. Lochrie about the fees associated with the parking garage and how open to the public the parking garage will be and how many are allocated for public use.

Mr. Lochrie noted each one of the buildings was self-parked. The residential tower on the north has two parking spaces per unit as well as additional parking for the restaurants and the public. The garage for the hotel and the grocery store are the same. Their studies have shown at the peak time when you would expect the most cars on the site, there will be approximately 250 extra vehicle space that will be made available to the public. In non-peak times, there will be approximately 600 parking spaces. As currently designed, there will be excess parking spaces that would always be available to the public.

Regarding the parking rates, they do not have them yet. They would be market rates. Commissioner Roberts requested some type of consideration for public parking at a reasonable rate. Mr. Lochrie noted there was also parallel parking throughout the entire site.

Vice-Mayor McKinzie asked about the concept proposal presented at the CBA. Mr. Lochrie stated he presented the same project that was presented to the Commission tonight slide by slide showing the site plan, the elevations. Mr. Lochrie stated the one difference is the City has changed the way this works. Previously, an applicant would make application to the City, go through the DRC process, and then have the public participation meetings. In the ID Ordinance, it specifically requires the applicant have the

public participation meeting before submitting an application to the City. The full application was not complete at the time of the presentation of the proposal to the CBA but all the slides and circulation seen this evening was included. The only slide not shown to the CBA was the buildings' footprints. Vice-Mayor McKinzie inquired as to the date of the presentation to the CBA. Mr. Lochrie stated the date of the presentation was in June 2015.

Mr. Lochrie stated that they had over 20 meetings with neighborhood associations and neighborhood groups beginning with Idlewyld and the Central Beach Alliance or within Central Beach Alliance. They also had a meeting with the Harbor Beach Board of Directors. To clear up the record, at the Harbor Beach Board of Directors Meeting, Mr. Somerstein disclosed he was part of the project and he did not vote on it.

Vice-Mayor McKinzie showed Mr. Lochrie a picture that was part of the applicant's package given to the Commission. Mr. Lochrie confirmed the graphics Vice-Mayor McKinzie held up was part of the packet and the presentation given to the Harbor Inlet neighborhood. Vice-Mayor McKinzie stated the packet is dated June 15, 2015 and was time-stamped with the City June 27, 2016 and was referred to as the "concept."

Vice-Mayor McKinzie noted people referenced the graphics in terms of how massive this project is and how they were trying to compare it to neighboring properties. They also stated they never knew how massive the project was. Mr. Lochrie confirmed he heard this too. Mr. Lochrie stated the presentations he made were always very specific that there were two 39 story towers and explained the project in great detail. Vice-Mayor McKinzie noted that it seemed somewhat contradictory.

Commissioner Trantalis stated he was at that meeting, and he had heard the comments tonight. He recalls what was said by John Weaver, and others were that when this proposal was shown up on the projector at that meeting, everyone understood it to be a concept drawing. It was presented to the community as being "this is what we want, this is what we are looking to do" but none of the other details was presented. The traffic study was presented. The dimensions from the perspective of Seabreeze was not really understood. What people felt was going to happen was there was going to be the redevelopment of the site and everyone was excited about that. Those who participated in the vote all thought we are finally going to get something done. However, people who have since examined it, feel there may be aspects of the proposed development that were not appropriate for the beach. When John Weaver and Abby Laughlin spoke tonight, there were a couple of components to the CBA vote that was not necessarily emphasized at that meeting as they were tonight, one of those being the offsite improvements. As a condition of their vote, they wanted to see what other off-site enhancements were going to be offered by the developer that were necessary to ameliorate the intense impact the proposed development was going to have on the beach. None of that, to date, has been offered by the developer. It is not to say the developer will not offer those, but they have not been proposed or discussed. They have not been finalized, and the CBA vote was a contingent vote based on the offsite enhancements. John Weaver stated they wanted a \$15,000,000 fund offered by the developer so the beach people would have something to work with to provide offsite enhancements. Commissioner Trantalis said he knew of this last week at the CBA meeting.

Commissioner Trantalis noted these were late developments. Commissioner Trantalis' interpretation of the June 2015 vote was that it was a clearly a vote to support the developer who stepped up to the plate to do something nice at the Bahia Mar. However, it was not just a straight support of the concept as we see it here today.

Vice-Mayor McKinzie stated the information at the June 2015 CBA was the same concept. The CBA is stating the concept illustrates the information and was used to illustrate on one hand how massive and there is nothing compatible, but on the other hand, they were misled by the concept and did not know the scale was as large as it is. Vice-Mayor McKinzie said the problem he has with it was misinformation. Commissioner Trantalis stated the CAB only had the graphic at the meeting when the vote was held. They did not have all the backup material in the packet given to the Commission, and it was not shown to them.

Mayor Seiler identified the referenced graphic renderings were as dated June 15, 2015, the filing date of the DRC filing application. Mr. Lochrie stated the one-page rendering was first presented to the CAB in April 2015, and again at the June 2015 CAB meeting. Mayor Seiler stated it was clear that the remaining packet information given to the Commission was not given to the CBA and was confirmed by Mr. Lochrie that the back-up packet of information was not given to the CBA.

Mayor Seiler asked Mr. Lochrie about the height of the deal with Blackstone. Mr. Lochrie stated the highest portion of the structure was about 330 feet. It was a 26 story building with 24 stories of hotel and two stories of residential. Mayor Seiler noted that when everyone consented and agreed to Blackstone, there was a 240-foot cap in place. In the Blackstone plans, the height went over 300 feet. Mr. Lochrie stated every Blackstone plan went over 300 feet including the one approved by this Commission. Mayor Seiler noted it did not have any opposition.

Mr. Lochrie stated he misspoke, and all the Blackstone plans went over 240 feet. The original project's proposals were 270 feet and then came back with another project that had the highest point on the building at 330 feet. The 330-foot proposal was the one that was approved by the Commission. Commissioner Trantalis asked if it was a single building and Mr. Lochrie confirmed it was a single building. However, Mr. Lochrie stated the 26 story building was much wider than the applicant is proposing and had a more of an effect of a shadow on the beach, a much bigger shadow on the beach. Mr. Lochrie stated it was only one building.

Mayor Seiler asked for confirmation that all items had been made part of the record.

Mr. Lochrie wanted to make part of the record that the applicant agrees with the City Staff's recommendations and report. Additionally, part of the record should include the City Staff's attached Exhibit 5 that includes a long list of conditions that the applicant agrees and consents to all of those conditions. Commissioner Roberts clarified those conditions noted on the exhibit were a result of the Planning and Zoning Board Meeting on December 16, 2015, and those conditions at the Planning and Zoning Board Meeting were further clarified by City Staff. Mr. Lochrie stated they were initial conditions by City Staff, and there were additional conditions put on by the Planning and Zoning Board including Mr. Glassman's request that the applicant does an archeological study as a part process. Commissioner Roberts stated there were nineteen Planning and Zoning Board conditions. Mr. Lochrie confirmed all of those conditions for which the applicant agrees. Commissioner Rogers asked for confirmation that this is Exhibit 5. Mr. Lochrie confirmed that it was Exhibit 5 in the backup.

A copy of Exhibit 5 is attached to these minutes.

There being no one else wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Vice-Mayor McKinzie. Roll call showed: AYES: Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler. NAYS: None.

Commissioner Rogers noted there was some consistency to many things that were said tonight. One of them is the property needs redevelopment, but it must be in the best interests of the beach and the whole City and is obvious.

Commissioner Rogers noted three things mentioned that he concurs with are the Boat Show, public access, and the destination portion. It is clear to all that Bahia Mar needs to be upgraded and is a game changer regarding the site's need of transformation -- just not transforming the entire beach. The development should be able to stand alone as a nice accouterment to the beach but not overwhelm the beach or the rest of the residents. Overwhelming can mean different things, but the obvious is the scale as the residential towers overwhelm the hotel, and he does not think the two are compatible and is problematic for the City's development.

Commissioner Rogers acknowledged the developers as upstanding community members and that this is important because this is a public/private partnership. He noted the history of the site noting it was the first public/private partnership in the City.

He addressed the timing issues involved the 47 years regarding the current lease, with an additional 50-year term added to make it almost 100 years. He stated he is not comfortable with the lease and does not have a sense of real value allowing him to come to a real conclusion on regarding a fair value because neither party wants the lease that currently encumbers the property. Consequently, the worth of the property needs to be determined. The only way he can feel comfortable is to get an appraisal noting there was one in 2012. He recommended getting another appraisal, one with and without the leasehold, to have a starting point for each side. Furthermore, there are three layers: the fact that the underlying land that has value, the current lease and the value the current lessee thinks it is worth, and the lease value the lessor thinks it is worth. Both parties want a new deal and what it needs to look like need to be determined.

Commissioner Rogers stated he felt it is worth taking an additional 60-90 days to get the decision right. There are two major issues to be dealt with, the traffic and the scale of the project. He noted some items that came to light this evening such as the Boat Show's acknowledgment that they do not need all of the parking, the parking could be reduced to allow higher compensation to the City, and the option of incorporating the Swimming Hall of Fame into the project for mutual benefit.

Lastly, Commissioner Rogers stated it is inconsistent not to have the Marine Advisory Board weigh in on this proposal, and he was not aware they had not had input. The theme is correct. The property needs redevelopment. It needs to make sense to the beach. It needs to make sense to the whole City. The proposed development contains all of the requested elements, but the scale is over the top regarding the 39 stories. The timing cuts both ways as he does not want the City to miss this window of opportunity. On the other hand, he does not want to act so quickly that something is missed. He feels another 30-60 days to make sure everyone is engaged to reach the finish line.

Commissioner Roberts thanked everyone for their time and concern for this entire project. He acknowledged Commissioner Rogers and agrees that he did not want to miss the window of opportunity. He noted the history of the Beach area over the years and the positive redevelopment over the years. He had concerns about the height and the traffic noting whatever is done, there will be traffic issues. Commissioner Roberts noted traffic issues encompass the entire City, County, and the Region and it will take a long time to address. It will require getting a public transportation system in place, the Wave in place, and the costs associated with these projects noting there is no more room to build more roads and more rights of way. His other concern is keeping the Boat Show in the City, and he is not comfortable

with not having that agreement in place. Regarding the shadowing issue, he felt it was addressed this evening and does not feel it is a big negative impact. The height issue needs to be addressed, and he agrees with Commissioner Rogers regarding reducing the garage floors to reduce costs and reduce some of the height moving forward. He liked the general concept project and felt it needs to keep moving along with Commissioner Rogers' recommendation of a 30-60 day window to get things ironed out. Commissioner Roberts felt the City can do the right thing regarding the timing issue regarding the length of the lease and the need to make the redevelopment work due to the current 47-year lease in place. Opening this area up to the public is the best aspect of the development that has been brought to the table and adds to its appeal. He also was unaware and surprised that the Marine Advisory Board had some angst about it and had not had input. In that context, the Marine Advisory Board working with the Boat Show and the developer need to come to some type agreement about additional recommendations or concurrences to alleviate their concerns.

Vice-Mayor McKinzie concurred with Commissioner Rogers' input. He likes the project and wants to make sure the City gets it right and is willing to give it 30-60 days to vet some of missing information. Concept wise, he likes the project and perhaps we can work with the height which does not necessarily bother him because he looks at it from the perspective that if they were not as high, the buildings would need to be spread out throughout the parcel. This would hurt the public access piece or the green space. He likes the public space as it will be an attraction and a destination. He just wants to make sure the City gets it right.

Commissioner Trantalis stated he appreciates all of the work everyone has put into this project including City Staff. He also appreciates the fact that the Tate's and their partners are committed to making this a viable project and the amount of money they are willing to invest, borrow, and to make this a workable project.

He discussed the past two workshops on growth and development triggered by the Galleria's development. During those workshops, many conclusions were drawn. One specific conclusion agreed to by all was the location of a concentration of development. Everyone agreed the concentration of development should be in the downtown area of the City noting they were skittish about seeing it happen anywhere else. We all know that the zoning allows for unlimited height and limited setbacks and intense development in the downtown area to create a downtown. He did not feel there is an appetite for creating a downtown anywhere else. The intensity of development was never intended to be anywhere else whether it is the Galleria or on the beach. Therefore, he wants to be consistent in the overview of how we see the build out of the rest of the City. Furthermore, the Commission passed the Evaluation and Appraisal Report this evening, and within the context of that report, there are issues concerning rising sea level and other environmental concerns which in the end concluded that we should not be building intense development in areas that are most at risk. One of the area's most at risk was identified as the beach area barrier island. He recommended being consistent with where the City's development needs are.

After looking at the site plan initially, he felt it was much building on the sixteen acres available with very little open space. The previous concept drawings of LXR with the most aggressive of site plans showed almost half the area had open green space. He commended his assistant, Scott Wyman, who put together this book which presents not only all of the details of this particular project but also the whole history of what has happened on the Bahia Mar over the last 50 years. Commissioner Trantalis stated It was a great education to understand how got where we are today.

We all agree that we want to find the best venue for the Boat Show which is number one. He does not feel the Commission has seen that tonight. Reading between the lines of what Mr. Purcell said and the

fact that they have still failed to come up with an agreement, suggests to him that the physical structure, as well as the financial arrangement between the developer and the people who put on the Boat Show have not had a meeting of the minds. Commissioner Trantalis felt this agreement is a prerequisite before the Commission can conclude anything whether it is the site plan or the extension of the lease agreement.

He feels it is a little disingenuous of the developer to tell the Commission that he needs two 39 story buildings to make the rest of the site work. This is not the first time for anyone attempting to achieve the goal of redeveloping the Bahia Mar. We all know that certain things do cost money, but he does not believe every single story of the two towers is required to build the rest of the site. A compromise is where we need to be looking towards. The reason this is important is because it does impact the rest of the beach, not just the site area alone. He is hoping we can find more opportunity for green space not just open space because we want our beach to be a place where people look at our beach, and can see green, not asphalt, steel, or concrete.

Commissioner Trantalis felt, there is an opportunity to go back to the drawing board and see how this site plan can be refashioned. We heard from the public spoke and they spoke loudly. We are here tonight to try and work together to find a final product that will work for everyone. We are not here to stifle the investment community. We are here to encourage it. However, the final result cannot be a negative impact on our community and hopefully, in the end, everyone will be able to shake hands and say we have done the best thing for our community and the best thing for the Boat Show.

Commissioner Roberts stated he looked at the project as a separate individual, in that context only. The location on the peninsula is unique compared to other areas that were intended for a massive redevelopment. He is not a fan of the current Bahia Cabana redevelopment proposal. Additionally, he is not a fan of the proposed Galleria redevelopment as it stands right now. He made it clear he did not want these developments lumped together with the current one before the Commission and viewed as a mixed bag noting some information was put out to the public combining all three projects together. He wanted to make it clear from his perspective he is dealing with the current proposed redevelopment of Bahia Mar solely on its own merits and does not support the proposals associated with Bahia Cabana and or the Galleria.

Commissioner Trantalis agreed with Commissioner Roberts that the current redevelopment of Bahia Mar needs to be taken on its own merits but at the same time all these have to be considered collectively because we are building a city. Through the workshops the Commission had and the approval of the EAR Report and the Comprehensive Plan, we have to look at the City holistically. The decision made with Bahia Mar will set the tone for what happens in other areas of the City.

Commissioner Roberts stated he disagrees and the point he is trying to make is Bahia Mar is a unique site compared to the others. Commissioner Roberts stated he is going on record that if this is approved and whatever the proposed project for Bahia Mar turns out to be, he is not for the Bahia Cabana or the Galleria developers' proposed projects. Additionally, does not feel the Bahia Mar sets a precedent.

Mayor Seiler stated they had looked at this from some different angles. The four things that have been discussed going back to the original deal include the following. The guaranteed revenue to the City is currently \$300,000 per year and last year they made \$1,500,000 which he felt is a woeful economic performance for property located at that location. The current revenue is totally inadequate going forward for the next 47 years. The revenue stream presented tonight makes more sense to the City than what we are currently receiving from that property, and greater discussion on the revenue will take place during in lease discussions. Regarding revenue, he felt the project moves in the right direction. The

second element is the Boat Show being a massive economic engine, the City's "Super Bowl." He credited the developer's attempts to take the Boat Show to the next level, and working to make sure the Boat Show has a permanent home and a home that we are all proud of. He noted the Boat Show Industry is changing drastically citing the boat shows on Collins Avenue in Miami Beach and the one in Key Biscayne.

Mayor Seiler had concerns with the garage if it was not needed for the benefit of the Boat Show. He liked the 16-foot ceiling of the garage's first floor but did not know about the second floor ending up being successful revenue space or dead space. Mayor Seiler said the direction the Boat Show is heading is the right way. He agreed with what has been expressed regarding appearance issues as expressed by Commissioner Roberts and Rogers. He also has issues with the height as previously disclosed. He noted a certain amount of development needs to happen on this property whether a bulky building or a taller more attractive building that has a greater appearance. He did not think it needs to be over 400 feet tall. He thought it could be in the range of what was talked about previously with the LXR proposal and not being locked down to only 24 stories noting the density is one-third less than what is approved by law on this property. He noted that moving the structures to the west side of the property was out of the question for him. Additionally, one of the aspects of the buildings' locations is that has a minimal impact on the residential area regarding height as there are no single family residential homes in that area of A1A. This is not the case in the back half of this parcel. He confirmed he was flexible on height but not 39 stories. Mayor Seiler stated like the landscaping and promenade plans as well as the design of the buildings concluding the only issue with the appearance is the height and the parking as discussed noting the rest of the property is very attractive.

Regarding the traffic and things of that nature which we are all focusing on and trying to address, Mayor Seiler wanted to clarify for the public that there is no net gain in trips. There are an approved number of trips that the County and the City had approved some years ago and it is in the Plan. Those trips will either be here, or they will be three blocks down or four blocks over because as a matter of right those trips exist. It is not a matter of increasing the number of trips. The number of trips already approved is allocated to property A, property B, or property C. If trips are allocated, he would much rather have them allocated to a first rate, top notch, world-class property than being allocated to something less than desirable. From a trip standpoint, we will have two attractive buildings at whatever height (when they are decided upon) and would rather have those trips that will be approved anyway. It is just a matter of where they get approved on the barrier island. From the public discussion, he does not think people understand that new trips are not being created. We are taking existing trips and applying them. That quality of life issue is frustrating, but the trips are already there as a result of County and City law. He liked the concepts of minimizing this by use of Water Taxi docks, and the Sun Trolley noting the public needs to begin to focus on different types of modes of transportation.

Mayor Seiler thanked all public attendees for being respectful and dignified. He thanked Mr. Lochrie and his team acknowledging the presentation was very professional and responsible. He was encouraged that there was no animosity during the meeting.

Mayor Seiler asked for some direction on the specific height and the garage so that discussions can ensue to move forward.

Commissioner Rogers noted removing the garage would allow a whole new dynamic of design and the architect should present a new design to allow the Commission to get a grasp of the scale issue. The other piece Commissioner Rogers recommended working together on in the next 30-60 days are two issues, the lease and the towers' height. He reiterated he wants an appraisal on the property and the

lease before he can get comfortable with the lease negotiations. Commissioner Trantalis concurred with Commissioner Rogers.

Mayor Seiler stated he agreed with City Attorney Everett that the lease is contingent on the overall development. The development rights need to be addressed before addressing the lease revenues. To get there, Commissioner Rogers wants to know the value of the parcel with and without the lease because there will be a new lease added. Mayor Seiler stated clearly he is not against an appraisal.

City Manager Feldman stated the appraisal should be done three ways: a hypothetical value of just plain dirt; the value based upon the existing 47-year lease; and value based upon the proposed plan taking into consideration the income streams associated with the proposed plan. To do the third appraisal, you need the plan that would be approved by the Commission. City Manager Feldman noted changes to the development as proposed will affect the third appraisal based on the project's revenue stream.

Commissioner Trantalis stated the Commission cannot decide that tonight because we are not there yet. City Manager Feldman concurred and stated the appraisal needs to be ordered at the right time after settling on the approved development plan.

Commissioner Rogers raised an alternative of having a range based on the number of stories of the towers. Commissioner Trantalis stated this will depend on the agreement agreed upon with the Boat Show because the parking lot issue has not yet been decided.

Mayor Seiler asked Assistant Fire Chief Tim Heiser if there was an EMS Fire Rescue Response Study done or if he was asked to give an opinion on this topic. Assistant Fire Chief Heiser stated from the presentation he and the Fire Chief sat through, they did not see there would be any impact on what was presented to them at that time. Concerning any studies the Fire Department did on emergency response after this was presented, nothing has been done other than the accreditation study which showed response times to different areas of the beach. The Fire Chief did not feel there would be any negative impact. Commissioner Roberts stated some issues regarding emergency response time brought up earlier in the meeting could have been associated with the County's communications system, not the response time. Assistant Fire Chief Heiser confirmed this and stated he would look into this issue along with the other response time issues raised earlier in the meeting.

Mayor Seiler asked for an understanding as to the maximum height and on the garage issue tonight, or to defer this item for 30 days. Mayor Seiler asked Mr. Lochrie what the applicant's choice would be. Mr. Lochrie acknowledged there are many moving parts, the size of the buildings, the number of units relates directly to what the lease payments would be and what the lease would look like, and all of these must be decided before negotiations with the Boat Show. Mr. Lochrie noted one of the really important things the Commission has stated was the analogy of "all three legs of the stool" must be put in place. To get a site plan approval, there must be a negotiated lease, if we get the lease, there has to be a deal with the Boat Show. All three things have to happen but to begin that process.

Commissioner Rogers stated the first thing we all agreed on and is in the applicant's hands was what they do with the parking garage. Mr. Lochrie stated they do not need the garage. Commissioner Trantalis stated without the garage, all that is left is the rehabbed hotel and two private developments sitting on public land. The whole idea of allowing the private development was to accommodate a public purpose and that is being erased if you get rid of everything else. Mayor Seiler stated he did not want to go back to the LXR Plan and the property needs amenities and additional elements. Mayor Seiler is in no way

encouraging two high rises and nothing else on this property. Mr. Lochrie stated they would not go back to the LXR Plan.

Commissioner Trantalis said it would be premature to begin giving the applicant direction as to the parameters such the height of the condominium buildings. Commissioner Rogers gave an example of the tradeoffs that are in play. Commissioner Rogers and Commissioner Trantalis noted the approved height for the LXR project was 294 feet which Mr. Lochrie acknowledged as the base. Commissioner Trantalis stated it is an approximation of where we are heading. Commissioner Roberts agreed with Mayor Seiler that some direction needs to be given tonight to prevent delays and keep the process moving. Commissioner Rogers said we should request a hypothetical appraisal of the land without the lease and with the current lease. It was noted that the appraisal will take 12 weeks. Mr. Lochrie stated timing is an issue for the applicant and it is important to keep the process moving is very important. Commissioner Rogers recommended getting the appraisal simultaneously with a redesign of the building.

Commissioner Trantalis stated the focus on the project is misdirected. It is not about how we can accommodate two residential condominium private development towers on the public land site. The focus is how do we accommodate the Boat Show and how do we fulfill the resort destination concept that this site was originally intended to be. Once we begin to look at it from that perspective, these towers are secondary. The Commission was told the towers were needed to pay for all of the other stuff. Commissioner Trantalis stated if we do not know what all the other stuff is, then why are we giving them height limitations on something that may not be part of the design?

Commissioner Trantalis requested the applicant to tell the Commission what you are going to do, not tonight but as we rethink the concept, and let us know how the public purpose component will be repurposed, i.e., the Boat Show, and a destination resort.

Discussion ensued on this topic among the Commission.

Vice-Mayor McKinzie asked the minimum height the applicant they would be agreeable to for this project to move forward.

Mr. Lochrie responded everything is contingent on other things as they need to look two steps ahead explaining that the Boat Show is asking for a significant reduction in rent. To do this, they need other revenues to offset that, and it is part of that equation.

Commissioner Trantalis stated before you can determine the height necessary for your private component, we need to determine what the public component is going to cost. Currently, we do not know what the size or shape is now because we have been rethinking the concept. It makes sense to begin at the current height level of 24 stories.

Commissioner Roberts made a motion to defer this item until the March 1, 2016, City Commission Meeting, which was seconded by Commissioner Trantalis.

APPROVED - Motion to Continue to March 1, 2016 City Commission Meeting

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

Commissioner Roberts made a motion to defer the second hearing on this item until the April 5, 2016, City Commission Meeting, which was seconded by Commissioner Trantalis.

APPROVED - Motion to Schedule second hearing for April 5, 2016

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

City Manager Feldman stated there is no need for a motion to have a formal appraisal of the Bahia Mar property unless the cost is over his spending authority. If the cost is over the City Manager's spending authority, he will come back to the Commission for a Motion.

Mayor Seiler encouraged all member of the Commission to meet with the applicant and discuss your concepts are for heights and dimensions.

To clarify for the record, Vice-Mayor McKinzie commented on Commissioner Trantalis' comment regarding the District Commissioners and rezoning. Vice-Mayor McKinzie stated what he debated was the maximum height according to the proposed zoning changes to the zoning heights.

RESOLUTIONS

R-3 16-0002 Resolution Approving a Master Lease Agreement with Rahn Bahia Mar, LLC and Approving the Phase 1B Lease with Bahia Mar One Realty, LLC for the Bahia Mar Complex located at 801 Seabreeze Boulevard

Commissioner Roberts made a motion to defer this item until April 5, 2016, which was seconded by Commissioner Trantalis.

APPROVED - Motion to Defer to April 5, 2016

Aye: 5 - Vice-Mayor McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor Seiler

REQUEST FOR EXECUTIVE CLOSED DOOR SESSION

City Attorney Cynthia Everett, under Florida Statute, Section 286.011(8)(a), requested an Executive Closed Door Session with the Commission for 1 (one) hour on Tuesday, February 16, 2016 for advice on the following cases:

- *Lynn Andreozzi v. City of Fort Lauderdale, Case No. 15-001223 (05)*
- *Fort Lauderdale Food Not Bombs, et. al., v. City of Fort Lauderdale, Case No. 15-60185-CIV-Zloch*
- *George Goodridge v. City of Fort Lauderdale, Case No. 14-004597 (25)*

Mayor Seiler noted that the reports of the City's Boards would be addressed at the next City Commission Meeting on Tuesday, February 16, 2016.

ADJOURNMENT

There being no other matters to come before the Commission, the meeting was adjourned at 4:23 a.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk