



CITY OF SUNNY ISLES BEACH, FLORIDA

Regular City Commission
Commission Chambers
18070 Collins Avenue
Sunny Isles Beach, Florida 33160
Thursday, May 20, 2021
6:30 PM

1. CALL TO ORDER/ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE/INVOCATION

3. APPROVAL OF MINUTES

3.A [Summary Minutes – Hybrid Regular City Commission Meeting – April 15, 2021.](#)

1. Report of City Clerk

4. ORDER OF BUSINESS (Additions/Deletions/Amendments)

5. SPECIAL PRESENTATIONS

5.A [Presentation of **Mental Health Month Proclamation.**](#)

1. Report of Commissioner Goldman

5.B [Add On: 2021 Florida Legislative Update.](#)

1. Report of Commissioner Lama

6. ZONING

ZONING HEARINGS ARE QUASI-JUDICIAL PUBLIC HEARINGS. Please be advised that zoning items on the Commission Agenda are Quasi-Judicial in nature. If you wish to object or comment upon these items, please complete a Public Speaker's Card indicating the agenda item number on which you would like to comment. You must be sworn before addressing the Commission and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any Commission member. Commission members must also do the same pursuant to Ordinance No. 97-4.

6.A [Request of **A3 Development, LLC \(“Applicant”\)** for the property located at **17901 Collins Avenue \(The Estates at Acqualina\)** Site Plan Modification and Transfer Development Rights for the following: \(Hearing #PZ2021-03\):](#)

[Summary:](#)

[The Applicant has submitted applications for a Site Plan Modification and Transfer Development Rights \(TDRs\) for the Estates at Acqualina project located at 17901 Collins Avenue. This site plan modification is requesting a decrease in density of](#)

one (1) residential dwelling unit (decrease from 246 residential units to 245 residential units, 153 units in the south tower and 92 in the north tower.) Subsequent to the decrease in density, the Applicant is seeking to reduce the parking requirement from 532 parking spaces to 530 required parking spaces. Additionally, the Applicant is requesting an increase of the overall Floor Area Ratio (FAR) from 1,179,384 square feet to 1,191,245 square feet of FAR through the City's TDR program in the amount of 11,861 square feet of FAR and five (5) dwelling units. However, the Applicant is seeking to assign 11,861 square feet of FAR and zero (0) dwellings units to the project.

Requests:

1. Pursuant to Sections §265-18 and §265-35 of the City of Sunny Isles Beach Land Development Regulations, the Applicant is requesting a modification to an approved site plan for a decrease in density from 246 residential units to 245 residential units. Due to the reduction of one (1) unit, a request to reduce the number of required parking spaces from 532 parking spaces to 530 parking spaces. Additionally, an increase of the overall Floor Area Ratio (FAR) square footage from 1,179,384 square feet of FAR to 1,191,245 square feet of FAR.
2. Pursuant to Section §265-23 of the City of Sunny Isles Beach Land Development Regulations, the Applicant is requesting to purchase additional Transfer Development Rights (TDRs) in the amount of 11,861 square feet of FAR and five (5) dwelling units. However, the applicant is seeking to assign 11,861 square feet of FAR and zero (0) dwellings units to the project.

- i. Development Review Report.
- ii. Report from Applicant.
- iii. Public Hearing.
- iv. Commission Action.

Protests ____0____ Waivers ____0____ Ex Parte ____0____

1. Report of Development Services Department Director

7. ORDINANCES FOR FIRST READING

7.A An Ordinance of the City Commission of the City of Sunny Isles Beach, Florida, **Amending Chapter 156 of the City of Sunny Isles Beach Code of Ordinances Entitled "Fees, Miscellaneous"**; Repealing and Replacing Attachment "A" Entitled "City of Sunny Isles Beach Building Department Fee Schedule" with the Revised Fee Schedule Attached as Attachment "A"; Eliminating the Chief Building Official's Authority to Administratively Waive the Applicable Building Department Permit Fees for Construction or Improvements to City Owned Property or Projects Located in the City; Providing for Repealer; Providing for Severability; Providing for Codification; Providing for an Effective Date.

1. Report of Building Official
2. Recommendation: Adopt the Ordinance on First Reading; Schedule for Second and Final Reading.

7.B **Revised Memorandum:**

An Ordinance of the City Commission of the City of Sunny Isles Beach, Florida, **Amending Sections 108-9 “Permit Required” and 108-10 “Permit Conditions” of Chapter 108 of the City of Sunny Isles Beach Code of Ordinances Entitled “Beaches” to Increase the Permit Application Fee;** Provide that the Placement of Beach Chairs and Equipment Shall be Pursuant to the Beach Chair Pre-Setting Diagram Issued by the City as a Condition of Permit Approval; Amending Section 108-13 “Penalties for Offenses” to Provide for Increased Penalties for Violations, Including Suspension of a Permit Upon a Third Violation; Providing that Owners Shall Not be Entitled to Any Refund of the Permit Fee as a Result of a Permit Suspension; Providing for an Appeal Process for any Decisions Related to the Suspension or Denial of a Permit; Providing for Repealer; Providing for Severability; Providing for Codification; Providing for an Effective Date.

1. Report of Development Services Director
2. Recommendation: Adopt the Ordinance on First Reading; Schedule for Second and Final Reading.

8. **PUBLIC HEARINGS**

9. **ORDINANCES FOR SECOND READING**

9.A An Ordinance of the City Commission of the City of Sunny Isles Beach, Florida, **Amending Ordinance No. 2020-556; Approving Budget Amendment No. BA2021-01 to the City's Operating and Capital Improvement Budget for the 2020-2021 Fiscal Year - General Fund, Street Maintenance & Construction Fund, Building Fund, Public Art Trust Fund, Capital Projects Fund, Stormwater Fund and Stormwater Capital Fund;** Authorizing the City Manager to Do All Things Necessary to Implement the Terms and Conditions of this Ordinance; Providing for an Effective Date.

1. Report of Finance Director
2. Recommendation: Adopt the Ordinance.

10. **RESOLUTIONS**

10.A A Resolution Of The City Commission Of The City Of Sunny Isles Beach, Florida, **Directing the City Manager or Designee to Enter Into an Agreement or Agreements with the University of Miami-Nova Southeastern University Center for Autism and Related Disabilities for a Citywide Autism and Neurodiverse Inclusion Program** at No Cost to the City; Requiring a Report; Providing for an Effective Date.

1. Report of Commissioner Viscarra
2. Recommendation: Adopt the Resolution.

10.B A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Awarding Invitation to Bid No. 21-03-02 to, and Approving an Agreement**

with, Academy Bus, LLC for Motor Coach Transportation Services, in an Amount Not to Exceed \$120,000.00, Attached Hereto as Exhibit "A"; Authorizing the Mayor to Execute Said Agreement; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

1. Report of Cultural and Community Services Director
2. Recommendation: Adopt the Resolution.

10.C A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving Change Order No. 8 to the Agreement with Nunez Construction, Inc. for the Gateway Park Center Project**, in an Amount not to Exceed \$95,096.74, Attached Hereto as Exhibit "A"; Authorizing the City Manager to Sign Said Change Order and to Do All Things Necessary to Effectuate the Terms of this Resolution; Providing for an Effective Date.

1. Report of City Engineer
2. Recommendation: Adopt the Resolution.

10.D A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving the Purchase of H Frame Outriggers for the City's Bucket Truck from Altec Industries, Inc. Pursuant to Sourcewell Contract No. 012418-Alt**, in an Amount Not to Exceed \$824.00, Attached Hereto As Exhibit "A"; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

1. Report of Public Works Superintendent
2. Recommendation: Adopt the Resolution.

10.E A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Ratifying an Increase to the Purchase Order Issued to MWI Corporation, d/b/a MWI Pumps, for Additional Services Related to the Repairs of the Golden Shores Stormwater Pump Station**, in an Amount not to Exceed \$5,000.00; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

1. Report of Assistant City Manager
2. Recommendation: Adopt the Resolution.

10.F A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving the Purchase of Seven (7) Master Meters from T2 Systems, Inc. Pursuant to Sourcewell Contract No. 121416-TSI**, in an Amount Not to Exceed \$65,214.30, Attached Hereto as Exhibit "A"; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

1. Report of Development Services Director
2. Recommendation: Adopt the Resolution.

10.G **Additional Information:**
A Resolution of the City Commission of the City of Sunny Isles Beach, Florida,

Approving the Purchase and Assignment of Transfer of Development Rights (“TDRs”) in the Amount of 11,861 Square Feet of Floor Area Ratio (“FAR”) and Five (5) Dwelling Units From a Private TDR Bank Account of NDPRE #14, LLC (“Assignor”) to A3 Development, LLC; Approving the Assignment of Transferable Development Rights; Authorizing the Development Services Director to Withdraw 11,861 Square Feet of Far and Five (5) Dwelling Units From the Aforementioned Private TDR Bank Account and Assigning Solely the 11,861 Square Feet of FAR to the Property Located at 17901 Collins Avenue, Sunny Isles Beach, and Extinguishing the Five (5) Dwelling Units; Authorizing the Adjustment and Modification of The Private TDR Bank Accounts; Providing the City Manager and the City Attorney with the Authority to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

1. Report of Development Services Director
2. Recommendation: Adopt the Resolution.

10.H **A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving a Subordination Agreement with Florida Department of Transportation for the Northwest Corner of 175th Street and Collins Avenue of the Parcel with Folio Number 31-2211-004-0320, Located at 17550 Collins Avenue, Sunny Isles Beach, Florida;** Authorizing the City Manager and City Attorney to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

1. Report of Development Services Director
2. Recommendation: Adopt the Resolution.

10.I **A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving the Termination of the Entire Condominium Regime of the Gateway Park Commercial Condominium,** Including the Termination and Vacation of the Declaration of Condominium of Gateway Park Condominium, the Articles of Incorporation, and the By-Laws; Authorizing the Mayor to Execute the Certification and Declaration of Termination of Condominium, Attached Hereto as Exhibit “A”; Authorizing the City Manager, as the President of the Association, and the City Clerk, as the Secretary of the Association, to Execute the Termination; Providing the City Manager and the City Attorney with the Authority to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

1. Report of City Manager
2. Recommendation: Adopt the Resolution.

10.J **Deferred:**
A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Ratifying a Consultant Agreement with Lynn M. Dannheisser, LLC for the Implementation of the Cultural Master Plan,** in an Amount not to Exceed \$65,000.00, Attached Hereto as Exhibit “A”; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

1. Report of City Manager
2. Recommendation: Adopt the Resolution.

10.K **Add On:**

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving a Project Agreement with Craig A. Smith & Associates, to Provide Civil Engineering Services for the Central Island Area Pump Stations and Drainage Improvement, in an Amount Not to Exceed \$443,865.00, Attached Hereto as Exhibit "A"; Authorizing the Mayor to Execute Said Agreement; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

1. Report of City Manager
2. Recommendation: Adopt the Resolution.

11. MOTIONS

12. DISCUSSION ITEMS

12.A Discussion Regarding an **Ordinance Prohibiting Delivery of Cars.**

1. Report of Vice Mayor

12.B **Revised:**

Discussion Regarding **Earth Week Challenge (Battery Recycling).**

1. Report of Vice Mayor

12.C **Add On:**

Discussion Regarding **Beach Litter.**

1. Report of Commissioner Goldman

12.D **Add On:**

Discussion Regarding **Personnel Matters.**

1. Report of Commissioner Viscarra

12.E **Add On:**

Discussion Regarding an **Ordinance Increasing Parking Meter Fees.**

1. Report of Vice Mayor Svechin

13. CITIZENS' FORUM

14. ADJOURNMENT

In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the City Clerk at

(305) 947-0606, no later than 48 hours prior to such proceeding; if hearing impaired, please telephone the TTY line at (305) 792-1590 for assistance.

Anyone wishing to obtain a copy of any agenda item may contact the City Clerk at (305) 947-0606.

Anyone wishing to appeal any decision made by the City of Sunny Isles Beach with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need 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.