

RESOLUTION NO. 26-Z- 221

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SUNNY ISLES BEACH, FLORIDA, APPROVING A SITE PLAN APPLICATION (PZ2025-08) SUBMITTED BY MB RE INVESTMENTS, LLC, FOR THE PROJECT ENTITLED "MIAMI BEACH CLUB" CONSISTING OF A SIXTY-TWO (62) STORY RESIDENTIAL CONDOMINIUM TOWER WITH 524,212.8 SQUARE FEET OF FLOOR AREA, INCLUDING A 2,390 SQUARE FOOT PRIVATE RESTAURANT, AND 145 RESIDENTIAL DWELLING UNITS; PROVIDING THE CITY MANAGER WITH THE AUTHORITY TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, MB RE Investments, LLC (the "Applicant") submitted a site plan application (PZ2025-08), to the City of Sunny Isles Beach, Florida ("City"), for the project entitled "Miami Beach Club" ("Application"), to be located at the following property:

Legal Description: The North 200 feet of Tract "E," AMENDED PLAT NORTH BISCAYNE BEACH, according to the plat thereof as recorded in Plat Book 44 at Page 42 of the Public Records of Miami-Dade County, Florida. And that portion of upland lying East of said North 200 feet of Tract "E" described as follows: Bounded on the North by the Easterly extension of the North line of said Tract "E," Bounded on the South by the South line of the North 200 feet of said Tract "E," Bounded on the West by the East line of said Tract "E" and Bounded on the East by the Erosion Control Line of the Atlantic Ocean per Plat recorded in Plat Book 134 at Page 47 of the Public Records of Miami-Dade County, Florida.

Address: 19051 Collins Avenue, Sunny Isles Beach, Florida

Folio: 31-2202-016-0001

WHEREAS, the Applicant's site plan application requests the following:

1. Pursuant to Section 265-18 and 265-35 of the City of Sunny Isles Beach Land Development Regulations, Site Plan Approval for the development project, "Miami Beach Club," consisting of a sixty-two (62) story residential condominium tower with a total of 524,212.8 square feet of floor area, including a 2,390 sq. ft. private restaurant, and 145 residential dwelling units.
2. Pursuant to Section 265-23 of the City of Sunny Isles Beach Land Development Regulations, approval for the purchase and assignment of Transferable Development Rights (TDRs) in the amount of 120,972.18 square feet and 48 dwelling units from the City's public TDR bank account.

3. Pursuant to Section 265-11(M) and Section 265-23.G.(1)(d) of the City of Sunny Isles Beach Land Development Regulations, a payment agreement in the form of a Promissory Note for the requested development bonuses and Transferable Development Rights, not paid-in kind, over a period of time and on terms and conditions approved by the City Commission.
4. Pursuant to Section 104-4.2 of the City of Sunny Isles Beach Land Development Regulations, to defer the work of art requirement from the Arts in Public Places Program to after the site plan approval but prior to issuance of a Temporary Certificate of Occupancy (TCO).
5. Pursuant to Section 265-63.3(G) of the City of Sunny Isles Beach Land Development Regulations, the use of murals and graphic designs on a temporary construction fence.
6. Pursuant to Section 265-11.N. of the City of Sunny Isles Beach Land Development Regulations, an extension of time to obtain a below grade or master building permit from 24-months to up to five (5) years from the site plan approval and from 24-months to up to five (5) years from issuance of below grade or master building permit to complete the development project.
7. Pursuant to Section 265-46.A(3) of the City of Sunny Isles Beach Land Development Regulations, a shared parking agreement between the residential condominiums and private restaurant uses to provide sufficient project parking to meet the minimum parking requirements of the City's Land Development Regulations.

WHEREAS, on January 15, 2026, and on February 19, 2026, the City Commission conducted a public hearing on the Application; and

WHEREAS, the public hearing was duly advertised and held as required by law, all interested parties concerned with the matter were heard, and due and proper consideration was given to the matter and to the positive recommendation contained in the City's Planning and Zoning Department Staff Report; and

WHEREAS, notice was provided to all interested parties regarding the Application; and

WHEREAS, the City Commission reviewed the Application, the written and oral recommendations of the Planning and Zoning Department, including the recommended conditions, and hereby finds competent substantial evidence to support a showing by the Applicant that the request for site plan approval is in compliance with the City's Land Development Regulations and the Comprehensive Plan, and maintains the basic intent and purpose of the zoning, subdivision or other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community;

and further finds that the variance application should be granted, subject to the conditions described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SUNNY ISLES BEACH, AS FOLLOWS:

Section 1. Incorporation of Recitals. The foregoing recital paragraphs are hereby ratified and confirmed as being true and the same are hereby made part of this Resolution.

Section 2. Findings and Conclusions. Based upon an analysis of the Application and the standards for approval of a site plan under the City's Land Development Regulations, the City Commission hereby finds and concludes:

- A. The Application is in compliance with the City's Land Development Regulations and there is competent substantial evidence to support approval of the Application.
- B. The Application is consistent with the Comprehensive Plan and Land Development Regulations of the City.

Section 3. Approval.

- A. The Applicant's request for a sixty-two (62) story residential condominium tower with a total of 524,212.8 square feet of floor area, including a 2,390 sq. ft. private restaurant, and a total of 145 residential dwelling units, is hereby approved, subject to all conditions set forth in Section 4, below.
- B. The Applicant's request for the purchase and assignment of Transferable Development Rights (TDRs) in the amount of 120,972.18 square feet and 48 dwelling units from the City's public TDR bank account is hereby approved, subject to all conditions set forth in Section 4, below.
- C. The Applicant's request for a payment agreement, in the form of two separate Promissory Notes, one for the payment of the requested development bonuses and the other for the payment of the Transferable Development Rights, not paid-in-kind, over a period of time and on terms and conditions approved by the City Commission, is hereby approved, subject to all conditions set forth in Section 4, below.
- D. The Applicant's request to defer the work of art requirement from the Arts in Public Places Program to after site plan approval but prior to issuance of a Temporary Certificate of Occupancy (TCO) is hereby approved, subject to all conditions set forth in Section 4, below.

- E. The Applicant's request for the use of murals and graphic designs on a temporary construction fence is hereby approved, subject to all conditions set forth in Section 4, below.
- F. The Applicant's request for an extension of time to obtain a below grade or master building permit from 24-months to up to five (5) years from the site plan approval and from 24-months to up to five (5) years from the issuance of below grade or master building permit to complete the development project, is hereby approved, subject to all conditions set forth in Section 4, below.
- G. The Applicant's request for a shared parking agreement between the residential condominiums and private restaurant uses to provide sufficient project parking to meet the minimum parking requirements of the City's Land Development Regulations, is hereby approved, subject to all conditions set forth in Section 4, below.

Section 4. Conditions.

A. Conditions to be completed before demolition, below grade or building permits are issued.

1. That the plans in the approval be substantially in accordance with that submitted for public hearing, and may be examined, in the City Clerk's Office, which are entitled "Preliminary Design for: Miami Beach Club", prepared by Cohen, Freedman, Encinosa & Associates, stamped received December 11, 2025, consisting of twenty eight (28) sheets; survey prepared by Fortin, Leavy, Skiles, Inc., stamped received May 13, 2025, consisting of one (1) sheet; landscape plans entitled "Miami Beach Club," prepared by Enea Landscape Architecture, Inc., stamped received January 5, 2026, consisting of twelve (12) sheets; civil plans entitled, "Civil Design Plans for 19051 Collins Ave," prepared by Kimley Horn, stamped received July 30, 2025, consisting of nine (9) sheets. Plans are subject to revisions based on comments provided by zoning staff of the City of Sunny Isles Beach.
2. Upon the submittal of an application for a building permit, the plans submitted shall be approved by the Planning & Zoning Department and be consistent with the specific site plan approved by the City Commission. Plans shall include all the required elements of the site plan pursuant to the City's Land Development Regulations and recommendations. Should compliance with recommendations result in a change that would not be considered "minor" in accordance with Section § 265-18 of the City Code of Ordinances, the Applicant shall be required to obtain a site plan modification approval of the City Commission.
3. That a plot plan be submitted to the Planning & Zoning Department for review. The plot plan shall include all easements proffered by the Applicant to the City, including

but not limited to (i) a minimum of ten-foot (10') landscape easement along the west side of the property, (ii) a 10,000 square foot Public Oceanfront Park easement and (iii) a 20-foot beach access easement. The plot plan shall show, but is not limited to, the type and size of plant materials, lighting, and City approved furniture, signage, paver design specification, and maintenance.

4. That the Applicant submit a Declaration of Restrictive Covenants in recordable form acceptable to the Planning & Zoning Department and acceptable to the City Attorney prior to submittal for an application for below grade or master building permit, which proffers: (i) a minimum of ten-foot (10') landscape easement along the west side of the property and (ii) a 10,000 square foot Public Oceanfront Park easement and (iii) a 20-foot beach access easement. Additionally, the Declaration shall provide that the Applicant (iv) provide 24-hour valet parking services for owners and guests and (v) include that the ownership assignment of any cabana shall be strictly to an owner or owners of a unit within the Miami Beach Club project. Cabanas shall not be used as a dwelling unit and shall not be rented or leased to any person other than an owner or owners of a unit within the condominium. The shared parking agreement (vi) shall be restricted to only the restaurant and residential condominium units. The covenant shall provide that the use or portion of a use that requires the shared parking shall cease and terminate upon any change in their respective schedules of operation that results in conflicting or overlapping usage of the parking facilities, and no nonresidential use may be made of that portion of the property until the requires parking facilities are available and provided. The Declaration shall provide that the maintenance of these easements, parking areas, and cabanas shall be the responsibility of the Applicant. The Declaration of Restrictive Covenants shall be recorded in the public records of Miami-Dade County at the Applicant's expense.
5. That the Applicant complies with all conditions and permit requirements, including but not limited to, Miami-Dade County DERM, environmental conditions and permitting, the Fire and Water and Sewer Departments, and Florida Department of Transportation (FDOT), Miami-Dade DTPW, Miami-Dade Aviation, Florida Department of Environmental Protection (FDEP), etc.
6. No below grade or master building permits shall be issued unless the Applicant has submitted all documents referred to under this approval and shall have paid all impact fees, bonuses, and Transfer of Development Rights, professional fees (as per Section §267-5 and such other applicable Land Development Regulations) due to the City. The Applicant is proposing to enter into installment payment plans through two separate Promissory Notes, one for the payment of development bonuses, and the other for the payment of the TDR purchase, and if approved by the City Commission in accordance with the City's Code of Ordinances, these two Promissory Notes shall be executed prior to issuance of below grade or master building permit of the project.
7. A Miami-Dade County tree removal permit must be secured and attached to the

landscape permit application prior to demolition.

8. That palms along Collins Avenue be at least 12' clear-wood Medjool Palms or shall match adjacent palms' heights, to be consistent with the City Streetscape Master Plan.
9. That the Applicant must present evidence of performance to the Planning & Zoning Department of the obligation required to qualify for the Floor Area Ratio bonuses. In the event that the Applicant has done so and prior to issuance of a below grade or master building permit, the Applicant shall acquire the following floor area ratio bonuses:

a) Beach Access Trust Fund	0.20 FAR	\$1,609,935.72
b) Beach Access Easement	0.10 FAR	\$ 0.00 (*)
c) Public Beach Rec. Enhancement	0.60 FAR	\$4,829,807.16
d) Collins Ave Streetscape Enhancement	0.60 FAR	\$4,829,807.16
e) SIB Public Parking Bonus	0.20 FAR	\$1,609,935.72
f) Public Oceanfront & Open Space	0.20 FAR	\$ 0.00 (*)
g) Educational and Cultural Bonus	0.20 FAR	\$1,609,935.72

() non-monetary floor area ratio bonus*

The FAR bonus program consists of participation units, which in this case are equal to 36 participation bonus units (where each participation unit has a value of 0.05 FAR). In detail, the bonus formula is the lot size (acres), times the participation units, times the price of the participation unit, for this case is as follows:

$$2.012419651 \text{ (acres)} \times 36 \text{ (participation units)} \times \$200,000 \text{ (price/participation unit)} = \$14,489,421.49$$

The total contribution for all Floor Area Ratio bonuses for the development is \$14,489,421.49 for a total increase of 2.1 FAR or 184,088.10 square feet of FAR and 60 dwelling units. The Applicant, its successors or assigns, shall provide the City with a non-refundable deposit in the amount of ten percent (10%) of the approved purchased price of \$14,489,421.49 for the FAR bonuses acquired from the City. The total amount of the deposit is \$1,448,942.15. Failure to pay the required deposit within the three (3) working days of approval of the site plan application shall result in an automatic voiding of the City Commission site plan approval. The Applicant is proposing to enter into an installment payment plan, in the form of a Promissory Note, in accordance with the City Code for the remaining balance (90%). If approved, this agreement shall be executed prior to below grade or master building permit of the project.

Applicant has acknowledged that the bonus participation unit rates may change prior to the issuance of the below grade or master building permit for the proposed project. If the bonus participation unit rates increase prior to the issuance of a below grade or master building permit, the Applicant, its successors or assigns, shall (a) increase the total purchase price of the bonus units being acquired hereunder to account for the new unit rates and (b) remit to the City a true-up deposit for 10% of the positive difference between the new total purchase price for the bonus units after accounting for the new unit rates over the total purchase price for the bonus units determined in this resolution. This true-up payment will be made by the Applicant within three (3) working days of receipt by the Applicant of notice from the City of the increase of the bonus participation unit rates. Finally, any financing of the purchase price of bonus units approved in this resolution shall apply to the updated purchase price determined by the new bonus unit rates and the note evidencing such financing shall be modified accordingly.

10. That the Applicant shall submit evidence of purchase of the 120,972.18 square feet of floor area and 48 dwelling units of Transfer Development Rights (TDRs) purchased from the City's Public TDR's Bank. That the Applicant provides the City with a non-refundable deposit in the amount of ten percent (10%) of the approved purchased price of \$15,121,522.50 for the TDRs. The total amount of the deposit is \$1,512,152.25. Failure to pay the required deposit within the three (3) working days of approval of the TDRs application and site plan application shall result in an automatic voiding of the City Commission approval of the Receiving Site, transfer of TDRs, and site plan approval. The Applicant is proposing to enter into an installment payment plan, in the form of a Promissory Note, in accordance with the City's Code for the remaining balance (90%). If approved, this agreement shall be executed prior to below grade or master building permit of the project.
11. Prior to issuance of a below grade or master building permit, documentation evidencing the transfer of development rights shall be recorded against the title of the receiving site, in the public records of Miami-Dade County, Florida and an irrevocable covenant running with the land, which shall include the additional FAR (TDR), required parking and all other conditions, restrictions, and obligations imposed as conditions of the approval by the City Commission and the LDRs, shall be recorded against the title to the receiving site, in the public records of Miami-Dade County, Florida. The covenant and all other documents recorded pursuant to this section shall include a warning that the approval of the TDRs shall be extinguished, become null and void, and shall be of no further force or effect in the event no building permit is issued for the receiving site within 24 months (or other period of time agreed to by the City Commission) from the date the resolution is rendered, and shall contain a statement by which the owner(s) of the receiver site shall agree to bind itself, its successors and assigns with regard to all conditions, restrictions, and obligations contained therein, and, further, shall include a statement prohibiting any changes, amendments, modifications or releases to the document without the prior written

approval of the City Manager and the City Attorney after approval by the City Commission at a public hearing. All documents recorded pursuant to this section shall be in a form acceptable to the City Attorney and shall be recorded at the expense of the Applicant. Copies of documents recorded pursuant to this section shall be delivered to the City by the Applicant.

12. That the Applicant shall submit an updated Demolition and Construction Staging and Traffic Management Plan, before commencing any construction activity, that minimizes negative impacts to the public and implements high-rise construction safeguards. The staging plan shall provide a schedule of activities such as, parking arrangements, lane closures, sidewalk closures, any other required activity that may provoke an impact at the surrounding areas, and a plan to implement perimeter scaffolding, catch platform system, or construction safeguards, intended to prevent people, materials, debris, concrete spillage, dust, paint, construction material etc. from falling onto private and public property. The staging plan shall be approved administratively by the City Manager or designee.
13. That the Applicant shall address comments provided by City's Traffic Engineering Consultant regarding Traffic and vehicular issues per the memorandum dated December 8, 2025. The City Manager or his designee shall review and provide additional comments if necessary. All comments are to be addressed prior to issuance of below grade or master building permit.
14. That the Applicant shall address comments provided by City's Civil Engineering Consultant regarding civil engineering and site issues pursuant to the memorandum dated December 8, 2025. The City Manager or his designee shall review and provide additional comments if necessary. All comments are to be addressed prior to issuance of below grade or master building permit.
15. That the Applicant shall pay all fees related to the review of the application described herein and shall have paid all other fees due to the City.
16. That the Applicant provide the Lighting/Photometric Plan prior to issuance of below grade or master building permit.
17. That the Applicant provide the Signage and Pavement Marking Plan prior to the issuance of below grade or master building permit.
18. If approved, the Applicant must submit a separate building permit prior any installation of murals or graphics on temporary construction fencing to be approved administratively by the City Manager or designee.
19. That Applicant shall obtain an active concurrency review approval from Miami-Dade County School Board. School Concurrency Determination Letter issued date 5/6/2025,

B. Conditions to be completed before any Certificate of Occupancy is issued.

1. If approved, the Applicant shall meet all requirements pursuant to the Arts in Public Places Program. The Applicant shall schedule the hearing with the Public Arts Advisory Committee (PAAC) for review of the work of art, not less than 120 days prior to issuance of Temporary Certificate of Occupancy (TCO) or Certificate of Occupancy (CO), whichever comes first. If the Applicant does not receive approval from the PAAC prior to TCO or opts to make a voluntary monetary contribution, the Applicant shall be required to pay 1% of construction or reconstruction costs, or the sum of \$500,000.00, whichever is less, to the Public Art Fund prior to TCO.
2. That the Applicant, at Applicant's cost, shall underground all utility lines adjacent to the proposed project, and the Applicant shall also install decorative sidewalk pavers consistent with the Collins Avenue Sidewalk Plan provided that such pavers have not been previously installed by the City. The decorative sidewalks shall be installed from the northern boundary of the property to the southern boundary of the property.
3. Under Section §267-4, the City Manager and/or his/her designee in review of any application, may refer any such application presented to it to such engineering, planning, legal, technical, or environmental consultant, or professional(s) employed by the City as the Manager, shall deem reasonably necessary to enable him/her to review such application as required by law. Charges made by such consultants or professionals shall be in accord with the charges customarily made for such services in Miami-Dade County, and pursuant to an existing contractual agreement by and between the City and such consultant. Charges made by the City shall be in accord with the hourly rates charged by such consultants or hourly rates of employed professionals and shall be paid within 30 days on submission of a City voucher.
4. At the time of submission of any application or thereafter, it is required that an escrow account be established, from which withdrawals shall be made to reimburse the City for the cost of professional review services, if any. The Applicant shall then provide funds to the City for deposit into such account in an amount to be determined by the City Manager, based on his/her evaluation of the nature and complexity of the application. The Applicant shall be provided with copies of any City voucher for such services as they are submitted to the City. When the balance in such escrow is reduced to one-third (1/3) of its initial amount, the Applicant shall deposit additional funds into such account to bring its balance up to the amount of the initial deposit. If such account is not replenished within thirty-days (30) after the Applicant is notified, in writing, of the requirements for such additional deposit, the City may suspend its review of the application. An application shall be deemed

incomplete if any amount shall be outstanding. A building permit or Certificate of Use and Certificate of Occupancy shall not be issued unless all professional review fees charged in connection with the Applicant's project have been reimbursed to the City. Once all pertinent charges have been paid, the City shall refund to the Applicant any funds remaining on deposit.

5. That the Applicant shall furnish a payment and performance bond in an amount determined by the Building Official to ensure Applicant's performance of public improvements required pursuant to site plan approval and in accordance with recommendations of the Building Official after review of construction plans submitted based on development approval granted herein. Any such bond shall be issued by a surety having a minimum rating of A-1 in the Best's Key Rating Guide, Property/Casualty Edition, shall be subject to the approval of the City, and shall provide that "this bond may not be cancelled or allowed to lapse until 30 days after receipt by the City, by certified mail, return receipt requested, of written notice from the issuer of the bond of intent to cancel or not to renew". As improvements are made, the City, within its discretion, may reduce or eliminate the bond amount. These rights reserved by the City with respect to any construction bond established pursuant to this section are in addition to all other rights and remedies the City may have under this Resolution, in law or in equity.

C. Other Conditions:

1. That in the event of multiple ownership, a homeowner's association be established in accordance with applicable regulations to assure that all common areas and facilities for the residents, as well as all easements dedicated to the City, shall be maintained in continuous and satisfactory manner and without expense to the City of Sunny Isles Beach.
2. That the Applicant, during construction, shall provide a perimeter scaffolding, catch platform system or construction safeguards, intended to prevent people, materials, debris, concrete spillage, dust, paint, construction material etc. from falling to private and public property. The Applicant shall implement a catch platform or construction safeguard to be installed at no less than two story below the active work zone level. If multiple level are active work zones, multiple catch platform shall be installed. The Applicant shall be responsible for decreasing and preventing materials, debris, concrete spillage, dust, paint, construction material etc. from falling onto private and public property.
3. All sand excavated from the property including sand from the western side of the Coastal Construction Control Line ("CCCL") shall be cleaned and shall remain on the beach for re-nourishment purposes in a location within Sunny Isles Beach and approved by Miami-Dade County Regulatory and Economic Resources ("RER") (formerly Miami-Dade County Department of Environmental Resources

Management "DERM").

4. That the Applicant obtains a Certificate of Occupancy and a Certificate of Use from the City upon compliance with all terms and conditions. The Certificate of Occupancy and Certificate of Use shall be subject to cancellation upon violation of any of the conditions.
5. That the approved site plan approval shall remain valid for a period of 60-months from the date of this site plan modification approval. If no building permit is issued within the 60-month time period, the site plan modification shall be considered null and void and of no force and effect.
6. That the Applicant complies with all City Ordinances, County, State and Federal Laws and Regulations applicable to development and permit approvals.
7. After demolition of the existing structures, the property shall remain in a park-like setting, in accordance with the Vacant Lot Maintenance Standards of Section 253-6, until construction activity commences.
8. That the Applicant, at the commencement of construction activities, during construction, and for one (1) year following the completion of construction, shall employ and provide continuous vibration and subsidence monitoring on-site, as applicable, and upon neighboring properties immediately to the north and south of the site, subject to the written consent of the owners of the neighboring properties, or as otherwise mutually agreed upon by the Applicant and the owners of the neighboring properties.
9. That the Applicant shall provide vibration and subsidence monitoring data on a monthly basis to the City for the sole purpose of the City making such data available and accessible to the public upon request, and not for the purpose of City monitoring or otherwise analyzing or acting upon such data, unless required by the Florida Building Code or the City's Code of Ordinances.

NO BUILDING PERMIT SHALL BE ISSUED UNLESS THE APPLICANT HAS SUBMITTED ALL DOCUMENTS REFERRED TO UNDER THIS RESOLUTION AND SHALL HAVE PAID ALL IMPACT FEES, BONUSES AND PROFESSIONAL FEES (AS PER SECTION 267-4 OF THE CODE OF THE CITY OF SUNNY ISLES BEACH) AND ALL OTHER FEES DUE AND OWING PURSUANT TO THE APPLICABLE LAND DEVELOPMENT REGULATIONS, AND SHALL HAVE SUBMITTED PAYMENT TO THE CITY FOR ALL TRANSFER OF DEVELOPMENT RIGHTS, IN A MANNER APPROVED BY THE CITY COMMISSION, OR SHALL HAVE OTHERWISE PRODUCED EVIDENCE THAT THE PERMITTED PRIVATE DEVELOPMENT RIGHTS AS SET FORTH HEREINABOVE HAVE BEEN TRANSFERRED.

FAILURE BY THE CITY TO TIMELY ENFORCE ANY OF THE ABOVE CONDITIONS DOES NOT CONSTITUTE A WAIVER OF THE SAME AND IF THE APPLICANT, ITS SUCCESSORS, OR, ASSIGNS,

DOES NOT PERFORM SUCH CONDITIONS WITHIN FIVE (5) DAYS AFTER WRITTEN NOTICE, THE CITY RETAINS THE RIGHT TO STOP CONSTRUCTION, IF NECESSARY, UNTIL THAT CONDITION IS MET. BY ACTING UNDER THIS APPROVAL, APPLICANT HEREBY CONSENTS TO ALL THESE TERMS AND CONDITIONS.

Section 5. Authorization of City Manager. The City Manager is hereby authorized to do all things necessary to effectuate this Resolution.

Section 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provisions and such holding shall not affect the validity of the remaining potions of this Resolution.

Section 7. Repealer. All Resolutions or parts of Resolutions in conflict herewith shall be and are hereby repealed.

Section 8. Effective Date. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this 19th day of February, 2026.

CITY OF SUNNY ISLES BEACH, FLORIDA

By its City Commission

By: _____

Larisa Svechin, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Alain E. Boileau for Nabors, Giblin
& Nickerson, P.A., City Attorney

ATTEST:

Mauricio Betancur, CMC, City Clerk

Moved by: COMMISSIONER LAMA Seconded by: VICE MAYOR VISCARRA

Vote:

Mayor Svechin	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Vice Mayor Viscarra	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Commissioner Joseph	<input type="checkbox"/> (Yes)	<input checked="" type="checkbox"/> (No)
Commissioner Lama	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Commissioner Stuyvesant	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)