

SUMMARY MINUTES
Special City Commission Meeting
Monday, November 1, 2004, 8:00 a.m.
City of Sunny Isles Beach, Florida

<p><u>ATTENTION ALL LOBBYISTS: CITY LAW REQUIRES YOUR REGISTRATION PRIOR TO ENGAGING IN LOBBYING ACTIVITIES BEFORE CITY STAFF, BOARDS, COMMITTEES OR THE CITY COMMISSION. PLEASE CONTACT THE CITY CLERK FOR FORMS AND ADDITIONAL INFORMATION.</u></p>
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AGENDA

1. CALL TO ORDER/ROLL CALL OF MEMBERS

The meeting was called to order by Mayor Edelcup at 8:19 a.m., with the following officials present:

Mayor Norman S. Edelcup
Vice Mayor Gerry Goodman
Commissioner Roslyn Brezin
Commissioner Danny Iglesias
Commissioner Lewis J. Thaler

City Manager Christopher J. Russo
City Attorney Lynn M. Dannheisser
City Clerk Jane A. Hines

2. PLEDGE OF ALLEGIANCE

Action: Norman Malinski, Esq., Outside Council, led the Pledge of Allegiance to the flag.

3. ADJOURN INTO EXECUTIVE SESSION:

Meet with legal counsel to discuss settlement negotiations and litigation strategy regarding the Petition for Eminent Domain for the property located at 18100 Collins Avenue, filed by the City of Sunny Isles Beach, Case No. 03 21419 CA10 (Alamo Property).

Action: Mayor Edelcup made a welcoming statement and explained the procedure for today's closed door Executive Session to meet with legal counsel to discuss settlement negotiations and litigation strategy concerning the City's action in the eminent domain on the property located at 18100 Collins Avenue a/k/a the Alamo Property, noting that a Court Reporter would be present along with the City's outside Counsel, City Attorney, City Manager and the City Commission.

Mayor Edelcup also noted that a transcript of the session would become available to the Clerk after the litigation matter has been brought to a close either by settlement or by court determination, and at the conclusion of the Executive Session they will reconvene publicly to take a vote on the discussion, and clarified that a vote will not occur until they are in the

Sunshine again and will be following the laws as set forth in Section 286.011 of the Florida Statutes. Mayor Edelcup adjourned the meeting at 8:22 a.m. and went into a closed door Executive Session at 8:25 a.m. with the following people present:

Mayor Norman S. Edelcup
Vice Mayor Gerry Goodman
Commissioner Roslyn Brezin
Commissioner Danny Iglesias
Commissioner Lewis J. Thaler
Christopher J. Russo, City Manager
Lynn M. Dannheisser, City Attorney
Hans Ottinot, Deputy City Attorney
Norman Malinski, Esq., Special Counsel
Gelena Tarnapolsky, Court Reporter, Downtown Reporting

4. RECONVENE:

Discussion and vote on direction of litigation.

Action: Mayor Edelcup reconvened the meeting at 9:08 a.m. Mayor Edelcup reported back on the Executive Session stating that the Commission met with the City's Attorneys and that the Court Reporter was present. He stated that the status of the case was discussed and they learned that, at this point, there may be a scheduled court hearing on December 6, 2004, and the Commission has asked that the City's Attorneys continue on the path that they have already started.

Public Speakers: none

5. ADJOURNMENT

Vice Mayor Goodman moved and Commissioner Iglesias seconded a motion to adjourn the meeting. **The motion was adopted by a voice vote of 5-0 in favor and the meeting was adjourned at 9:10 a.m.**

Respectfully submitted by:

Approved by the City Commission on November 18,
2004

Jane A. Hines, City Clerk

Norman S. Edelcup, Mayor