

City of Fort Lauderdale

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Meeting Minutes

Tuesday, December 21, 2021

1:30 PM

City Hall - City Commission Chambers
100 North Andrews Avenue, Fort Lauderdale, FL 33301

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

HEATHER MORAITIS Vice Mayor - Commissioner - District I

STEVEN GLASSMAN Commissioner - District II

ROBERT L. McKINZIE Commissioner - District III

BEN SORENSEN Commissioner - District IV

CHRIS LAGERBLOOM, City Manager

JOHN HERBST, City Auditor

JEFFREY A. MODARELLI, City Clerk

ALAIN E. BOILEAU, City Attorney

CALL TO ORDER

Mayor Trantalis called the meeting to order at 1:37 p.m.

MEETING ANNOUNCEMENTS

Mayor Trantalis announced details regarding the meeting format, including how members of the public can view and participate.

QUORUM ESTABLISHED

Commission Members Present: Vice Mayor Heather Moraitis, Commissioner Steven Glassman, Commissioner Robert L. McKinzie (arrived at 1:40 p.m.), Commissioner Ben Sorensen and Mayor Dean J. Trantalis

Also Present: City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau and City Auditor John Herbst

COMMUNICATIONS TO THE CITY COMMISSION

[21-1191](#)

Communications to the City Commission - (Commission Districts 1, 2, 3 and 4)

***Budget Advisory Board Hybrid Meeting
November 17, 2021***

Communications to the City Commission

Motion made by Mr. Lowe seconded by Mr. Patel to change the Board's meeting start time to 5 PM. In a roll call vote, motion passed 6-0.

Mayor Trantalis explained the Budget Advisory Board (BAB) communication requests the Commission allow BAB Meetings to begin at 5:00 p.m. City Attorney Boileau explained the Commission does not need to approve a time change for BAB Meetings. In response to Mayor Trantalis' inquiry, the Commission had no objection to the time change.

OLD/NEW BUSINESS

BUS-1 [21-1190](#)

Bahia Mar Discussion - (Commission District 2)

Mayor Trantalis acknowledged and thanked the community for its patience and participation in Bahia Mar discussions.

Mayor Trantalis provided an overview of history related to Bahia Mar. The 2017 Site Plan approved by a previous Commission allows the Tenant to build approximately six hundred and fifty-one (651) residential rental units, a hotel and commercial space on Bahia Mar property, which would displace areas of the annual *Fort Lauderdale International Boat Show* (Boat Show). Commission efforts are focused on a new site plan to accommodate interests of the Boat Show, the developer and the community.

Mayor Trantalis addressed inaccuracies and clarified aspects related to a recent editorial in the *Sun-Sentinel* newspaper (*Sun-Sentinel*) regarding ongoing Bahia Mar negotiations, expounded on details and explained his viewpoint. The Commission continues to work with all parties concerned to ensure negotiations are the best possible compromise for the community.

Commissioner Glassman concurred with Mayor Trantalis' comments and discussed his viewpoint regarding aspects of the *Sun-Sentinel* editorial.

City Attorney Alain Boileau reviewed draft documents attached to this Agenda item. He noted numerous aspects of negotiations are still under discussion.

City Attorney Boileau discussed the three (3) documents (Documents) currently in draft form and attached to this Agenda item:

- Master Lease Agreement
- Phased Lease Agreement
- Master Declaration Agreement

City Attorney Boileau noted the complexity of the Documents and the availability of the City's outside counsel, Mr. Hernandez, Esq., and Assistant City Attorney Lynn Solomon to answer questions. He recommended individual meetings with each Commission Member to review and explain each section of the Documents and addressing any concerns and questions.

Commissioner Glassman expounded on his perspective regarding this Agenda item and the Documents, i.e., the importance of the process,

protection of the Boat Show and the authority of the City Manager outlined in the Documents. He confirmed the importance of each Commission Member's input and welcomed input from the Boat Show and the Tenant. He said the Documents were a good start but needed refinement and noted the importance of understanding the next steps in the process.

Commissioner Glassman commented on the recently received Comprehensive Economic Development and Fiscal Impact Report from *The Washington Economics Group and Business Flair (Report)* relative to the Proposed Site Plan and noted the *Report's* fiscal impact on City and Broward County economies. He remarked on the need for input regarding the *Report* related to financial aspects of negotiations and requested City Auditor Herbst opine on the *Report*. Commissioner Glassman commented on the need to be aware of the next steps moving forward, ensuring each meeting leads to City Attorney Boileau confirming what is needed to keep advancing towards a Commission discussion at a public meeting prior to the Proposed Site Plan moving to the Development Review Committee (DRC) process.

In response to Commissioner McKinzie's inquiry regarding removing the authority of the City Manager in Documents, City Attorney Boileau said removing the City Manager's control would not be done in all instances. The Tenant submitted Documents containing proposed language and terms. City Attorney Boileau cited examples, expounded on details and noted the Documents are well-written and include standard language. The Commission would need to make business and policy decisions. Further comment and discussion ensued.

In response to Commissioner McKinzie and Vice Mayor Moraitis' questions regarding the Document process, City Attorney Boileau confirmed the need to meet with Commission Members to clarify details, leading to recommendations. As the Commission makes policy decisions regarding the appraisal and business terms, changes to Documents would be redlined and brought back to the Commission, and Staff would explain changes and details.

Commissioner Sorensen commented on his general understanding of available business model options. City Attorney Boileau characterized the proposed model offered by the Tenant as base rent with a gross-revenue sharing model and explained details that include a percentage of the sale of condominiums and transfer fees. Terms of the Tenant's proposed revenue projections are included in the business model. The Commission can dictate changes.

Commissioner Sorensen discussed another possible straight rent business model based upon the land's value. City Auditor Herbst explained this straight rent model differs in that it is a standard landlord-tenant relationship, i.e., rent based on what is appropriate, equitable and reasonable for the property, including rights conveyed for the period of the lease. The Tenant's proposal is different, base rent and percentage rent.

City Auditor Herbst explained details of the Tenant's proposal that contains two (2) components, fixed base rent and a variable percentage. Further comment ensued.

Mayor Trantalis identified three (3) sources of revenue for the City:

- Straight rent based on value return on investment;
- Sharing of the sales proceeds from new construction and resales of condominiums; and
- Revenue sharing based on operations, which the City has received in the past.

City Auditor Herbst explained three (3) components to the Tenant's proposal and cited examples:

- Base rent;
- Initial capital infusion for the initial sale of all branded condominium residences; and
- Ongoing transfer fees from resales of branded condominium residences.

Commissioner Sorensen discussed the option of selling a portion of the property to the Tate's as suggested by the community. Mayor Trantalis said that had not been offered by the Tenant. Commissioner Sorensen commented on the option of buying out the current lease and inquired as to other options.

Mayor Trantalis explained the Tenant had proposed straight rent, coupled with a percentage of sales and resales and financial contributions to a separate Community Foundation Fund outlined in previous Commission meetings. Further comment and discussion ensued.

City Auditor Herbst explained details related to the revenue sharing model that includes a percentage of the rent, gross operating revenues of the hotel, retail space, office and commercial space and Bahia Mar

Marina (Marina).

City Auditor Herbst explained an additional component to the revenue sharing model, annual residential condominium rent paid by each condominium owner (Revenue), in addition to the base rent in the Master Lease. This revenue is based upon \$1 per square foot for each residential unit, which would increase annually based upon the Consumer Price Index's (CPI) minimum annual increase of one percent (1%) and three percent (3%) yearly maximum increase.

In response to Mayor Trantalis' question, City Auditor Herbst said this Revenue is attributable to the City's relationship with condominium owners. City Auditor Herbst said this Revenue would be addressed as rent in condominium association documents within a Phased Lease and explained related details.

City Attorney Boileau explained the Master Lease covers the entire property. Upon completion of a condominium building, it will operate under a Phased Lease. When a Phased Lease takes effect, the Master Lease would no longer control that portion of the site. The Revenue associated with the Phased Lease would be subtracted from the Master Lease.

Commissioner Sorensen noted the recently ordered appraisal of the property is anticipated to be received in February 2022 and would allow discussion of the site's value towards exploring the straight rent option. Mayor Trantalis confirmed this would be his preference.

In response to Vice Mayor Moraitis' question regarding a previous appraisal of the current lease, Mayor Trantalis explained that it was a comparative value versus a full-fledged appraisal.

Commissioner Glassman commented that the property appraisal done in 2016 was a hypothetical value and remarked on his perspective regarding appraisals. Further comment and discussion ensued.

Mayor Trantalis recognized Kevin Kodish, 1721 SE 17th Street. Mr. Kodish commented on financial aspects of the Tenant's proposed financial offer and support of the Proposed Site Plan for the property that requires renovation.

Mayor Trantalis recognized Steve Ganon, 2517 N. Atlantic Boulevard. Mr. Ganon noted his discomfort having condominiums on public land and preference not to have a new lease. He expounded on the powerful

position of the City as a landlord. Mr. Ganon said the 2017 Site Plan is not feasible without a long-term lease.

Commissioner Glassman responded to Mr. Ganon's comments regarding the financial viability of the 2017 Site Plan and the forty-one (41) years remaining on the current lease. Further comment and discussion ensued.

Mayor Trantalis recognized Barbie Pearson, 2420 SE 17th Street. Ms. Pearson discussed the importance of the Boat Show, the marine industry as an economic engine of the City. She spoke in opposition to development plans that would inhibit the Boat Show's future growth and expansion. Ms. Pearson submitted a copy of her comments.

A copy is part of the backup to this Agenda item.

Mayor Trantalis explained the Proposed Site Plan allows the Boat Show to occupy more surface area than the approved 2017 Site Plan. Ms. Pearson concurred that allowing more land space allows for increased flexibility.

Ms. Pearson commented on the need for all stakeholders to be aware of what is contained in the project's subleases. Mayor Trantalis agreed on the need for the City to have input in subleases. Ms. Pearson noted concerns regarding the branded hotel residences and their use, management and the governing ordinance. Further comment ensued. Mayor Trantalis noted that those items had yet to be addressed.

Commissioner Sorensen inquired about the 2017 Site Plan's detrimental impact on the Boat Show and having it quantified as a percentage. Further comment and discussion ensued.

Commissioner Sorensen inquired about a site plan ensuring zero impact on the Boat Show. Mayor Trantalis confirmed efforts toward that objective. Further comment and discussion ensued.

Commissioner Glassman said there would be less space available to the Boat Show in the Proposed Site Plan based upon what is currently available. He said the Proposed Site Plan more than doubles the open land from the 2017 Site Plan. Further comment and discussion ensued on an estimated percentage.

Commissioner Glassman referenced comments from the Boat Show representatives in the December 5, 2017 Commission Meeting Minutes

related to the 2017 Site Plan and noted the Boat Show's support. He remarked on aspects of the 2017 Site Plan impacting the Boat Show and reiterated it has half the open space compared to the Proposed Site Plan.

Mayor Trantalis noted his understanding that the twenty percent (20%) reduction of Boat Show exhibit space on land is based on what exists today, which is less than the 2017 Site Plan.

Vice Mayor Moraitis requested the percentage of property the Boat Show has gained over the past several years on the entire peninsula, from the Marina to the Convention Center. She commented on her viewpoint that the Bahia Mar property could not be isolated when discussing a reduction of the Boat Show's footprint. Vice Mayor Moraitis remarked on the need to consider everything the City and Commission have done towards ensuring the Boat Show thrives. She commented on her understanding of the inside space available for the Boat Show, including increased space in the Proposed Site Plan versus the 2017 Site Plan.

Commissioner Sorensen remarked on the Boat Show's analysis was a twenty percent (20%) reduction on the site.

Vice Mayor Moraitis requested clarification.

Commissioner Glassman said the Proposed Site Plan offers additional air-controlled space and tent space compared to the 2017 Site Plan and the Boat Show's lease with the Tenant.

Mayor Trantalis recognized Andrew Doole, Informa PLC. Mr. Doole explained that the Boat Show's reduced space areas are land portions used for setup and cited examples. Further comment ensued.

Mayor Trantalis inquired if those were temporary or permanent. Mr. Doole said based on the plans he has seen, they appear to be permanent. Mr. Doole expounded on areas the Boat Show currently uses for setup and breakdown.

Mayor Trantalis commented on park space near the Venetion available for Boat Show use. Mr. Doole noted a brief conversation with Commissioner Glassman regarding a planned meeting in January 2022 to discuss other areas for Boat Show event operations. Further comment ensued.

Mayor Trantalis noted Vice Mayor Moraitis' point that there are multiple venues for the Boat Show to the extent that space can be worked around. He cited the expanded Convention Center.

In response to Commissioner Glassman's question regarding space opportunities at Pier Sixty-Six (66), Mr. Doole explained the only portion currently being used is Pier South that would eventually go under construction. Mr. Doole said the reduced Boat Show space areas are approximately six point seven (6.7) acres. Commissioner Sorensen noted that it is a significant reduction made up of multiple venues. Mayor Trantalis remarked it is an overall reduction, not only the Bahia Mar site.

Mr. Doole commented that reductions also apply to the Tortuga Music Festival due to the loss setup, breakdown and show operation areas, which will eventually impact the South Beach Parking Lot because it will be the only place for Boat Show staging.

In response to Mayor Trantalis' question, Mr. Doole confirmed the Boat Show currently uses a park adjacent to Las Olas Bridge as a staging area.

In response to Commissioner Sorensen's question, Mr. Doole said the twenty percent (20%) land area space reduction in the Proposed Site Plan relates to what exists now. The Proposed Site Plan space is better than the 2017 Site Plan.

In response to Commissioner Glassman's questions regarding the Boat Show not using the Las Olas Marina for staging, Mr. Doole explained it was due to a lack of available brokerage boat inventory to fill the north side of Las Olas Marina due to COVID. Mr. Doole said this is anticipated to change going forward.

In response to Commissioner McKinzie's questions, Mr. Doole confirmed that the Proposed Site Plan includes more contiguous waterfront space than the 2017 Site Plan. Mr. Doole reiterated the Proposed Site Plan has twenty percent (20%) less land area space than what is currently available but is better than the 2017 Site Plan. Further comment and discussion ensued.

Mayor Trantalis clarified the Proposed Site Plan has a twenty percent (20%) reduction of land side space versus what is currently available.

Mayor Trantalis recognized Janet Scaper, 401 SE 4th Avenue. Ms. Scaper commented on her perspective regarding Commission

Members negotiating the lease and the ability of the Commission to give direction to Staff to negotiate. She also discussed her viewpoint regarding the 2017 Site Plan moving forward. Further comment and discussion ensued.

Commissioner Glassman clarified he had not been negotiating the lease. Mayor Trantalis confirmed he had not been negotiating the lease.

Commissioner Glassman explained his goal in negotiations is to have the Boat Show and the Tenant work together and replace the 2017 Site Plan with an improved site plan. Related documents are the responsibility of Staff, i.e., lease negotiations are addressed by the City Attorney and financial and economic aspects are reviewed by the City Auditor.

Mayor Trantalis recognized Anne Hilmer, 621 Idlewyld Drive, on behalf of the *Idlewyld Improvement Association (IIA)*. Ms. Hilmer provided a copy of *IIA* correspondence sent to the Commission in mid-November (*IIA Correspondence*) addressing the Commission's approach to Bahia Mar. She confirmed the *IIA's* position and read from a portion of the *IIA Correspondence*.

A copy has been made part of the backup to this Agenda item.

In response to Commissioner Sorensen's question regarding what would be needed to consider the *IIA Correspondence* recommendation to sell a portion of the property to the Tenant, Mayor Trantalis said an appraisal valuation, the Tenant's interest in selling the balance of its lease and the City's ability to buy. Further comment and discussion ensued. Mayor Trantalis explained the City has the right to offer this option, but the Tenant does not have to accept. The Tenant has not taken the offer to buy out their lease. As it stands, efforts are ongoing to negotiate what the Tenant has offered, extending the lease and allowing the Tenant to build condominiums. Further comment and discussion ensued.

Commissioner Sorensen commented on his understanding of the options.

Mayor Trantalis recognized Paula Yukna, 2701 N. Atlantic Boulevard. Ms. Yukna commented on ensuring smart development. She said little public land remains and should be used wisely. Ms. Yukna recommended putting this decision to a vote and letting the people decide what to do with this precious parcel of land.

Mayor Trantalis recognized Jerry Jordan, 1109 SE 4th Street. Mr. Jordan echoed previous public comments. He discussed his perspective as a landlord that the City should be offering the Tenant the lease and details associated with allowing development. Further comment ensued on the Tenant moving forward with the 2017 Site Plan.

In response to Commissioner Sorensen's question regarding why the Tenant had not moved forward with the 2017 Site Plan, Commissioner Glassman noted the Tenant had recently received permits for the Marina Village. Mayor Trantalis noted the lengthy DRC comments associated with the Marina Village.

Mayor Trantalis recognized Nancy Thomas, 1924 Admirals Way. Ms. Thomas commented on her opposition to allowing condominiums on the Bahia Mar site setting a precedent for development on other public properties. She remarked on the Tenant moving forward with the 2017 Site Plan and said the Proposed Site Plan is not in the City's best interests.

Commissioner Glassman said he does not favor building any residential units in City parks, but Bahia Mar is not a park. Further comment and discussion ensued.

In response to Mayor Trantalis' question, City Attorney Boileau commented on details regarding condominium development in City parks that could not immediately happen.

In response to Commissioner Glassman's question, City Attorney Boileau explained aspects of the City Charter provision preventing the selling of a portion of the site directly to the Tenant. It would need to be developable and put out to bid, and the City would accept the best offer of the highest bidder. City Attorney Boileau expounded on related details.

Commissioner Glassman discussed *Nu River Condominium* built as rental units on public land owned by Broward County and its ninety-nine (99) year lease with Broward County. Further comment and discussion ensued.

In response to Commissioner Sorensen's questions regarding Bahia Mar's SBMHA zoning and whether it allows the 2021 Site Plan, Commissioner Glassman said zoning is specifically for a marina and hotel and the Proposed Site Plan allows for residential and explained related details. Further comment and discussion ensued.

In response to Commissioner Sorensen's questions regarding Staff vetting residential use, City Attorney Boileau explained the Proposed Site Plan had not been submitted. Commissioner Glassman noted Staff vetting would be addressed in the Development Review Committee (DRC) process.

Commissioner Sorensen commented on his concern regarding viable zoning. City Attorney Boileau explained details associated with the City's roles. Further comment and discussion ensued.

In response to Commissioner Sorensen's question regarding the Proposed Site Plan and related zoning changes not being approved, City Attorney Boileau said the lease would still exist, but the Proposed Site Plan would not be able to be built and cited examples. The provisional site plan would need to be adhered to once a lease agreement has been reached, aside from tweaks during the DRC process. The goal is to bind the lessee as much as possible to the conceptual site plan attached to the lease. Staff would do a complete analysis of the site plan. Further comment and discussion ensued.

City Manager Lagerbloom concurred with City Attorney Boileau's comments and said as a part of any routine development, should the Commission choose to amend and bring forward a modified lease, the attached site plan would enter the DRC process. There would not be a significant difference in the site plan. Further comment ensued.

Mayor Trantalis recognized Mary Fertig, 511 Poinciana Drive. Ms. Fertig said her review of the lease document does not say residential, rather apartments. She remarked that one hundred (100) year leases are viewed as a land sale by the Internal Revenue Service and land-use attorneys. Ms. Fertig noted her extensive research and recommended the Tenant express in writing the ability of Boat Show representatives to openly express their position without restrictions. Further comment and discussion ensued on this topic.

In response to Mayor Trantalis' question, Kenny Tate, on behalf of the Tenant, confirmed pursuant to the Tenant's lease with the Boat Show, Boat Show representatives can speak to the Commission only in public. Redacted areas of the lease apply to dollars and cents.

Ms. Fertig discussed prior commentary at previous Bahia Mar meetings regarding being proactive regarding all available options, including those mentioned by Commissioner Sorensen today. Mayor Trantalis discussed proactive inquiries regarding an offer to buy out the lease from

the Tenant and there was no interest from Tenant.

Ms. Fertig submitted correspondence dated November 16, 2021 from *Lauderdale Tomorrow*. She also submitted correspondence from Geary Cotton, 615 Idlewyld Drive, outlining concerns related to this topic.

A copy of each is part of the backup of this Agenda item.

Mayor Trantalis commented on his perspective regarding misinformation affecting community concerns.

Mayor Trantalis recognized Heather Brinkworth, 2609 NE 26th Street. Ms. Brinkworth asked the Commission to meet its fiduciary responsibility to taxpayers by constructing a comprehensive agreement based on a current full appraisal of the Bahia Mar property. She noted the need for careful consideration of the long-term ramifications of direction the Commission provides to Staff regarding this public land. Ms. Brinkworth discussed her concerns regarding the future of the Boat Show and expounded on her perspective that the Commission should not allow condominium development on the site. Further comment and discussion ensued on available options.

In response to Mayor Trantalis' question, Ms. Brinkworth said the Commission should take a stance that this land belongs to the public. Mayor Trantalis explained the land was not being sold. Further comment and discussion ensued.

Commissioner Glassman said four percent (4%) of the entire site, including the water area, would be condominiums. Excluding the water area, about nine percent (9%) of the site would be condominiums. Further comment and discussion ensued.

Commissioner Sorensen discussed his perspective regarding the City's improved bargaining position should the Commission decline a lease extension. Further comment and discussion ensued.

Commissioner Glassman commented on his viewpoint regarding nothing being done on this peninsula over the remainder of the existing lease, and public improvements that would be funded by the condominium portion.

Commissioner Sorensen said Bahia Mar is worth the City's investment in improvements that the City would have in perpetuity. He believes residents would support investment in Bahia Mar.

Vice Mayor Moraitis provided her perspective on the Commission's responsibility to deliver a world-class marina and world-class hotel. She explained her viewpoint regarding evaluating the property's best use towards achieving those goals while protecting the Boat Show.

Vice Mayor Moraitis confirmed the need for additional meetings with the Boat Show to thoroughly understand how much property they currently use and how much property they will lose on the entire peninsula. She commented on the financial aspects of the condominium/hotel model presented by the Tenant to fund requested improvements and changes made to the Proposed Site Plan benefiting the public, the Marina and the Boat Show. Vice Mayor Moraitis remarked on aspects of the lease that need to be addressed, her appreciation for other options raised by Commissioner Sorensen and related feedback from the Tenant.

In response to Commissioner Sorensen's questions, Mayor Trantalis said the height of the buildings in the 2017 Site Plan was twelve (12) floors. The building height in the Proposed Site Plan is being negotiated. Mayor Trantalis commented on the Tenant increasing the size of buildings on the Proposed Site Plan to accommodate parking in each building. Further comment and discussion continued regarding building height increases and zoning.

Commissioner Sorensen noted that the Proposed Site Plan's building height does not meet current zoning aspects. Mayor Trantalis commented on his understanding of how this would be addressed. Further comment ensued.

In response to Commissioner Sorensen's question, Mr. Doole said the 2017 Site Plan would not encourage the growth of the Boat Show.

Mayor Trantalis recognized Erin McNeill, 2409 NE 26th Avenue. Ms. McNeill spoke in support of the Proposed Site Plan and ground lease extension and expounded on aspects and details of her viewpoint.

Mayor Trantalis recognized Landon McNeill, 2409 NE 26th Avenue. Mr. McNeill spoke in support of the Proposed Site Plan to redevelop the property into a world-class marina and commented on his viewpoint.

In response to Mayor Trantalis' question, Anthony Fajardo, Development Services Department Director, explained aspects of the PDD zoning option to address building height in the Proposed Site Plan, which is essentially a rezoning of the site. Mr. Fajardo commented on details related to the Applicant's prior request. He explained requesting a

variance would require the applicant to show a hardship that requires meeting five (5) criteria, and the preference would be a PDD process.

Mayor Trantalis recognized Carolann Maza-Bartholomey, 3000 Holiday Drive. Ms. Bartholomey requested the Commission deny the request for a lease extension and condominiums on public land. Ms. Bartholomey suggested the Commission enforce the current lease, which requires a world-class marina and world-class hotel.

Further comment and discussion ensued regarding public ownership of the property and the impact and public perception of the long-term lease being requested.

In response to Mayor Trantalis' question, City Attorney Boileau said with the long-term lease, the public remains the owner of the underlying land.

Commissioner Glassman remarked on the number of years this property has been under a lease, the public's enjoyment of the property and his perspective. Further comment and discussion ensued.

Mayor Trantalis recognized Lisa Namour, 801 Seabreeze Boulevard, Bahia Mar Fort Lauderdale Beach Hotel General Manager. Ms. Namour discussed her perspective and support of the Tenant and Proposed Site Plan to serve the public's ability to enjoy Bahia Mar.

Mayor Trantalis recognized Marilyn Mammano, 1819 SE 17th Street. Ms. Mammano commented on the Documents attached to this Agenda item and explained 2017 Site Plan Commission discussions focused on public access, which Staff addressed in a document entitled *Public Access Area Maintenance Plan*. She suggested the Commission focus its attention on limits to and duration of closing the Project's public access areas and not leaving it open-ended to ensure a specific limit on the number of times the promenade and other public access areas could be closed.

Ms. Mammano recommended the promenade and other public access areas be closed to the public at the discretion of the Commission, not the City Manager, and including specific language in all leases and subleases under the Master Declaration establishing a separate reserve account, defined as the responsibility of the condominium associations, to fund all public access element areas' operations, maintenance and replacement needs.

In response to Commissioner Glassman's question regarding the promenade closing, City Attorney Boileau said the Commission would have to dictate how that would be addressed.

In response to Mayor Trantalis' question, City Attorney Boileau recommended, while awaiting the valuation of the property, he and his Staff schedule time with each Commission Member to review the Documents. Further comment and discussion ensued.

City Auditor Herbst discussed the consideration of retaining the firm *Ernst & Young*, currently performing the financial analysis of *Fiveash and One Stop Shop*, to conduct a financial analysis of the Tenant's proposal to evaluate the reasonableness of the City's revenue streams. *Ernst & Young* is prepared to undertake this assignment and is putting together a proposal to extend their current agreement with the City.

In response to Mayor Trantalis' question, City Auditor Herbst explained the financial analysis by *Ernst & Young* would be done concurrently with the appraisal and noted there is no business plan to evaluate.

Commissioner Glassman requested *Ernst & Young* also address the *Report* submitted by the Tenant. Further comment ensued.

Mayor Trantalis confirmed a Commission consensus for *Ernst & Young* to do a financial analysis of the revenue projections and the *Report* submitted by the Tenant.

Commissioner Glassman requested this discussion move forward at the beginning of February 2022. Mayor Trantalis noted the need to await results of Ernst & Young's financial analysis and the property appraisal valuation. Further comment and discussion ensued on setting a future date to discuss this Agenda item.

In response to Commissioner McKinzie's questions, City Auditor Herbst explained the expectations of the upcoming appraisal and expounded on additional items impacting the appraised value of the site as currently zoned. Requests for upzoning and a lease extension are anticipated to be included in the appraisal. Further comment and discussion ensued.

Mayor Trantalis explained his reasoning why the property value is important as a percentage factor in determining a fair rental value.

In response to Mayor Trantalis' question, City Attorney Boileau confirmed the leases under discussion are two (2) fifty (50) year leases.

Commissioner Glassman noted previous concerns regarding a 45-day or 30-day notice between the Tenant and the Boat Show. Mayor Trantalis said the Tenant and the Boat Show waived notice.

In response to Commissioner McKinzie's question, Mayor Trantalis confirmed the next Bahia Mar Meeting would be sometime in February 2022.

CITY COMMISSION REPORTS

Members of the Commission announced recent and upcoming events and matters of interest.

Vice Mayor Moraitis commented on positive feedback from Inter Miami's hosting of high school football games over the weekend. She remarked on difficulties associated with attendees exiting the stadium property and inquired about installing a traffic light.

Commissioner McKinzie commented on his conversation with Fort Lauderdale Police Department (FLPD) Sergeant Jeffrey Jenkins and FLPD plans to implement its traffic flow recommendations going forward.

In response to Commissioner Glassman's question, Commissioner McKinzie and Vice Mayor Moraitis confirmed this is the first time Lockhart Park has hosted the Football State Championship Games. Further comment and discussion ensued on successful aspects of the State Championships.

In response to Vice Mayor Moraitis' question regarding combining *Navy Days* and the *Fort Lauderdale Air Show* again, City Manager Lagerbloom confirmed conversations could be facilitated. Commissioner Sorensen confirmed the upcoming *Fleet Week*. Further comment and discussion ensued.

Vice Mayor Moraitis discussed a rodent problem along *Galt Ocean Mile* medians on east and west portions of State Road A1A and feedback from residents and business owners. Further comment ensued on details and area business owners' mitigation efforts. Phil Thornburg, Parks and Recreation Department Director, confirmed Staff would address mitigation efforts in areas owned by the City.

Commissioner McKinzie reiterated the historical, momentous occasion over the past weekend with hosting two (2) local high school State Championship games at Inter Miami Stadium. He commented on

bringing the teams back to Inter Miami Stadium in January 2022 for a celebration.

In response to Commissioner McKinzie's question regarding public access at the *International Swimming Hall of Fame*, Commissioner Glassman noted it is currently closed. Further comment and discussion ensued.

Commissioner Glassman noted *New River Trading Post* and the *Old Post Office* site on *Himmarshee* are both public lands, and they have the ability to build and sell condominiums though they have not done so. Commissioner Glassman explained public land does not necessarily mean open and accessible to everyone. Further comment and discussion ensued on accessing public land.

Commissioner McKinzie discussed his concern regarding the Walk-On Agenda item tonight at the Commission Regular Meeting regarding redistricting and the need for transparency and fairness. He expounded on his perspective regarding Broward County redistricting.

Mayor Trantalis confirmed this merits discussion and will be discussed at tonight's Commission Regular Meeting. Further comment and discussion ensued on the Broward County Commission completing its redistricting and related details.

Commissioner Glassman commented on holiday events attended and confirmed his participation in *Broward County Solid Waste Working Group Meetings*.

Commissioner Sorensen remarked on the Sablich Family Residence in *Lauderdale Isles*. The Sablich Family was featured on the ABC television show entitled *The Great Christmas Light Fight* as a competitor this year and won. Commissioner Sorensen explained details associated with the Sablich Family's annual holiday light decoration celebration of their home. A short video of the Sablich Family Residence was shown.

Commissioner Sorensen discussed State legislation sponsored by Florida State Senator Paul Polsky and Florida House of Representative Irving "Irv" Slosberg towards more stringent laws for hate crimes occurring on municipal and public property. Mayor Trantalis recommended the Commission adopt a Resolution supporting that State legislation. Further comment and discussion ensued on related details. City Attorney Boileau confirmed this legislation would increase penalties.

Commissioner Sorensen commented on residents' requests for additional funding and staffing in the Chief Service Officer Department. City Manager Lagerbloom confirmed this as noted.

Mayor Trantalis discussed his participation with Vice Mayor Moraitis and Commissioner Glassman for the Pio Ieraci Dedication Ceremony on the Galt Ocean Mile. He commented that Mr. Ieraci was a dedicated advocate for the community.

Mayor Trantalis commented on the success of events surrounding the Boat Parade and remarked on associated details.

Mayor Trantalis discussed increased interest in a South Florida commuter rail system that would include additional trains crossing over the New River and major east-west thoroughfares between Miami and West Palm Beach. He noted this adds a new aspect to a proposed train bridge or train tunnel in the City and recent information indicates a railway tunnel as a viable alternative to a railway bridge. Mayor Trantalis commented on an email from Alan Hooper, Chair of the Broward County Sales Tax Citizen Committee, to Gerry O'Reilly, District Four Florida Department of Transportation Secretary, recommending the railway tunnel be the first option over a railway bridge. Mayor Trantalis noted increased momentum for a railway tunnel. He recommended the Commission adopt a Resolution to be sent to the Florida State Legislature advising that the Commission is on record supporting a railway tunnel.

Commissioner McKinzie thanked and acknowledged the efforts of Fort Lauderdale Police Department Major William Schultz as the driving force behind numerous holiday events over many years in District 3, including toy drives, *Light Up Sistrunk* and *Light Up Carter Park*. Commissioner McKinzie also thanked *Rosie's Bar* and everyone involved whose efforts impacted over four thousand (4,000) children.

CITY MANAGER REPORTS

None.

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 4:58 p.m.