

**PORT TAMPA BAY  
NOTICE OF PUBLIC HEARING**

Notice is hereby given of a public hearing to be held at 10:30 a.m., August 5, 2020 before the Tampa Port Authority, d/b/a Port Tampa Bay regarding the following:

**LEASE AGREEMENT WITH BERTRAM YACHTS LLC**

The public hearing will be held utilizing Communications Media Technology (CMT) on the Zoom platform (access information is provided below) pursuant to Executive Orders 2-52, 20-69, and 20-112 issued by Governor DeSantis on March 9, 2020, March 20, 2020, and April 29, 2020 respectively and pursuant to Section 120.54(5)(b)2, Florida Statutes. During the Zoom meeting, attendees may view content being presented, hear speakers, and make public comment. The public may attend the hearing either by the online Zoom meeting: <https://zoom.us/j/97871158510?pwd=cWdRaGdjYjZyTW1vME9BY1ZmNkRTUT09>, Password: 989666 or by calling +1 929 205 6099 or +1 301 715 8592, Webinar ID: 978 7115 8510, Password: 989666.

Additional information regarding the project is available online at [www.tampaport.com](http://www.tampaport.com). **All written comments and objections directed toward the foregoing matter should be filed by 12:00 noon on August 4, 2020 with Port Tampa Bay, Real Estate Department, attention Catherine Phillips, at 1101 Channelside Drive, Tampa, Florida 33602 or by email to [cphillips@tampaport.com](mailto:cphillips@tampaport.com).** Comments and questions received 12:00 noon on August 4, 2020 will be read into the record at the meeting and become part of the permanent record. Oral comments and objections may be presented during the hearing. If attending the hearing via Zoom meeting by computer or other electronic device, use the "raise hand" button in the Zoom app in order to speak during the hearing. If attending the Zoom meeting by phone only, enter \*9 on the phone to use the "raise hand" feature to speak during the hearing. At the end of the hearing, the public hearing officer will call on the speakers by name in the order in which they raise their hand. Each speaker will be allowed up to three (3) minutes for their comments. Public comments offered using communications media technology would be afforded equal consideration as if the public comments were offered in person. If you need assistance using Zoom please contact the Port Tampa Bay, Real Estate Department in advance of the meeting by emailing [cphillips@tampaport.com](mailto:cphillips@tampaport.com) or by calling (813) 905-5151.

In accordance with the federal Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities requiring reasonable accommodation to participate in this hearing should call (813) 905-5151 or email [cphillips@tampaport.com](mailto:cphillips@tampaport.com) not later than 48 hours prior to the hearing.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE PORT TAMPA BAY WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC HEARING WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH A PURPOSE, MAY NEED TO HIRE A COURT REPORTER TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

To be published July 15, 2020  
In the Tampa Bay Times

**BACKGROUND INFORMATION FOR PUBLIC HEARING  
AUGUST 5, 2020 AT 10:30 A.M.**

**LEASE AGREEMENT WITH BERTRAM YACHTS LLC**

Bertram Yachts, LLC (Bertram) began building pleasure boats in 1960 from Miami, Florida. Today Bertram continues the Bertram legacy building pleasure boats in Tampa, Florida. Bertram proposes to add production facilities at Pendola Point near Berth 21. The Port Tampa Bay (PTB) staff and Bertram have negotiated the following proposed lease terms:

**Premises:** The Premises would consist of approximately twenty-five (25) acres of land located at the intersection of South 50<sup>th</sup> Street, Pendola Point Road and Madison Avenue in Hillsborough County Florida as shown on Exhibit "A." Bertram would have non-exclusive rights to channel access from the Premises and non-exclusive easement rights over the access road.

**Use:** The Premises would be used solely for the manufacture, production, service, sales and related activities of marine vessels.

**Term:** The initial term would be twenty (20) years with three (3) Lease Extension Options of ten (10) years each.

**Rent:** Rent would be as follows:

**Development Period:** The Development period would be for the first eighteen (18) months and the Rent would be \$17,500 per acre annually.

**Lease Years 1.5 - 2:** Rent would be \$35,000 per acre annually

**Lease Years 3 – 20:** Rent for Lease Year 3 through 20 would be annually adjusted by 90% of the increase in the annual CPI.

**Extension Options:** Rent would be based upon the fair market value of the Premises without improvements.

**Rent Credit Option:** With PTB approval, Bertram may manufacture a vessel for PTB for hydrographic surveying and receive a rent credit upon delivery of the vessel to PTB, all subject to PTB budget, cost and design approval.

**Wharfage and Guarantee:**

In the event Bertram imports or exports any vessels or manufacturing products that are moved through any PTB berth, the wharfage and dockage at that time would apply.

**Right of First Opportunity:**

In the event Bertram exercises their final ten (10) year Lease Extension Option, the parties would begin negotiating a new lease agreement prior to the commencement of the final year of the Lease. All negotiations shall be done in good faith by the parties. In the event the parties have not come to an agreement prior to the last six (6) months of the final lease extension option term, PTB would have the right to present the Premises to third parties. If, at any time in which the Lease is in effect, PTB intends to sell the Premises, Bertram would have the right of first refusal to purchase the Premises.

**Improvements:**

Bertram accepts the Premises "AS-IS" and would be responsible for all improvements to the Premises. Bertram would have the right to construct a manufacturing facility, corporate headquarters, and marine improvements such as a sea wall, boat ramp, floating dock, and travel lift piers within the Berth 21 area and the Premises.

**Port Improvements:**

PTB would construct a non-exclusive access road and rail crossing. Bertram would reimburse PTB for all costs of PTB Improvements amortized over the Initial Term of the Lease at 6% annual use cost rate. See Exhibit "B" Port Improvements Budget and Scope.

**Other:** Bertram would be responsible for all utilities, real estate taxes, site improvements, insurance, and maintenance of the Premises as well as compliance with all seaport security laws and regulations, environmental laws and regulations and all other applicable laws and regulations.

EXHIBIT "A"

**BERTRAM YACHTS**



June 26, 2020

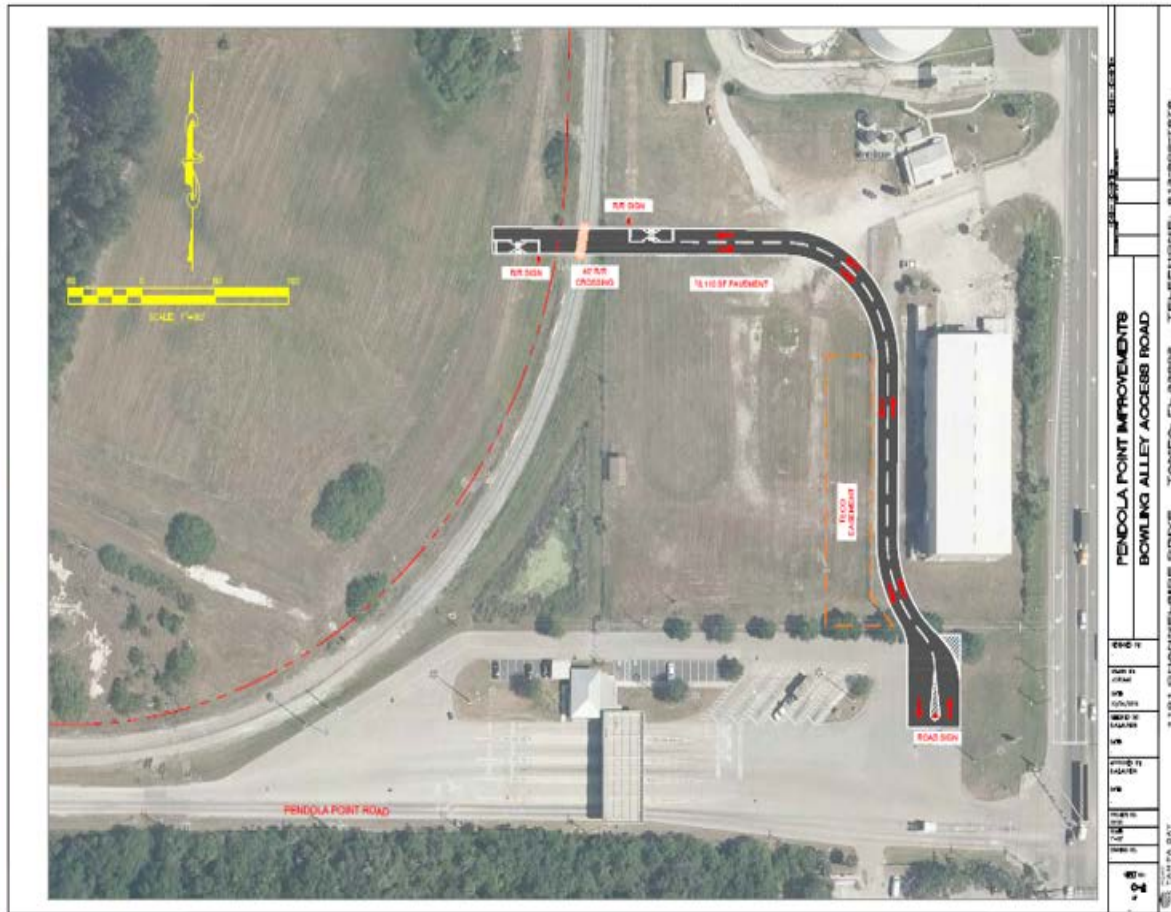
Prepared By:  
Craig S. Kurial  
Professional Land Surveyor #4642  
Assistant Port Surveyor  
Port Tampa Bay  
Drawn by: Craig Kurial  
Sheet 1 of 1

  
**PORT TAMPA BAY**  
1101 Channelside Drive  
Tampa, Florida 33602  
(813) 905-7678 Fax (813) 905-5029  
WWW.PORTTB.COM

THIS IS NOT A SURVEY



**EXHIBIT “B”**  
**PORT TAMPA BAY IMPROVEMENTS BUDGET AND SCOPE**



**PRELIMINARY ESTIMATE OF COST****PROJECT: BERTRAM LEASE PARCEL ACCESS ROAD IMPROVEMENTS AT PENDOLA PT.**

DATE: October 10, 2019

	DESCRIPTION OF WORK	QTY	UNITS	RATE	TOTAL
1	Mobilization	10	%		\$42,623
2	Clear and Grub	1.00	Acres	\$5,000	\$5,000
3	24" RCP Drainage Culvert	225	LF	\$150	\$33,750
4	Storm Drainage System	356	CY	\$250	\$89,120
5	Pavement, 12" Base Rock, 2" S-1 Asphalt	2,567	SY	\$47	\$120,633
6	Concrete Tub Railroad Crossing	60	LF	\$1,500	\$90,000
7	Curb & Gutter	75	LF	\$75	\$5,625
8	Landscape Island	2,230	SF	\$15	\$33,450
9	Pavement Striping & Signage	1	LS	\$15,000	\$15,000
10	Double Swing Gates	120	LF	\$120	\$14,400
11	Fencing - 8' High w/barb Wire	770	LF	\$25	\$19,250
12	Miscellaneous & Construction Contingency	10	%		\$38,758
13	A/E Design Services	6	%		\$27,539
14	A/E Construction Administration Services	4	%		\$18,399
	A/E Services Total			\$45,939	
TOTAL					\$553,608

file:158960 by: BAL

## legend:

ea - each  
 cy - cubic yard  
 lf - linear feet  
 ls - lump sum  
 sf - square foot  
 sy - square yard