



CITY OF SUNNY ISLES BEACH, FLORIDA

City Commission Meeting
David P. Samson Commission Chambers
18070 Collins Avenue

Sunny Isles Beach, Florida 33160

Thursday, February 19, 2009

6:30 p.m.

Mayor Norman S. Edelcup
Vice Mayor Lewis J. Thaler
Commissioner Roslyn Brezin
Commissioner Gerry Goodman
Commissioner George "Bud" Scholl

Acting City Manager Rick Conner
City Attorney Hans Ottinot
City Clerk Jane A. Hines, CMC

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.

AGENDA

- 1. CALL TO ORDER / ROLL CALL OF MEMBERS**
- 2. PLEDGE OF ALLEGIANCE / INVOCATION**
- 3. APPROVAL OF MINUTES**
 - 3A.** [pages 9 to 17]
Regular City Commission Meeting – January 15, 2009.
 - 3B.** [pages 18 to 20]
Special City Commission Meeting – January 22, 2009.
 - 3C.** [pages 21 to 23]
Special City Commission Meeting – January 27, 2009.
- 4. ORDER OF BUSINESS (Additions/Deletions/Amendments)**
 - 4A.** Request to Hear Items.
- 5. SPECIAL PRESENTATIONS**
 - 5A.** [pages 24 to 26]
Presentation of the City of Sunny Isles Beach **Audit Report for Fiscal Year 2007/2008.**
 1. Report of City Manager, and City Auditors: Rachlin LLP.
- 5. SPECIAL PRESENTATIONS (Continued)**

5B. [page 27]
Presentation of a Flag/Plaque by Army Sergeant Nick Perdomo to the City of Sunny Isles Beach through the Building Department.

5C. [page 28]
Presentation of Artwork by Charles Wachsberg to the City of Sunny Isles Beach.

6. ZONING

None

7. ORDINANCES FOR FIRST READING

7A. [pages 29 to 37]
An Ordinance of the City Commission of the City of Sunny Isles Beach, Florida, **Amending Chapter 26 of the City Code to Provide for a New Article III to Incorporate General Election Provisions**; Providing for Incorporation of Recitals; Repealing All Ordinances in Conflict; Providing a Severability Clause; Providing for Inclusion in Code; Providing An Effective Date.

1. Report of City Clerk.
2. Recommendation: Adopt the Ordinance on first reading and schedule a hearing for second and final reading.

7B. [pages 38 to 42]
An Ordinance of the City Commission of the City of Sunny Isles Beach, Florida, Amending Section 265-46 of the City Code to Establish **Security Lighting Requirements for Commercial/Retail Establishment, Apartment and Condominium Off-Street Surface Parking Lot Areas**; Providing for Penalties; Providing for Severability; Providing for Inclusion in the Code; Providing for an Effective Date.

1. Report of City Attorney.
2. Recommendation: Adopt the Ordinance on first reading and schedule a hearing for second and final reading.

8. PUBLIC HEARINGS (Other than Ordinances for Second Reading)

None

9. ORDINANCES FOR SECOND READING (*Public Hearings*)

None

10. RESOLUTIONS

10A. [pages 43 to 45]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Reappointing Judge Robert Newman, Maurice Donsky, Sonja K. Dickens, and Mimi V. Turin as Special Masters**, for a Period of One Year, in Accordance with City Code Section 14-3; Providing for an Effective Date.

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

10B. [pages 46 to 48]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Deleting the Restaurant Use Restriction Contained in (1) (E) of Resolution No. 00-Z-42 Pertaining to the Property Located on 18660 Collins Avenue**; 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 Attorney.
2. Recommendation: Adopt the Resolution.

10C. [pages 49 to 96]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving an Agreement with AT&T Mobility for Use of Air Cards that will Support the Police, Building, and Code Enforcement Department's Mobile Units**, in an Amount Not to Exceed \$35,079.84, 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 Informational Technology Director.
2. Recommendation: Adopt the Resolution.

10D. [pages 97 to 100]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, **Approving Budget Amendment No. BA0809-001 to Fiscal Year 2008/2009 Budget**, to Fund Various New and/or Additional Goods and Services not Included in the Approved Budget, to Include the Property Tax Settlement with Miami-Dade County (\$250,000), Re-Platting Costs for Heritage Park, Government Center and Avila Property (\$60,000), Avila Property Improvements (\$115,000), and Avila Property Acquisition and Related Costs for Appraisals, etc. (\$2,207,600); Authorizing the City Manager to Do All Things Necessary to Effectuate the Terms of this Resolution; Providing for an Effective Date.

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

10. RESOLUTIONS (Continued)**10E.** [pages 101 to 116]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving **Addendum No. 3 to Agreement with Lukes-Sawgrass Landscaping, Inc. for Landscaping Services for Capital Improvement Projects** Based on a Unit Price Basis, in an Amount Not to Exceed \$1,279,000.00, Attached Hereto as Exhibit "A"; Authorizing the Mayor to Execute Said Addendum No. 3 to Agreement; Authorizing the City Manager to Do All Things Necessary to Effectuate the Terms of this Agreement; Providing for an Effective Date.

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

10F. [pages 117 to 120]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Authorizing the Chief of Police, in Accordance with Section 932.7055, F.S. and the Comprehensive Crime Control Act of 1984, to **Expend \$130,000.00 of Partial Law Enforcement Trust Fund (L.E.T.F.) Forfeiture Fund and/or Department of Justice (D.O.J.)**, for the Purchase of Firearms and Related Accessories for the Implementation of a Special Purpose Tactical Firearms Program, for Various Charitable Contributions, and for Legal Costs Associated with the Asset Forfeiture Process; Providing for an Effective Date.

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

10G. [pages 121 to 126]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving the **Purchase of Fifty (50) Colt Commando (M4) Rifles, Vehicle Racks and Associated Equipment and Accessories for the Special Purpose Tactical Firearms Program from Colt Defense LLC**, in the Amount Not to Exceed \$70,000.00, 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 Police Chief.
2. Recommendation: Adopt the Resolution.

10H. [pages 127 to 130]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving the **Purchase of Ten (10) Handheld P7250 Police Radios and Associated Accessories** from Miami-Dade County, Enterprise Technology Services Department, in the Amount Not to Exceed \$42,600.00, 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 Police Chief.
2. Recommendation: Adopt the Resolution.

10. RESOLUTIONS (Continued)

10I. [pages 131 to 154]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving a **Payment to the Miami-Dade County Public Schools, in the Amount Not to Exceed \$754,743.00, for Work Completed at the Sunny Isles Beach Community School**, Including Drainage and Pavement Around the Community School, Maintenance of Traffic Around the Atlantic Boulevard Area, and the Perimeter Right-of-Way Around the Community School, Attached as Exhibit "A"; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

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

10J. [pages 155 to 161]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Ratifying the Approval of the **Agreement Between Fortin, Leavy, Skiles, Inc. and the City of Sunny Isles Beach, to Provide Platting Services for the Government Center**, in the Amount Not to Exceed \$25,000.00, Attached Hereto as Exhibit "A"; Authorizing the City Manager and/or Designee to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

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

10K. [pages 162 to 169]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Ratifying the Granting of the **Warranty Deed to Miami-Dade County for the Property Known as Atlantic Island, Sunny Isles Lift Station Parcel 1 for Use by the Miami-Dade Water and Sewer Department**; 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 Assistant City Manager/Services.
2. Recommendation: Adopt the Resolution.

10L. [pages 170 to 177]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving the **Purchase of a Prefabricated Restroom Unit from AES Precast Company, Inc. for the Senator Gwen Margolis Park**, in an Amount Not to Exceed \$53,800.00; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

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

10. RESOLUTIONS (Continued)

10M. [pages 178 to 185]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving

the **Second Amendment to Agreement with B & G Fences, Corp., to Provide Furnishing and the Installation of Fencing for the Parking Area of Avila North**, in an Amount Not to Exceed \$29,500.00, Attached Hereto as Exhibit "A"; Authorizing the Mayor to Execute Said Second Amendment to Agreement; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

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

10N. [pages 186 to 191]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving a **First Amendment to Agreement with Southeastern Engineering Contractors, Inc. to Construct a New Retaining Wall at Oceania Park**, in an Amount Not to Exceed \$4,494.49, Attached Hereto as Exhibit "A"; Authorizing the Mayor to Execute Said First Amendment to Agreement; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

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

10O. [pages 192 to 235]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving the Selection of **AvMed as the Provider for Employee Health Insurance, Lincoln Financial Group as the City's Provider for Dental Insurance, Life Insurance, Accidental, Death & Dismemberment (AD&D) Insurance and Long Term Disability Insurance, and EyeMed as the City's Provider for Vision Care for a One-Year Period**; Authorizing the City Manager to Enter into Agreements with these Providers, Provided Said Agreements are Approved as to Form and Legal Sufficiency by the City Attorney; Further Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

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

10P. [pages 236 to 238]

A Resolution of the City Commission of the City of Sunny Isles Beach, Florida, Approving in Concept the **Renovation of the First Floor of the Government Center**; Providing for a Total Project Budget in the Amount of \$75,000.00; Providing that Any Agreements be Approved as to Form and Legal Sufficiency by the City Attorney; Authorizing the City Manager to Do All Things Necessary to Effectuate this Resolution; Providing for an Effective Date.

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

11. MOTIONS

11A. [page 239]

Call for a Motion to **Confirm the Appointment of Janet Cini to Fill a Vacancy on the Historic Preservation Board** (Vice Mayor Thaler).

12. DISCUSSION ITEMS

12A. [page 240]

Discussion/Presentation of a **Beach Safety Video** Played on the Hotels' Television Welcome Page Channel regarding Sunny Isles Beach Ocean Rescue.

1. Report of Cultural and Human Services Director.

13. CITIZENS' FORUM: REQUESTS, PETITIONS & OTHER COMMUNICATIONS

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.