

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, May 10, 2016

6:00 PM

Bahia Mar

City Commission Chambers

CITY COMMISSION - SPECIAL MEETING

FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
DEAN J. TRANTALIS Vice Mayor - Commissioner - District II
BRUCE G. ROBERTS Commissioner - District I
ROBERT L. McKINZIE Commissioner - District III
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 Special City Commission Meeting of May 10, 2016 to order at 6:03 p.m.

ATTENDANCE ROLL CALL

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

QUORUM ESTABLISHED

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

VOTING ORDER FOR MEETING: Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler

Invocation Ben Sorensen
City of Fort Lauderdale Police Department Chaplain

Pledge of Allegiance Former City of Fort Lauderdale Mayor Jim Naugle

ROLL CALL

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

A copy of an email from Mr. Anthony Treglia in support of the ordinance regarding the developer's modified project proposal and sent to the Commission for the record is attached to these minutes.

A copy of an email from Mr. Bob Swindell in support of the ordinance regarding the developer's modified project proposal and sent to the Commission for the record is attached to these minutes.

PUBLIC HEARINGS

16-0604 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.

Each Commission member disclosed their verbal and written communications, site visits, and expert opinions, and numerous meetings with the applicants and their experts, and the Boat Show personnel.

Mayor Seiler outlined the procedures for the speakers and the times allotted for those giving presentations, experts, citizens, and citizens representing neighborhood associations. Mayor Seiler announced that the 8th Floor Conference Room was available for overflow attendees with a video screen available for viewing.

Commissioner Bruce Roberts motioned to re-open the public hearing on the 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. The motion was seconded by Commissioner McKinzie.

Mayor Seiler reopened the hearing and recognized Robert Lochrie, Esq., 1401 E. Broward Boulevard, appearing before the Commission on behalf of the applicant, TRR Bahia Mar, and in support of this ordinance regarding the developer's modified project proposal. Mr. Lochrie gave a presentation on the developer's modified project and stated his comments and recommendations. Mr. Lochrie announced the names of all of those in attendance on behalf of TRR Bahia Mar who were in attendance as part of the development team and were available to answer any questions.

Mr. Lochrie stated for the audience all of the changes, modifications and updates to the original proposed development plan as recommended by concerned organizations and the City's Advisory Boards including the Marine Advisory Board and the Beach Redevelopment Advisory Board. Mr. Lochrie gave a historical overview of the property stating the proposed development is located on the western portion of the property west of Seabreeze Boulevard. He noted there has been no significant development on this site for the past 30 years and has remained largely as it was in the late 1970's.

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

Mayor Seiler recognized Scott Lamont, EDSA Development, appearing before the Commission on behalf of the applicant and in support of this project. Mr. Lamont said his expert opinion has not changed as a result of the modifications to the plan presented tonight.

Mayor Seiler recognized Greg Brewton, 640 SW 183rd Street, Davie, Florida, appearing before the Commission on behalf of the applicant in support of this project and stated his expert opinion has not changed as a result of the modifications to the plan presented tonight.

Mayor Seiler recognized Adrian Dabkowsky, Kimley Horne, 600 North Pine Island Road, Plantation, appearing before the Commission on behalf of the applicant in support of this project and stated his expert opinion has not changed, but the reduced development has reduced the impact of traffic and his professional opinion stands. Mr. Dabkowsky stated all of the intersections in the development area

operate at the adopted level of service, and this continues to be the case with the proposed modified development.

Mayor Seiler recognized Efraim Zimbalist, President of Show Management and promoter of the Boat Show, who appeared before the Commission and addressed the Commission on behalf of the applicant in support of the developer's modified project proposal stating his comments and recommendations. Mr. Zimbalist noted that Show Management had been working on this project for the past ten years with the Blackstone Group and now the current Group, TRR Bahia Mar. The current proposal is the best they have seen thus far and addresses the needs of the Boat Show including the square footage, the quality of the square footage, and the quality of the perimeters of the Boat Show areas.

Vice Mayor Trantalis asked Mr. Zimbalist if a lease between the Boat Show and the developer had been agreed upon and executed. Mr. Zimbalist stated not yet. Mr. Zimbalist stated the lease would be negotiated once the developer knows the parameters it has to work with, and the lease would be negotiated before the execution of a lease with the City.

Mayor Seiler stated for the record that unless there is a signed lease agreement with the Boat Show, none of this proposed development will move forward. Mr. Zimbalist confirmed this and stated it gives him a great deal of confidence that things will move forward.

Mayor Seiler recognized Sherman Whitmore, 401 East Las Olas Boulevard, who addressed the Commission in opposition to this item stating his comments and recommendations noting the Fort Lauderdale Boat Show is the capstone of the Marine Industry and the leasing of this area for the Boat Show should be free. He asked Mr. Lochrie how many residential units were going to be built on the site and the amount of gross square footage. Mr. Lochrie stated the number of residential units will be 576, and the gross square footage of those units will be 868. Mr. Whitmore's opposition included changing the Central Beach Area from a recreational marine, yachting, beach, International Swimming Hall of Fame to a condominium development and the resulting traffic problems. He stated the economic development should be for recreation as this is what the City is known for around the world.

Mayor Seiler recognized Jasmine Rogers, 320 SW 78th Avenue and with Dream Defenders, who addressed the Commission stating her concerns about the black community in the City. Ms. Rogers stated the property belongs to the City, which includes the black residents who live in the West and Northwest areas of the City and make up one-third of the City's population. Ms. Rogers requested when the City Commission considers the lease, an appropriate percentage of the jobs, job training, union privileges, and a living wage this project will generate should be given to the residents of the poorest neighborhoods in the City. Ms. Rogers also asked the City to include in the conversation regarding this development the pursuit of economic development in the poorest, blighted areas of the City.

Mayor Seiler recognized Phil Purcell who represents the Boat Show and addressed the Commission with his comments in support of the modified proposed development. Mr. Purcell stated the Marine Industry pays 28 percent higher than the State's average wage and the Boat Show works closely with the Stranahan High School, the Lauderdale Lakes Middle School, as well as building a house for Habitat for Humanity at 17th Avenue and Sistrunk Boulevard. The Boat Show works very closely with all communities in providing jobs. The Boat Show's latest Economic Impact Study is going very positive for the City. Mr. Purcell cited all of the positive aspects of the new proposed development project in meeting the needs of the Boat Show from the phasing aspects of the proposed development to the amenities provided for the Boat Show. Mr. Purcell stated the current Boat Show lease is up in 2020 and the need to move things forward for the economic benefit of the City, the community, and the Boat Show is important as the process moves forward with lease negotiations both with the Boat Show and the City.

Mayor Seiler recognized Charlotte Rodstrom who read into the record Helen Surovek's comments in opposition to the ordinance regarding the developer's modified project proposal. Ms. Rodstrom noted Ms. Surovek had to leave. ***A copy of Ms. Surovek's comments is attached to these minutes.***

Ms. Charlotte Rodstrom, Nurmi Isles Interim President, and former District Commissioner addressed the Commission with her thoughts, comments, questions, and recommendations in opposition to this project. The Commission received a handout from Ms. Rodstrom that included a portion of the Charter of the City of Fort Lauderdale regarding the Bahia Mar Lease and portions of the current Lease Agreement currently in effect. ***A copy of this handout is attached to these minutes.***

Ms. Rodstrom asked the Commission about the process and if the zoning change/site plan will be contingent on the lease approvals. Vice Mayor Trantalis confirmed this for Ms. Rodstrom. Ms. Rodstrom asked City Attorney Everett, if, according to the City's Charter Section 8.9.B, the Commission will need to have a public meeting vote on any new lease or leases. Vice Mayor Trantalis confirmed this and City Attorney Everett stated it is subject to interpretation. Ms. Rodstrom asked if there will be a public meeting on the forthcoming lease with proper notice to the public. City Manager Feldman stated the lease will be voted on at a City Commission Meeting. City Manager Feldman stated and confirmed all City Meetings are properly noticed to the public. Ms. Rodstrom read portions of her handout including the City's Charter Section 8.06, and Article 2.02 on page six of the 1995 Amended Reinstated Lease Agreement, and Article 8, Public Section of the City's Charter. She stated the Commission is not following the proper process regarding the property regarding this item. Moreover, the developer's proposal should have never been considered based on these documents.

Mayor Seiler recognized Jeff Weinberger, Alliance to End Homelessness, who addressed the Commission with his comments in opposition to the ordinance regarding the developer's modified project proposal. Mr. Weinberger stated his reason for appearing before the Commission tonight was "public land for public use; and land for the homeless." Mr. Weinberger questioned how many of the developer's experts present were climate scientists who are experts in climate change and have a scientific basis for explaining sea level rise. It was stated the developer's architects and the City's architects were consulted on the issue of sea level rise and climate change. Mr. Weinberger gave his comments regarding sea level rise as it related to its effects in the future on the City and referenced an article in *The Guardian Newspaper* on sea rise level. Mr. Weinberger encouraged the City to give the homeless safe space as it is a great use for the public land.

Mayor Seiler recognized Craig Kurlander, One Las Olas Circle, who addressed the Commission in opposition to this project giving his comments, questions, and recommendations. Mr. Kurlander stated he felt the developer's modified project proposal would be detrimental to the surrounding community. He supports the development of the Bahia Mar property but believes this proposal does not qualify for I.D. Zoning. Mr. Kurlander expounded on his reasoning including the developer's modified project proposal's severing the connection of the Intracoastal waterway view from the beach. ***A copy of an email from Mr. Kurlander to the Commission and requested to be made part of the record is attached to these minutes.***

Mayor Seiler recognized Jack Abdo, 1350 NE 56th Street, who addressed the Commission in support of the project giving his comments, questions, and recommendations. Mr. Abdo felt the developer's modified project proposal will change the dynamics of the City specifically noting the architecture is world class. He urged the Commission to look favorably upon the ordinance regarding the developer's modified project proposal.

Mayor Seiler recognized Shirley Smith, One Las Olas Circle, who addressed the Commission in opposition to this project giving her comments, questions, and recommendations. Ms. Smith specifically

noted the traffic implications that will result from the developer's modified project proposal specifically citing emergency vehicles' inability to travel the roads easily in this area. Ms. Smith also stated she received over one thousand signatures from voters in opposition to this project.

Mayor Seiler recognized John Weaver, 2821 N. Ocean Boulevard, who addressed the Commission on behalf of the Central Beach Alliance (the "CBA") in support of the ordinance regarding the developer's modified project proposal. Mr. Weaver stated the CBA voted 184-1 in favor the prior project that included 1.5 percent of the developer's modified project proposal's sales for enhancements to the surrounding areas. Mr. Weaver outlined the reason the CBA is asking for additional enhancements due to ID Zoning's impact on surrounding areas which were more than if it were standard development. He stated the developer is asking for a lot more and should be giving a lot more back to the surrounding area, and this standard should be put in place now. He encouraged the Commission to address this issue in the lease. Mr. Weaver emphasized the need to handle the negotiations with the developer correctly as there the City will have only "one shot" at this. Mr. Weaver also addressed the issue of traffic and infrastructure problems that need to be dealt with and must coincide with this project, the CRA, and with anything else the City is doing. Mr. Weaver commented further on the issue of traffic. Vice Mayor Trantalis asked Mr. Weaver about the reduction of the height of the developer's modified project proposal and the reduced amount from the developer's modified project proposal's sales for enhancements to the surrounding area. Further comments and discussion ensued.

Mayor Seiler recognized Miranda Lopez, 3031 NE 21st Street, who addressed the Commission in opposition to this project giving her comments, questions, and recommendations. ***A copy of Ms. Lopez's statement and comments are attached to these minutes.***

Mayor Seiler recognized Richard Finkelstein, 2520 Laguna Terrace, who addressed the Commission in support of this project giving his comments, questions, and recommendations. Mr. Finkelstein stated he endorses the proposed development for numerous reasons including jobs and taxes. He stated he believes there are more positives than negatives. He hoped the Commission could bridge the gap between those who support the developer's modified project proposal and those opposing it to reach a compromise. Mr. Finkelstein stated his concern of possibly losing the Boat Show due to incompetence on one side or the other.

Mayor Seiler recognized Hunter Altschul, 921 SE 5th Court, who addressed the Commission in opposition to this project giving his comments, questions, and recommendations. Mr. Altschul stated he was very concerned about the Bahia Mar development for a number of reasons. One of which is the future of the City for those in his generation. His concerns focused on the environmentally sensitive piece of this land and stated passing this item will overburden the existing high density. A 29 story development on the existing marina will directly impact the City's traffic and congestion. Mr. Altschul stated he would like to see the priorities shift towards building residential or shorter buildings and create jobs by introducing development plans for existing infrastructure and reinvesting taxes into water infrastructure.

Mayor Seiler recognized David Gibson, Staff Coordinator, and Peace Justice Sustainability Florida, who addressed the Commission on this item. Mr. Gibson stated his group's mission is to see local and national resources used for sustainability, peace, and justice for all. Mr. Gibson stated his group is in support of the Black Lives Matter Alliance of Broward. Mr. Gibson said local jobs should be a requirement in this and any development project in the City. Further comments from Mr. Gibson on this topic ensued focusing on eradicating poverty in democratic societies and governments' accountability regarding sea level rise and other issues of importance to its people.

Mayor Seiler recognized Laura Croscenco, President of the Middle River Terrace Association, who addressed the Commission in opposition to the development project. Ms. Croscenco stated she

did not want the views of the beach to be obstructed by high-rise developments and applauded the residents of Boca Raton who purchased private land on and around the beach are to preserve it as parks for humanity. She recommended the City of Fort Lauderdale do the same in addition to having larger setbacks, lowering building heights, building less and not giving away the public's land. Further comments on traffic issues and reductions to car lanes in other areas of the City ensued. ***A copy of Ms. Croscenzo's submission to the Commission is attached to these minutes.***

Mayor Seiler recognized Andrew Doole, 1115 NE 9th Avenue of Show Management, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal. Mr. Doole cited the previous work with three different developers wishing to develop Bahia Mar stating the current proposed development is the best by far and noting the difficulty in producing a world-class Boat Show with the facility in its current state.

Mayor Seiler recognized Nora Femenia, 2805 27th Street, who addressed the Commission in opposition to this project. Her two concerns included what happens should a hurricane strike and evacuations be required in this area with the current roadways in the A1A/Las Olas area. Ms. Femenia was also concerned with sea level rise and what provisions the developer has to address these two issues.

Mayor Seiler recognized Laura O'Leary, 2200 S. Ocean Lane, who addressed the Commission in opposition to this project stating she did not feel this is the appropriate plan for this property. As a result of her research, the one area the City is behind is in hotel space for conventions and things such as the Boat Show, and the proposed hotel is not a bad idea. The problem she sees is the residential aspect of the ordinance regarding the developer's modified project proposal. She raised the issues of traffic congestion in both the north and southbound directions of Seabreeze Boulevard as well as parking in the area.

Mayor Seiler recognized Karen Turner, 550 Bayshore Drive, who addressed the Commission in support of this project. Ms. Turner asked the Commission and Mr. Tate about the land for the park and if it will be possible to have concerts and movies such as Friday Night Sounds Waves made part of the lease. Mayor Seiler stated they have not had any discussions regarding this question, and it would be part of the lease negotiations. Vice Mayor Seiler asked Ms. Turner, a member of the Central Beach Alliance (the "CBA"), about Mr. Weaver's previous statement regarding the long-term beneficial effect on the neighboring community and the significant and recognizable improvements the CBA was seeking. He mentioned there was a proposal by the developer to contribute .025 percent of the total development cost of the recognizable improvements. He asked Ms. Turner if this was her recollection. Ms. Turner stated that was what she had been told. Further discussions ensued on this topic.

Mayor Seiler recognized Celia Bess-Garvin, 1920 S. Ocean Drive, who addressed the Commission in opposition to this project. She said she believed this Bahia Mar deal is done due to Political Correctness in light of the multimillion dollar investments the developer has made. Ms. Bess-Garvin stated this project is predatory capitalism personified, and it does not seem to matter much anymore what harm may be done, just how much money can be made. ***A copy of Ms. Bess-Garvin's statement is attached to these minutes.***

Mayor Seiler recognized Kevin Speidel, Area Managing Director of Hilton World Wide's Broward Corporate Office, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal. Mr. Speidel stated the City is on the cusp of another evolution, a transformation towards luxury travel with several luxury brands calling the City of Fort

Lauderdale home. Mr. Speidel stated the developer's modified project proposal is a tremendous opportunity to further transform our City as a destination. The Bahia Mar development will be the cornerstone development defining Fort Lauderdale Beach. Mr. Speidel further expounded on the benefits of the developer's modified project proposal becoming a destination in itself.

Mayor Seiler recognized Elizabeth Hopwood, 2008 SE 26th Terrace, who addressed the Commission in opposition to this project stating she did not like the fact that this issue has become so contentious and does not want the City to become another Miami Beach with too many high-rise buildings on the beach as they should be in the downtown area.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal giving his viewpoint on the history of this property and his thoughts and concerns.

Mayor Seiler recognized Abby Laughlin, Central Beach Alliance, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal and feeling the time had come to turn this property over to private development. ***A copy of Ms. Laughlin's submission to the Commission is attached to these minutes.***

Vice Mayor Trantalis asked Ms. Laughlin if the position of the Central Beach Alliance Board was to urbanize the beach. Ms. Laughlin stated their position is the redevelopment of the beach was based on a consultation from the Urban Land Institute, and it is already urbanized and struggling to find its identity. Further discussions ensued on this topic.

Mayor Seiler recognized Marcia Biederman, 133 Garfield Place, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Biederman stated she was writing a biography of Patricia Murphy the first leaseholder of Bahia Mar in 1962. ***A copy of Ms. Biederman's submission containing her remarks and a photograph of a garden at Bahia Mar noting a correction to the date which should read May 10, 2016 to the Commission is attached to these minutes.***

Mayor Seiler recognized Barbara Mallett Overman, 2500 East Las Olas Boulevard, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. ***A copy of Ms. Overman's comments is to the Commission is attached to these minutes.***

Mayor Seiler recognized Anne Hilmer, 614 Idlewyld Drive, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. ***A copy of Ms. Hilmer's comments as submitted to the Commission is attached to these minutes.***

Mayor Seiler recognized Kathleen Della Fera, 3006 ME 19th Street, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Fera cited the previous comments already stated. She also stated she is not opposed to a project just not this project stating her idea of innovative means solar energy, geothermal energy and things that will define the City as being innovative as a City. The one thing that has been overlooked over the years is doing a wind study relating to the wind tunnels that high rise building create.

Mayor Seiler recognized Tiffany Davis, 8279 Son Lake Drive, speaking on behalf of Bahia Mar, addressed the Commission in support of the ordinance regarding the developer's modified project proposal. Ms. Davis stated she was in support of the project as it will bring quality jobs to the City, national exposure and a positive light to Fort Lauderdale Beach.

Mayor Seiler recognized Omar Williams, 320 SW 11th Avenue, Pompano Beach, Florida, addressed the Commission on this topic stating his thoughts and ideas regarding racial discrimination and high unemployment rates with regard to the proposed Bahia Mar project.

Mayor Seiler recognized Ann Willie, 1600 SW 5th Street, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Willie asked Mr. Tate about the ramifications of the two proposed 29 story buildings regarding the environment generally, sea turtles and birds in the area. Ms. Willie spoke about the bird migration flyways that are part of the South Florida and how these proposed buildings will impact bird migration.

Mayor Seiler recognized Elija Manley, 533 NW 20th Avenue, who did not speak but noted on his speaker card he was in opposition to the ordinance regarding the developer's modified project proposal. ***A copy of Mr. Manley's submission to the Commission is attached to these minutes.***

Mayor Seiler recognized Bob Christoph, 2555 Lucille Drive and on behalf of Bahia Mar, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal stating the revised project proposal works well for the owners and the Boat Show.

Mayor Seiler recognized Lisa Malcolm, 1900 Admirals Way, who addressed the Commission in opposition to the developer's modified project proposal as it will become a condo kingdom and only those with millions of dollars would be able to afford condo units on the public property making it discriminatory. She urged the Commission to go back to the drawing board to get something more marine friendly, beach friendly, and all resident friendly. She had further comments on the developer's renderings for the project.

Mayor Seiler recognized Myrna Yagoda, 1518 E. Lake Drive, who addressed the Commission in opposition to the developer's modified project proposal. Ms. Yagoda stated that after reading the proposed lease, she was shocked the developer would be taking the park areas of the development away from the public for 72 days per year, most likely on the weekends when the general public will wish to go to the parks. She questioned the Commission as to why they are moving forward without an appraisal of the property in hand.

Mayor Seiler recognized Trisha Halliday, 50 Nurmi Drive, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Halliday stated her opinion about the Commission's legacy stating the area needs to be redeveloped, but not with the current project's proposal.

Mayor Seiler recognized Joan Hinton, 713 NW 19th Avenue, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal stating the City needs change.

Mayor Seiler recognized Isabel Sturgeon, 2500 Mercedes Drive and Board Member of the Harbor Beach Homeowners Association, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. ***A copy of Ms. Sturgeon's submission to the Commission is attached to these minutes.***

Mayor Seiler recognized Nancy Thomas, 1924 SE 24th Avenue, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Thomas felt the location was not appropriate for this type of development. Ms. Thomas asked if their

neighborhood can receive funding from this project as will the Central Beach Alliance to make improvements to her neighborhood, Harbor Inlet. Ms. Thomas also cited the traffic implications to the area. Ms. Thomas stated she is for redeveloping the property but not going overboard as this proposed project does.

Mayor Seiler recognized Lisa Namour, 1107 SW 17th Street, Boynton Beach, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal. ***A copy of Ms. Namour's submission to the Commission is attached to these minutes.***

Mayor Seiler recognized Rosie Kurlander, One Las Olas Circle, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Kurlander stated she is not opposed to development in this area but is opposed to this proposed plan as she believes it does not have innovative development, rather overdevelopment on size, scale, density, traffic, and not addressing environmental factors such as sea turtles. She felt it would be just another city on the beach. She asked the Commission to vote no on this modified development proposal to meet the needs of every stakeholder.

Mayor Seiler recognized Bill James, 1823 Admirals Way and designated representative of Harbor Inlet Association, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. James cited the numerous reasons for Harbor Inlet Association's opposition to the proposed project citing traffic concerns and stating there should be no additional development until the County and the State address the traffic and road issues in this area. Mr. James also noted that sea turtles cannot move their eggs out of the shadows to the proposed towers. He also questioned the Department of Sustainable Developments' enthusiasm for this project and being defensive against public questions and scrutiny. Mr. James urged the Commission to view the meeting held on April 26, 2016, to understand this frustration. He recommended the City sell off the property to pay for much-needed infrastructure the City requires and to ensure the City will have no potential liability from rising sea water levels in future years.

Mayor Seiler recognized Barbara Magill, 1448 SE 14th Street, and President and designated representative of Lauderdale Harbor Community Association, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Magill stated that none of the members of this association find 40 or 29 story buildings acceptable recommending it come down another 15 stories for a conversation to begin. Ms. Magill also addressed the "what ifs" regarding the project such as the inability to sell all of the proposed condominiums. Ms. Magill's other question included why not put this on the ballot in November and let the citizens make this decision. She also questioned what the developer plans to do to address sea turtle lighting.

Mayor Seiler recognized Bridget Courrero, 111 SW 11th Street stating she was representing millennials and was a designated representative of Nova Southeast University. Ms. Courrero addressed the Commission in support of the ordinance regarding the developer's modified project proposal due to job creation and the opportunities the project would provide.

Jody Oberholtzer, 2321 E. Las Olas Boulevard, did not speak but signed a speaker card in opposition to the ordinance regarding the developer's modified project proposal. ***A copy of Ms. Oberholtzer's submission submitted to the Commission by Mary Fertig is attached to these minutes.***

Charlie Cassel, 1525 S. Ocean Drive, did not speak but signed a speaker card in opposition to the developer's modified project proposal. ***A copy of Mr. Cassel's submission to the Commission is attached to these minutes and was submitted to the Commission by Mary Fertig.***

Mayor Seiler recognized Mary Fertig, 511 Poinciana Drive and designated representative of the Idlewyld neighborhood, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Fertig stated since tonight's hearing is a continuation of the February 2, 2016, public hearing where Jeff Kadims, Idlewyld planner, entered expert testimony into evidence, she requested the Commission to consider his expert testimony in reaching their decision tonight. Ms. Fertig gave her concerns and comments regarding the rezoning ordinance being considered represented the end of a commitment and philosophy going back seventy years. It represents dangers to the environment, the end of treasured views, negative impacts to infrastructure, traffic and emergency services, neighborhood compatibility, and much more. Ms. Fertig's comments continued focusing on the changes being made with the proposed rezoning and its consequences along with the municipal recreation bonds the City originally used as a means to purchase this land from the Federal Government for recreational purposes. Ms. Fertig also stated whether this can be done legally remains to be seen. More importantly, it is the question of what is right and what is wrong, and of promises made and kept as this decision will be privatizing public land.

Mayor Seiler recognized Barry Sommerstein, 2552 Lucille Drive and an investor in the proposed project, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal. He acknowledged the passions present on both sides of this issue and gave his thoughts on why he in support of the project focusing on the City's desire to keep the Boat Show in the City of Fort Lauderdale.

Mayor Seiler recognized Christi Cassel, 1525 S. Ocean Drive in Harbor Beach, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Cassel cited numerous negative aspects of the revised proposed development. She recommended a new vision using public land for public use.

Mayor Seiler recognized Edwina Eichner, 1308 SE 11th Street, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. ***A copy of Ms. Eichner's submission to the Commission is attached to these minutes.***

Mayor Seiler recognized Matt Yagoda, 1518 E. Lake Drive and an expert witness on traffic issues stated he is a professional engineer licensed in more than twenty states, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Yagoda pointed out the fact that the City of Fort Lauderdale is ranked number two in dangerous cities for pedestrians. Mr. Yagoda stated continuing with the growth of traffic on the limited highway system currently in place the City of Fort Lauderdale, the City will reach the position of number one for the most dangerous city for pedestrians. Mr. Yagoda stated the traffic studies submitted by the developer were defective due to the fact there is no treatment of the pedestrians traveling across the highways and roads. Vice Mayor Trantalis stated he thinks Mr. Yagoda's points are well taken. The existing traffic and the capacity to carry that traffic on the existing roads on the barrier island, it is inadequate and to continue will result in more pedestrian deaths. Mr. Yagoda stated the solution was for the developer to address and fix the traffic infrastructure as part of the development of this project and not pass on those costs to the taxpayer. ***A copy of Mr. Yagoda's submission to the Commission of his resume as an expert witness is attached to these minutes.***

Mayor Seiler recognized Arnold Gold, 336 Birch Road, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal. Mr. Gold commented on the proposal noting the Commission cannot tell the developers what to do and the need for the developers to make a profit. Mr. Gold also stated this development will provide a stream of income

for the City, the lease should include Consumer Price Index (CPI) increases, and it should be cross-collateralized. He also commented on the need to define ID Zoning.

Mayor Seiler recognized Jeremy Shaw, 3532 NW 33rd Court, Lauderdale Lakes, and with Dream Defenders and Black Lives Matter, who addressed the Commission on the developer's modified project proposal. Mr. Shaw stated his views on the employability of residents in the Northwest quadrant of the City. Mr. Shaw encouraged the Commission to include provisions in the lease to assist those from high unemployment areas of the City, not located near the beach, with jobs. Development in the City needs to be about more than just the bottom and address how it will also help those in need in the City.

Mayor Seiler recognized Betty O'Connor, 730 Isle of Palms, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. O'Connor stated approving this ID Zoning request for the proposed development will result in depriving its citizens of a valuable, irreplaceable parcel of property contributing to the destruction of the City's beach area. Ms. O'Connor also stated that the Boat Show will ultimately leave the City because two 29 story condominium buildings are not compatible with the Boat Show. As previously stated earlier by others, this is City owned property purchased and paid for by the citizens. She stated the City Commission should not convert this public land to private residential use.

Mayor Seiler recognized Judy Summers, 400 NE 17th Way, who addressed the Commission on the developer's modified project proposal. Ms. Summers asked if anyone from the City's Sustainability Board were present as they requested that nothing be approved until the Sustainability Board had an opportunity to review and approve the revised plans and noting a communication stating this was sent to the Commission. Ms. Summers said with this in mind, there is no reason for a Commission vote as the Sustainability Board has not approved the revised plans and they are an important voice. Ms. Summers also asked if residential parking permits could be used in the developments' parking lots.

Mayor Seiler recognized John Snyder, 2500 E. Las Olas Boulevard and on behalf of Marine Tower as its President, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Snyder stated that condominiums are not large employers of people, and the development once completed, would not employ a great many workers. ***A copy of Mr. Snyder's statement submitted to the Commission is attached to these minutes.***

Pat Roth, 333 Sunset Drive, did not address the Commission on the developer's modified project proposal but indicated on her speaker card that she was in opposition to the ordinance regarding the developer's modified project proposal. ***A copy of Ms. Roth's submission to the Commission is attached to these minutes.***

Mayor Seiler recognized John Roth, 333 Sunset Drive, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal focusing on the security issues for a working marina, adequate parking, and fuel tanks. ***A copy of Mr. Roth's submission to the Commission is attached to these minutes.***

Mayor Seiler recognized Vicki Mowrey, One Las Olas Circle, who addressed the Commission on the developer's modified project proposal. Ms. Mowrey focused her comments on the Innovative Development Rezoning Code's requirements.

Mayor Seiler recognized Guenola Nonet, 7833 Silverado Court, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal. Ms. Nonet stated she was an expert in Sustainable Development and Corporate Social Responsibility working at Nova Southeastern University's Business School. Ms. Nonet's comments focused on the increasing population, the need for more housing, and traffic concerns regarding the developer's proposed project.

Mayor Seiler recognized Joe Maus Jr., 1778 SE 25th Avenue, who questioned Ms. Nonet's comments on the how the developer's modified project proposal addresses sustainability and social responsibility with regard to the issue of sea level rise.

Mayor Seiler recognized George Counts, 2449 Nassau Lane, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Counts pointed out the primary purpose of this location was for a marina, not for parking garages and condominiums.

Mayor Seiler recognized Dev Motwani, 1630 NE 5th Street, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal. Mr. Motwani's comments included the importance of the developer providing public access to the waterway, the waterfront restaurants, and the Boat Show's economic and development impact on the City.

Mayor Seiler recognized Chuck Bortell, 1229 SE 13 Terrace, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Bortell's comments focused on the strategic decisions of the City regarding this proposed development focusing on traffic issues.

Mayor Seiler recognized Jerry Jordan, 1109 SE 4th Street and designated representative of Colee Hammock Homeowners Association. Mr. Jordan addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal, its impact on traffic in his neighborhood, the fact that the land involved is the public's land and should be used for a public use, and to preserve it for future generations.

Mayor Seiler recognized Hope Gary, 2831 NW 6th Court, and designated representative of the Fort Lauderdale Community Center, who addressed the Commission on the developer's modified project proposal. Ms. Gary focused her comments on the proposed project's ability to provide jobs and a living wage for those residents in the Northwest area of the City.

Mayor Seiler recognized Joe Piechura, 5780 NE 18th Terrace, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Piechura's comment focused on the proposed development height and traffic density, saving and expanding the Boat Show. Mr. Piechura also questioned City Manager Feldman if the City is getting the best return on the property's equity.

Mayor Seiler recognized Craig Fisher, 200 S. Birch Road, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Fisher comments focused on parking issues, the cost of the proposed condominiums, and the threshold of sales before it is determined the project would be unsellable. Mr. Fisher urged the Commission not to turn a "blind eye" to a possible "worst case scenario."

Mayor Seiler recognized Brian Johnson, 665 SW 27th Avenue and designated representative of the Minority Builders Association, who addressed the Commission in support of the ordinance

regarding the developer's modified project proposal. Mr. Johnson focused his comments on the proposed project's ability to provide jobs that can support families and wages for local and minority residents in the City as well as pointing out the positive aspects of the proposed development.

Mayor Seiler recognized Kristen Maus, 1778 Marietta Drive, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Maus stated the residents of the City were overwhelmingly opposed to the proposed project. Ms. Maus cited numerous reasons for her comments. These reasons included her collection of thousands of petitions against any project violating the current zoning requirements of the 120-foot maximum height, proper setbacks, and not allowing condominiums. Additional reasons stated by Ms. Maus included how the City is currently managing the traffic flow in this area, and that citizens feel that development on the barrier island is out of control until the City can develop a plan for traffic and infrastructure. Ms. Maus stated the citizens have a desire to change the City's Charter, so the Commission can never give away public land again.

Mayor Seiler recognized Michael Seligsohn, 1118 N. Rio Vista, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal and urging the Commission to adopt ordinance. Mr. Seligsohn cited the requested changes from the community made to the original proposal by the developer and the positive changes the proposed development will bring to the Boat Show, increased tax revenues, and increased job opportunities for the City's residents.

Mayor Seiler recognized Howard Steinholtz, President of The Isles Homeowners Association, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Steinholtz focused his comments on traffic congestion, inadequate traffic management compromising the area's quality of life, and allowing a private developer to develop this property unless there is a clear, effective plan to manage traffic congestion. Mr. Steinholtz recommended a regional traffic study to establish what the capacity is for this area. ***A copy of the document Mr. Steinholtz submitted entitled The Bahia Mar Fiasco is attached to these minutes.***

Mayor Seiler recognized Bill Cole, 1942 SE 24th Avenue, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Cole's comments included questioning the Commission's rush to approve something the City will lose forever, the Traffic Study that was done on May 5, 2016, and the proposed project's lack of innovation. Mr. Cole urged rejection of the plan in its entirety and urged the Commission to have a referendum on this so the citizens of the City can decide how this property should be used in the future.

Mayor Seiler recognized Al Fernandez, 1749 SE 10th Street, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal. Mr. Fernandez disclosed he is an investor in the proposed project and was a builder for recent renovations done on the property. Mr. Fernandez noted the qualifications of the developer and the dire need for the property to be renovated. Mr. Fernandez urged the Commission to vote for moving forward with the proposed project.

Mayor Seiler recognized Paul Chettle, 200 S. Birch Road, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Chettle's reasons for his opposition included his desire not to see private condominiums on public land and the financial and potential future liability of the City and its residents regarding this proposed project. He reminded the Commission that the Central Beach Alliance is not a civic association and are not

recognized as a neighborhood association, and stating the 184 to 1 vote on June 3, 2015, was based on a concept only. Mr. Chettle stated that the developer, Mr. Tate, takes a distressed property, recognizes an intrinsic value in the distressed property, and extracts value from that property. The City is on the opposite side of that trade which faces potential future liability. Mr. Chettle also discussed traffic issues and pedestrian crossings and the fact that the traffic studies did not take into consideration the pedestrian crossings.

Mayor Seiler recognized Megan Lagasse, 835 SW 18th Street, who addressed the Commission in support of the ordinance regarding the developer's modified project proposal. Ms. Lagasse stated she felt the proposed development will raise the City up to be true Yachting Capital of the World.

Mayor Seiler recognized Bruce Quailey, 3090 NE 46th Street, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Quailey asked Mr. Lochrie about the pro forma price range and square footage of the project's two condominium towers. Mr. Quailey noted the financing difficulty for homeowners if there is an unsubordinated land lease resulting in an ongoing decrease in value of the condominiums as opposed to a fee simple type of situation and how this situation could ultimately affect the City.

Mayor Seiler recognized Jim Hilmer, 621 Idlewyld Drive, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Although Mr. Hilmer agreed the property should be developed, he did not agree with the current plan. Mr. Hilmer's concern was the proposed project obliterates the most beautiful piece of property in the City with concrete. Mr. Hilmer stated the project was well done but does not belong on the beach. Mr. Hilmer recommended reducing the towers' height and eliminating the garage.

Mayor Seiler recognized Pat Riley, 17 Isle of Bahia, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Riley stated she was unaware until a few months ago about the proposed project. Ms. Riley discussed the results of a survey she took. Ms. Riley also stated that since the Bahia Mar is located on public land, the public is entitled to see all of the financials relating to every aspect of the project.

Mayor Seiler recognized Jim Naugle, 811 N. Rio Visa Boulevard and former City of Fort Lauderdale Mayor, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Naugle noted the history of this property from a perspective of flooding and the resulting problems to the City from flood insurance claims by the future condominium owners, and the need for a five-star hotel destination resort.

Mayor Seiler recognized Geary Cotton, 615 Idlewyld Drive, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Cotton recommended saying no to an additional 50-year lease, and for the developer to come back with a revised plan based on the current lease.

Mayor Seiler recognized Richard Whitecloud, 3104 NE 9th Street and designated representative of Sea Turtle Oversight Protection, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Whitecloud noted there is already a breach of the lease by the developers in Article 4 of the lease. Mr. Whitecloud believes the building has been noncompliant with the Sea Turtle Lighting Ordinance since the ordinance was drafted in 2006. ***A copy of Mr. Whitecloud's submission to the Commission is attached to these minutes.***

Mayor Seiler recognized Steven Glassman on behalf of the Broward Trust for Historic Preservation, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. ***A copy of Mr. Glassman's submission to the Commission is attached to these minutes.***

Mayor Seiler recognized Gillian Dinnerstein, 101 S. Fort Lauderdale Beach Boulevard, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Dinnerstein's concerns included the impact of the City's real estate in a negative manner by flooding the real estate with too many condominiums on the beach. Ms. Dinnerstein also asked the Commissions to consider the traffic and parking situation in the area.

Mayor Seiler recognized Joe Maus Sr., 1778 SE 25th Avenue, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Maus raised the issue of eventually dealing with institutional investors as lessors of the property who will not care about the quality of the City's beach. Mr. Maus also questioned the Commission on the results of the approved experts' Evaluation and Appraisal Report (EAR) of the City's Comprehensive Plan stating there should be no further development on the barrier island. Mr. Maus also discussed shading on the beach from the proposed project. ***A copy of Mr. Maus's submission to the Commission is attached to these minutes.***

Mayor Seiler recognized Kelly Overman, 2500 East Las Olas Boulevard, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. ***A copy of Mr. Overman's comments and submission to the Commission is attached to these minutes.***

Mayor Seiler recognized Joe Colaner, 711 SE 11th Court, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Colaner recommended the City not look only at money but also to put the public needs and the needs of future generations ahead of private interests.

Mayor Seiler recognized Bob Walters, 1620 S. Ocean Drive and a designated expert witness on behalf of Harbor Beach as indicated on Mr. Walters' speaker card, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Walters made recommends to the Commission on the proposed project and the overload of development in such a small area, the inaccuracies of the traffic studies, and the problematic traffic issues.

Mayor Seiler recognized John "Jack" Malcolm, 1900 Admirals Way, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Mr. Malcolm stated the public is angry about the way to City is going noting the numerous man hours by citizens who are against this project. He urged the Commission to listen to their constituents and oppose this project. ***A copy of Mr. Malcom's submission to the Commission is attached to these minutes with a copy of his email to the Commission.***

Mayor Seiler recognized Suzanne Weiss, 817 NE 3rd Street, who addressed the Commission in opposition to the ordinance regarding the developer's modified project proposal. Ms. Weiss gave her comments to the Commission regarding the beauty of the beach and urged the Commission not to establish a concrete barrier and to ensure the integrity of the beach. Ms. Weiss urged the Commission to get the highest and best use of this land for the benefit of the people.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission on the developer's modified project proposal and indicated on his speaker card that his position was neutral. Mr. King addressed the audience stating there are no rules for the Commission.

Mr. Lochrie addressed the Commission clarifying for the record that pedestrian counts had been done as part of the developer's traffic study. The developer's expert on traffic, Mr. Dabkowski, stated, "yes" pedestrian counts were done as part of the developer's traffic study when asked by Mr. Lochrie.

Mr. Lochrie stated for the record the project's enhancements are being done for the benefit of the pedestrian experience. Mr. Lochrie also stated the other fees the developer will be paying regarding the proposed project. Mr. Lochrie challenged the submission of Mr. Maus's shading information submitted earlier in the evening stating they were not authenticated.

Mr. Lochrie noted the City's Boards who were given presentations and those that were not. Mr. Lochrie commented on aspects of Blackstone's previous project and the current proposed project.

Vice Mayor Trantalis asked City Attorney Everett to clarify the developer's entitlement to build up to 48 units per acre. Assistant City Attorney Solomon stated under the lease and only as to their regulatory authority, if there are any alterations or repairs to the site, they would have to come back to the Commission. Further comments and discussions ensued.

Commissioner Roberts questioned Mr. Lochrie about the discrepancy between Mr. Maus's shading submission from 4:30 p.m. in August and the expert's submission. Discussions ensued.

Vice Mayor Trantalis asked Mr. Lochrie about the view towers begin at 17 feet of ground level. Mr. Lochrie addressed Vice Mayor Trantalis' question.

Mayor Seiler asked about parking requirements and the proposed project providing more parking than required. Mr. Lochrie stated the parking ratio is now .6 percent, and there is more parking now than in the prior proposal at five different locations.

Mayor Seiler asked Mr. Lochrie about Sea Turtle Lighting once the development is built. Mr. Lochrie stated that regarding current compliance, they have received no notification that they are not in compliance. Mr. Lochrie stated after the project is completed, the project will be reviewed by the State of Florida for Sea Turtle Lighting Compliance, and will comply as necessary.

Mayor Seiler asked Mr. Lochrie about marine fuel delivery. Mr. Lochrie stated there were dedicated parking stalls that have been set aside specifically for marine fuel delivery.

Mayor Seiler asked Mr. Lochrie about marina security as it relates to the outer docks. Mr. Lochrie stated each one of the docks would have its own security at its own location. On the Intracoastal dock, there are floating docks separated by a 2-3 feet seawall providing security on the promenade.

Mayor Seiler asked Mr. Lochrie about the adjustment to the seawall height and the ability of the Marine Industry Association to host the Boat Show. Mr. Lochrie stated the docks are floating docks, and the ramps would be redesigned as necessary. It was confirmed that the highest seawall heights the City allows are adequate for the Boat Show.

Vice Mayor Trantalis asked if the parking configuration was part of the documents he was reviewing as the public parking is being reduced when the balance is dedicated to different areas. Mr.

Lochrie stated that at peak times there would be 250 public parking spaces and at other times more parking would be available.

Mayor Seiler stated this project moving forward is contingent on the Boat Show lease. Mayor Seiler questioned the relationship between the condominiums and the Boat Show to prevent the condominium from obstructing the Boat Show. Vice Mayor Trantalis noted that although this would be addressed in the leases and condominium documents, there could still be complaints from the condominium owners addressed to the City Commission.

Mayor Seiler asked Mr. Lochrie what current buildings on the beach are taller than the proposed project's two towers. Mr. Lochrie stated Jackson Tower is taller, as well as the Palms, and the Point of America buildings. Vice Mayor Trantalis noted those buildings were built when the City's zoning permitted taller buildings.

Mayor Seiler confirmed that 294 feet was the height for Blackstone's proposal on this property.

City Attorney Everett asked Mr. Lochrie about reviewing several of the documents put into the record. Mr. Lochrie stated he would review those documents at the conclusion of tonight's meeting.

City Attorney Everett asked Mr. Lochrie if there was anything additional he would like to present. Mr. Lochrie stated no, not at this time.

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

Mayor Seiler closed the public hearing.

Commissioner Roberts raised the issue of traffic in this area and stated there are ongoing traffic studies being done by the Metropolitan Planning Organization (MPO) in several areas of the City. Commissioner Roberts asked City Staff about the trends of leveling off of traffic since 2014. Alia Awwad, Transportation and Mobility Engineering Design Manager, addressed Commissioner Roberts question stating the trends illustrated a peak in 2012 and a reduction in 2014. Throughout the past ten years, the average growth rate is negative, and there are fluctuating trends. Commissioner Roberts noted construction projects exacerbate existing traffic counts in several areas of the City.

Commissioner Rogers stated he had heard several times during tonight's hearing that there was nothing innovative about the proposed development. Commissioner Rogers asked City Staff to address this issue and state the top three aspects of the proposed development that make it innovative. Mr. Jim Hetzel, Principal Planner, stated the following aspects of the proposed project included:

- the garage design accommodating the Boat Show exposition space;
- opening up the waterfront area to a promenade with education signage; and
- the increased building height to get open space.

Commissioner Rogers asked Mr. Hetzel about his previous position on a different planning staff, if there was anything comparable to it, and if the City's definition was a good one in meeting the criteria of good planning.

Mr. Hetzel stated in his professional opinion, yes.

There were no further questions for Mr. Hetzel or City Staff.

Vice Mayor Trantalis stated the Commission would love to see something change at the Bahia Mar site as it is an underutilized property. Vice Mayor Trantalis stated his ideas on this subject noting the current proposal is the same as previous proposals for condominium buildings with the Boat Show being an afterthought.

Vice Mayor Trantalis stated the City should have never voted for Innovative Development ("ID") Zoning. Vice Mayor Trantalis also noted the Evaluation and Appraisal Report (the "EAR") was accepted and became a policy of the Commission, and the impact of the proposed development project if the City Commission passes this ordinance. Moreover, there is a fragile ecosystem on the barrier island, and many of the goals stated in the EAR are not being respected in a development such as the one before the Commission. However, reducing density would be too aggressive and costly. Vice Mayor Trantalis stated the need to know where to draw the line and the need to think about where the City is taking the beach so as to provide the best quality of existence in the City of Fort Lauderdale. Also, there is a need to respect the natural resources of Fort Lauderdale Beach, the sand, the sun, the quality of the air, and the wildlife that exists both on and off the beach. As trustees, the City Commission has a fiduciary responsibility to preserve this area for the future. Further discussions ensued including the positive aspects of the proposed development, but Vice Mayor Trantalis stated he could not support the proposed project as currently planned but would like to sit down with the developer and work out a plan that works better for the people.

Commissioner Rogers gave his comments stating the history of the City's acquiring the property to date. Commissioner Rogers stated the Boat Show needs a world class facility. Currently, Bahia Mar does not look, feel or act like a public place and is not public and does not translate into the public good. He stated any deal with the developer needs to be a good deal for the City and must make sense financially for the City as the Commission has a fiduciary responsibility to the citizens of the City. Commissioner Rogers stated he did not want to give up an opportunity to make this property better noting there is a long way to go, and the City needs to start somewhere to be able to come to conclusions on where the City needs to go.

Commissioner Roberts stated he concurred with many of the statements Commissioner Rogers made. This project opens the City back up to the public as it has not been public for many years. Additionally, an entirely new aspect of this project will relate to the lease, and this vote tonight is strictly a zoning approval to move forward. The lease will be the final qualifier both for the City and the Boat Show. Commissioner Roberts stated he would be voting in favor of the ordinance tonight.

Commissioner McKinzie stated he concurred with the statements of Commissioner Rogers and Commissioner Roberts. Commissioner McKinzie stated the applicant covered all of his questions and City Staff's conditions, and the Boat Show is satisfied with the current proposal. Commissioner McKinzie stated that once the lease is addressed, the situation could turn around in a different direction and tonight he would like to move forward with the ordinance to ascertain what can be accomplished.

Mayor Seiler thanked everyone for conducting themselves in an appropriate and respectful manner. Mayor Seiler stated if anyone had any information or allegations relating to any "backroom deals" to please bring it forward to the Office of Inspector General, the City Auditor, or the Attorney General.

Mayor Seiler gave his comments relating to legacy stating the Boat Show is the most impactful event for the City, and it needs to stay in the City for at least the next 30 years which makes this a legacy vote as it relates to the local economy. Mayor Seiler said if the lease does not work for the Boat Show, it will not work for him. As Commissioner Rogers stated, this is public land and unless one is going to the Bahia Mar Hotel for an event or the Boat Show, the land is not open to the public, accessible, or convenient to the public. He likes the fact there will be public access, public space, public land, a promenade, and opens up the marine industry to those who previously had no exposure to the marine industry, which is very positive. Currently, the taxpayers of the City get nothing out of this property except for the \$1,000,000-\$1,500,000 per year which should be substantially more. Mayor Seiler stated he would support this ordinance at this stage of the process.

Vice Mayor Trantalis asked if there were any appetite from the Commission to keep the height of the buildings at the current zoning maximum that is already the law, 24 stories, in order not to exceed the law with no understanding of the justification for it. Vice Mayor Trantalis stated that would be a wonderful statement to the community to know the Commission is abiding with the current zoning law which is 24 stories.

Mayor Seiler stated this project met the height of the last plan approved, which was approved with no opposition four years ago. Vice Mayor Trantalis noted, in response, that was for a single building. Further discussions ensued.

Commissioner Roberts moved for the City Commission, in its capacity as the owner, and consenting to the ratifying and consenting to the submission of the application as amended. This was seconded by Commissioner McKinzie.

APPROVED AS AMENDED - Motion to approve submission of application as amended

Aye: 4 - Mayor Seiler, Commissioner Roberts, Commissioner McKinzie and Commissioner Rogers

Nay: 1 - Commissioner Trantalis

Commissioner McKinzie introduced this item with all of the conditions imposed by Planning and Zoning, City Staff, and stated on the record tonight to specifically including the Boat Show and any future condominium documents relating to this project.

PASSED FIRST READING - Subject to the conditions imposed by the Department and City Commission

Aye: 4 - Mayor Seiler, Commissioner Roberts, Commissioner McKinzie and Commissioner Rogers

Nay: 1 - Commissioner Trantalis

It was stated for the record and announced that the next hearing on this ordinance for the Second Reading will be on June 7, 2016.

Discussions ensued on the appraisals for the property both with and without entitlements.

ADJOURNMENT

There being no further business before the City Commission at this Special Meeting, Mayor Seiler adjourned the meeting at 2:07 a.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk