



CITY OF SUNNY ISLES BEACH, FLORIDA

Regular City Commission

Commission Chambers

18070 Collins Avenue

Sunny Isles Beach, Florida 33160

Tuesday, September 14, 2021

6:30 PM

1. CALL TO ORDER/ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE/INVOCATION

3. APPROVAL OF MINUTES

3.A Regular City Commission Meeting Minutes – June 17th, 2021.
[Memorandum](#)

1. Report of City Clerk

3.B Regular City Commission Meeting Minutes – July 15th, 2021.
[Memorandum](#)

1. Report of City Clerk.

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

5. SPECIAL PRESENTATIONS

5.A Acknowledgement of **Christopher Noonan for Actions of a Good Samaritan.**
[Memorandum](#)

1. Report of Commissioner Goldman.

5.B Proclamation Presented for **Childhood Cancer Awareness Month.**
[Memorandum](#)

1. Report of Mayor Svechin

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 **18401 Developers, LLC., known as the Bentley Residences, for the Property Located at 18401 Collins Avenue, for a Site Plan Approval** (Hearing #PZ2021-06).
[Memorandum](#)

1. Report of Development Services Director

7. ORDINANCES FOR FIRST READING

- 7.A An Ordinance of the City Commission of the City of Sunny Isles Beach, Florida, **Amending Section 183-1 “Permits Required” of Chapter 183 “Licenses and Permits” of the City of Sunny Isles Beach Code of Ordinances to Provide for a Penalty for Violations**; Providing for Repealer; Providing for Severability; Providing for Codification; Providing for an Effective Date.

[Memorandum](#)

1. Report of Deputy City Manager.
2. Recommendation: Adopt the Ordinance on First Reading; Schedule 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. 2021-567**, Providing for a Revised Effective Date.

[Memorandum](#)

1. Report of Building Official.
2. Recommendation:

Adopt the Ordinance.

- 9.B An Ordinance of the City Commission of the City of Sunny Isles Beach, Florida, **Extending the Term of the Moratorium Established by Ordinance No. 2019-541, as Extended by Ordinance No. 2020-555 and Ordinance No. 2021-563, for an Additional Six (6) Months From September 19, 2021**; Providing for Severability; Providing for Conflicts; and Providing for an Effective Date.

[Memorandum](#)

1. Report of City Attorney.
2. Recommendation: Adopt the Ordinance.

- 9.C An Ordinance of the City Commission of the City of Sunny Isles Beach, Florida, **Amending the City of Sunny Isles Beach Comprehensive Plan to Provide for the State of Florida Mandated Requirements for a Ten-Year Water Supply Facilities Work Plan by Amending the Infrastructure Element, the Conservation Element, the Intergovernmental Coordination Element, the Capital Improvement Element**; Providing

that a Transmittal and Adoption Public Hearing Will be Held; Providing for Adoption; Providing for Severability; Providing for an Effective Date.

[Memorandum](#)

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

10. RESOLUTIONS

10.A A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving the Renewal of the Commercial Package Policy (Property, Liability, Automobile), Workers Compensation, and Miscellaneous Insurances with Brown & Brown/Preferred Government Insurance Trust (PGIT) for the Period of October 1, 2021, through September 30, 2022**, in an Amount Not to Exceed \$1,600,000.00, as Outlined in Exhibit "A"; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

[Memorandum](#)

1. Report of Human Resources & Risk Management Director.
2. Recommendation: Adopt the Resolution.

10.B A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving a Fourth Amendment to the Agreement with Action Labor Management d/b/a Staffing Connection for School Crossing Guard Services**, in an Amount Not to Exceed \$220,000.00, Attached Hereto as Exhibit "A"; Authorizing the City Manager to Execute Said Fourth Amendment to the Agreement and to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

[Memorandum](#)

1. Report of Interim Police Chief.
2. Recommendation: Adopt the Resolution.

10.C A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving an Agreement with Universal Protection Service, LLC d/b/a Allied Universal Security Services to Provide Unarmed Security Guard Services for the Government Center**, in an Amount Not to Exceed \$261,766.08, 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.

[Memorandum](#)

1. Report of Interim Police Chief.
2. Recommendation: Adopt the Resolution.

10.D A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving Blanket Purchase Orders for the Purchase of Necessary Office and Other Supplies and Services from Various Vendors for Fiscal Year 2021/2022 Under \$50,000.00**, Attached Hereto as Exhibit "A"; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution: Providing for an Effective Date.

Memorandum

1. Report of Finance Director.
 2. Recommendation: Adopt the Resolution.
- 10.E A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Authorizing the City Manager or Designee to Purchase Necessary Office and Other Supplies from Staples for Fiscal Year 2021/2022**, in an Amount Not to Exceed \$55,000.00, Subject to Certain Conditions; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.
- [Memorandum](#)
1. Report of Finance Director.
 2. Recommendation: Adopt the Resolution.
- 10.F A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Authorizing the City Manager or Designee to Purchase Necessary Office and Other Supplies from Amazon Business for Fiscal Year 2021/2022**, in an Amount Not to Exceed \$55,000.00, Subject to Certain Conditions; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.
- [Memorandum](#)
1. Report of Finance Director.
 2. Recommendation: Adopt the Resolution.
- 10.G A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Authorizing the City Manager or Designee to Purchase Necessary Office and Other Supplies from Home Depot for Fiscal Year 2021/2022**, in an Amount Not to Exceed \$100,000.00, Subject to Certain Conditions; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution: Providing for an Effective Date.
- [Memorandum](#)
1. Report of Finance Director.
 2. Recommendation: Adopt the Resolution.
- 10.H A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving a Fourth Amendment to the Agreement with The Goodyear Tire & Rubber Co. for Fleet Maintenance and Repair Services**, in an Amount \$120,000.00, Attached Hereto as Exhibit "A"; Authorizing the Mayor to Execute Said Amendment; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.
- [Memorandum](#)
1. Report of Finance Director.
 2. Recommendation: Adopt the Resolution.
- 10.I A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving**

the American Rescue Plan Act Coronavirus Local Fiscal Recovery Fund Agreement Between the City and the Florida Division of Emergency Management; Authorizing the Creation of a Special Revenue Fund; Authorizing the City Manager to Execute All Required Documents; Providing for an Effective Date.

[Memorandum](#)

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

- 10.J A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving the Expenditure of Budgeted Funds with Toshiba Business Solutions for a Four-Year Lease of One (1) Copier**, in an Amount Not to Exceed \$13,000.00 Attached Hereto as Exhibit "A"; Authorizing the City Manager to Do All Things Necessary to Effectuate the Terms of this Resolution; Providing for an Effective Date.

[Memorandum](#)

1. Report of Chief Information Officer.
2. Recommendation: Adopt the Resolution.

- 10.K A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving the Expenditure of Budgeted Funds in an Amount Not to Exceed \$79,583.18 for the **Purchase of Software Licensing and/or Products from Superior, LLC. for Fiscal Year 2021/2022 for Police Software System Maintenance and Support;** Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

[Memorandum](#)

1. Report of Chief information Officer.
2. Recommendation: Adopt the Resolution.

- 10.L A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving the Request Submitted by St. Tropez Beach Developers, LLC (“Applicant”) to Place Two (2) Temporary Banners at the Milton Office Tower, Located at 16690 Collins Avenue**, Subject to Certain Conditions; Providing the City Manager with the Authority to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

[Memorandum](#)

1. Report of Development Services Director.
2. Recommendation:

Adopt the Resolution.

- 10.M A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Authorizing the Purchase of Transfer of Development Rights (“TDRs”) in the Amount of 12,564.58 Square Feet of Floor Area (“FAR”) and 12 Dwelling Units from the City of Sunny Isles Beach TDRs Bank Account by 18401 Developers, LLC a/k/a Bentley**

Residences, and Assignment of 12,564.58 Square Feet of FAR and 0 Dwelling Units to the Property Located at 18401 Collins Avenue; Directing the Development Services Director or Designee to Assign the TDRs from the City's Bank Account in Accordance with Zoning Resolution No. _____; Authorizing the Adjustment and Modification of the City's TDR Bank; Providing the City Manager and City Attorney with the Authority to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.
[Memorandum](#)

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

10.N A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Authorizing the Assignment of Private Transfer of Development Rights ("TDRs") in the Amount of 15,161 Square Feet of Floor Area Ratio ("FAR") and 7 from the Private TDRs Owned by Dezer Universal, LLC. to 18401 Developers, LLC a/k/a Bentley Residences for the Property Located at 18401 Collins Avenue;** Directing the Development Services Director or Designee to Transfer the TDRs from the Private TDRs Bank Account in Accordance with Zoning Resolution _____; Authorizing the Adjustment and Closing of the Private TDRs Bank; Providing the City Manager with the Authority to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.
[Memorandum](#)

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

10.O 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 114,471 Square Feet of Floor Area Ratio ("FAR") and 51 Dwelling Units from a Private TDR Bank Account of NDPRE #14, LLC ("Assignor") to 18401 Developers, LLC; Approving Assignment and Hold Harmless Agreement;** Authorizing the Development Services Director to Withdraw 114,471 Square Feet of FAR and 51 Dwelling Units from the Aforementioned Private TDR Bank Account and Assigning Solely the Amount of 114,471 Square Feet of FAR and 28 Dwelling Units to the Property Located at 18401 Collins Avenue, Sunny Isles Beach, and Extinguishing 23 Dwelling Units; Authorizing the Adjustment and Closing of the Private TDR Bank Account; 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.
[Memorandum](#)

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

10.P A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving a Use and Occupancy Agreement with the Florida Department of Transportation for Public Parking, Landscaping, Drainage, and Other Public Purposes, on the Property Located on Parcel 402** (East End of SR 826, Just West of A1A); Authorizing the Mayor to Execute Said Lease Agreement in Substantially the Same Form; 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.

[Memorandum](#)

1. Report of Claudia C. Hasbun, Development Services Director
2. Recommendation: Adopt the Resolution.

10.Q A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Ranking the Submittals for the Pedestrian Bridge to be Located Across Collins Avenue at 174th Street in Response to Request for Qualifications No. 20-10-01, and Authorizing the City Manager to Begin Negotiations with the Top Ranked Firm** in Accordance with State Law; Authorizing the City Manager to Negotiate and Enter into an Agreement with the Top Ranked Firm, Provided Said Agreement is First Approved as to Form and Legal Sufficiency by the City Attorney; Authorizing the City Manager and the City Attorney to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

[Memorandum](#)

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

10.R A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Ratifying a First Amendment to the Agreement with G. Concrete Development, Inc. for the Bella Vista Bay Park Reconstruction**, in an Amount Not to Exceed \$90,409.60, Attached Hereto as Exhibit "A"; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

[Memorandum](#)

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

10.S A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving Change Order No. 9 to the Agreement with Nuñez Construction, Inc. for the Gateway Park Center Project, in an Amount not to Exceed \$47,357.00**, Attached Hereto as Exhibit "A"; Authorizing the City Manager to Execute Said Change Order and to Do All Things Necessary to Effectuate the Terms of this Resolution; Providing for an Effective Date.

[Memorandum](#)

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

10.T A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving a First Amendment to the Agreement with Summa Mechanical Contractors, LLC. d/b/a SMC Air Conditioning for Air Conditioner Preventative Maintenance Services**, in an Amount Not to Exceed \$27,000.00, 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.

[Memorandum](#)

1. Report of Cultural and Community Services Director.
 2. Recommendation: Adopt the Resolution.
- 10.U A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving a Third Amendment to the Agreement with Brightview Landscape Services, Inc., for Right-of-Ways and Facilities Landscape Maintenance Services**, in an Amount Not to Exceed \$650,000.00; Authorizing the Mayor to Execute Said Amendment; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.
[Memorandum](#)
1. Report of Assistant City Manager.
 2. Recommendation: Adopt the Resolution.
- 10.V A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving an Agreement with PayByPhone Technologies, Inc., to Provide a Mobile Payment Program for Parking Services**, 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.
[Memorandum](#)
1. Report of Deputy City Manager.
 2. Recommendation: Adopt the Resolution.
- 10.W A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving an Agreement with Victor H. Guevara to Provide Professional Consulting Services, in an Amount Not to Exceed \$96,000.00**, 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.
[Memorandum](#)
1. Report of City Manager.
 2. Recommendation: Adopt the Resolution.

11. MOTIONS

12. DISCUSSION ITEMS

- 12.A Discussion re: Ordinance Requiring Disclosure of Building Engineering Reports.
[Memorandum](#)
1. Report of Commissioner Viscarra.
- 12.B Discussion re: the Pedestrian Bridge Over Collins Avenue and 180th Street.
[Memorandum](#)
1. Report of Commissioner Goldman.

12.C Discussion Regarding **Process for Selection of Police Chief.**
[Memorandum](#)

1. Report of Commissioner Viscarra.

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.