

Sunny Isles Beach Reporter

Welcome to the Premiere Issue of the Sunny Isles Beach Reporter. This newsletter is For the People, By the People, About the People. It's the City's first newsletter written exclusively by the citizens of Sunny Isles Beach -- unfiltered, unedited. It's a place where you can share your viewpoint, give an opinion or simply make suggestions on how to improve the quality of life in our beautiful City.

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Issue #1 - MAY 2010

The L.P.A.

Three little letters with a very big meaning. You need to get familiar with this.

The Cost of Going Green

Curious to know why it seems like the City is

Hidden Agendas

The Sunny Isles Beach citizen's 2008 vote for a second homestead tax exemption proved to be the right choice after all.

A Different Approach

Why doesn't the City acquire oceanfront property for public use rather than permit more high-rise buildings?

Still Underwater

Millions of dollars and two years later the citizens of Sunny Isles Beach are still trying to navigate around mini-lakes after a rainfall.



The L.P.A.

by Michael Schnitzer

How is it that these three little letters can have a great effect on our city and the way we live our lives? Let's start with the formation of Sunny Isles Beach. Our City was started about 11 years ago by separating itself from the city of Miami Beach and being named Sunny Isles Beach. Although Sunny Isles Beach citizens pay taxes to Miami-Dade County, a portion of those taxes are turned over to the Sunny Isles Beach local government to run the city. It is similar to Golden Beach, Aventura and Bal Harbour.....all cities which have self-incorporated to become their own city within a larger city.

The first mayor of Sunny Isles Beach was Mayor David Samson who lived in the Winston Towers 200 building.

Many of us knew him as our neighbor. At the formation of the City Mayor Samson, for whatever reason, decided not to go the traditional route of creating a planning and zoning board consisting of professionals who are trained and experienced in planning and designing a city. Instead he chose to create a Land Planning Association (L.P.A.).

What is a Land Planning Association? In simple terms it is an association consisting of the Mayor and four Commissioners. That means that key decisions (amount of development, heights and widths of buildings, etc.) typically made by experts who possess high-level engineering skills and are knowledgeable in the area of urban planning, are being made by the L.P.A. who don't necessarily have the credentials to do so in this area.

The reason it's so important to have professionals involved in planning and zoning is that most decisions have a longterm, irreversible effect on a city (for example, huge buildings that block beach use). Therefore, it is extremely important that educated experts become involved in the process so that the City can make the best possible planning decisions for its citizens. This includes indepth studies regarding population growth, any demographic changes, environmental considerations, economic changes, etc. -- all of which have great impact upon the future of the city. Another important factor is budget consideration. It is crucial for a city planner to remain within budget. Even the most seasoned planning professional faces major challenges in this area.

The L.P.A. (continued)

Given the recent building surge occurring in our city you would think that there would be planning and design experts in place to guide the L.P.A. when analyzing bids from developers. But that is not the case. It appears that the city is relying on the planning “experts” within the development community itself for key decisions rather than the other way around.

Why do we think that? A perfect example can be found in an article published in the Miami Herald on 2/20/2010 about the new aquarium. Condo developer, J. Milton & Associates’ is, at this time, the exclusive developer involved in the bidding process for the aquarium, park and a 350-vehicle garage. As the owners of the St. Tropez, they sold the city a \$1.5 million piece of land for the project but agreed to “donate” back the \$1.5 million to build an elevated walkway over Collins Avenue connecting to the beach. Why? The president of J. Milton & Associates, Joseph Milton, claims the park (and connector) will help him sell units in the St. Tropez which is 40% unsold. In fact, the actual quote from Mr. Milton is: “Yes, there’s an obvious interest for me to have that park built”.

Right now J. Milton & Associates is the exclusive developer involved in the bidding process; the city is not soliciting other proposals at this time. Why is that? It certainly could save us a great deal of taxpayer dollars (see article herein regarding J. Milton & Associates being huge contributors to the re-election of Mayor Edelcup.)

Do we really want planning and design decisions to be conducted this way? We all know that the main goal of a developer is to gain as much profit as possible out of a development. After all, they are business people. However, there seems to be a conflict of interest in this case. A separate professional planning and zoning board should be put in place for the purposes of checks and balances.

What are the consequences to the L.P.A. system? We now have lots of empty high rise towers for years to come. Many of the towers are owned by the banks who have to find the means to recover their money back from bad investments. Some of them are so desperate that they are turning to renting because there are no buyers. This brings many transient residents who don’t consider Sunny Isles Beach their home but rather a place to get a cheap apartment. The result is a lost sense of community. Rather, Sunny Isles Beach will be known as a vacation destination and nothing more. If that was the plan why did the city bother to spend millions of taxpayer dollars to build a school? The point is, it seems that there is no master plan; no rhyme or reason for some of the decisions being made. That’s why the L.P.A. isn’t working.

The L.P.A. (continued)

Now let me clarify that I am not against development. I think it is a positive concept and I fully support the modernization of our City. Having said that, I believe it should be placed in the hands of professional city planners who know what they are doing and have many years of experience doing it, and not politicians. If a real planning and zoning board had been created when the city incorporated 11 years ago, Sunny Isles Beach might have taken on a more friendly appearance and would have most likely fared much better during the real estate bubble burst of last year.

Mayor Edelcup's Great Wall of Sunny Isles Beach (mega-buildings blocking beach views)



The Cost of Going Green

By Michael Schnitzer

I have lived in Sunny Isles Beach for over 10 years and have seen many changes to our City, particularly in the last 18 months. The biggest change, though, is in the area of park development.

There seems to be a priority of our City government to spend millions of tax dollars for the purpose of purchasing lots and stripmalls to convert into parks for our community. Although this may not sound like a bad idea upfront, I would like to shed some light on what is motivating the City to do this.

Florida State requires that every time a city gives a developer approval to build a high rise condo, the city is obligated to allocate a certain percentage of land for residents' use in the form of "green" space. So the influx of parks created over the past few years is really an indication of the amount of high-rise building development that has been permitted in the City.

Further, these parks are funded by taxpayer dollars; the developers do not pay for the construction of the parks unless they elect to do so. Here's an example: City

Hall spent \$19 million taxpayer dollars for land to build a park and a 500-vehicle parking garage across the street from the Ramada. Another \$17 million of taxpayer money is estimated to be spent to construct the actual garage.

Additionally, about 85% of the parking spaces of this garage will be used for the Ramada exclusively. That means that you, the taxpayer are funding 450 parking spaces which the Ramada, not Sunny Isles, will benefit from financially.

What does this have to do with going green? There will be a park attached to the garage structure. So you have to ask -- is it worth it for the City to spend around \$40 million of your tax dollars for a park solely constructed to solve the Ramada's parking problem?





The Cost of Going Green (continued)

Next the City has taken by eminent domain a strip mall located on the north side of 163rd Street, just west of Collins Avenue. The total cost was approximately \$20 million just for the land. The City has considered various ideas but no plans set for sure and the cost of the proposed project has no dollar amounts yet but will be in the multi millions. By guess it will be in excess of \$25 million for a possible total of \$45 to maybe \$50 million tax dollars in this location. I am not sure who will be using a park but a park we will get.

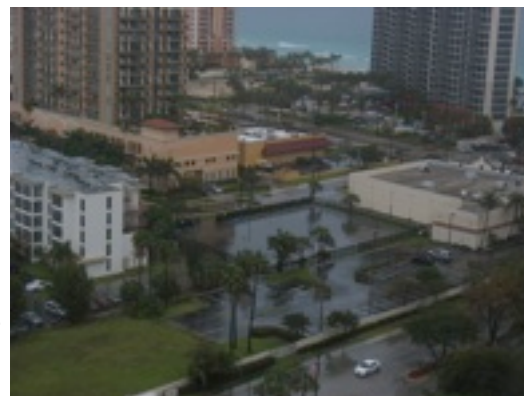
Additionally the City just bought 2 strip malls located just north and south of Atlantic Isles on Collins Avenue (south of 163rd St.) for multi millions of dollars where the City is planning on developing another park with fountains and pools. In my opinion this area is too small for any real park playground but will make entering and leaving Atlantic Isles much more pleasing to the eye for the residents who live there with no other real benefit. By the way, this area is home to our Mayor and past and present Commissioners.

Also the City purchased a parking lot west of Collins Avenue (behind Walgreen's) from the Avila North Condominium. There are plans to erect a 6 story parking garage there. The cost of

the property was approximately \$2.25 million for the land. The proposed cost of the parking garage has not yet been disclosed to the public. I can tell you that my condo faces this area and at the height of the season there are only 2 or 3 cars parked there on weekdays (SIB residents are certainly not using it on a regular basis). What the real reason for this purchase is and who benefits from it are anyone's guess. It is certainly not benefitting any residents or providing significant income to our City.

I can go on and on but so far approximately \$80 to \$90 million taxpayer dollars have been spent in 2009, a year that most would consider as close to a depression that we've seen in our lifetime. A time when the City has laid off many city workers due to economic bad times and decreased tax rolls. In my opinion, these are the times for fiscal responsibility in our small and overdeveloped City, and not to be going on a wild spending spree with our hard earned tax dollars. Many large cities in America are on the verge of bankruptcy and yet in our City money seems to be no object.

Lastly, and most importantly, our City took out a \$20 million loan from Bank of America to purchase some of this park land. Is it really necessary for the City to go into debt for \$20 million dollars? More about this in a future issue of the Sunny Isles Beach Reporter.



Hidden Agendas

By Sharon Elster

The January 29th 2008 election contained a property tax revision that would cut homeowners' property taxes by giving voters the opportunity to vote for a second \$25,000 homestead exemption. City Hall quickly responded by passing a resolution opposing this. The free local newspaper headlines screamed "SOS" Save Our Sunny Isles Beach Services. At the time Mayor Norman Edelcup said he felt like the proposal was an accusation that Florida cities had wasted taxpayers' money in recent years. "I think the Florida House committee.....acted totally irresponsibly, pandering basically to the voters who are homesteaded without giving much thought to the ramifications and draconian results that will be felt...". The City Manager and City Attorney joined the chorus with forecasts of dire consequences should this nightmare proposal actually pass. Why they'd be forced to axe 50% of City Hall's staff and millions allocated for quality of life services and public safety would be pared to the bone. The impact would be "severely negative...capital projects could be put on the back burner or cut altogether."

Local organizations that claim to represent citizens concerns fell right in line with their friends in City Hall, echoing that only gloom and doom awaited Sunny Isles residents if this proposal passed. Only one citizens group, Alliance for Community Excellence (ACE), recommended citizens vote in favor of a second homestead exemption.

Consider that the median age in Sunny Isles is 50, household income average is \$39,000 and it is easy to see how important this tax break was to most Sunny Isles Beach residents, many of whom are pensioners on fixed incomes. In spite of a campaign to defeat this proposal, voters let City

Hall know exactly how they felt by voting YES; thereby getting to keep a few hundred more dollars of their own hard-earned money.

And what of those "draconian results" the Mayor predicted would befall us if this came to pass? To quote our Mayor directly from his State of the City address of January 21, 2010, it is his "pleasure and privilege to report that the state of the City's financial condition continues to be very secure and strong."

I am mighty relieved to learn of this good news. Especially since I noted that soon after the January 2008 election, the city seemed to spend money faster than the U.S. Mint could print it. What angers many in these tough economic times, is the unchecked spending of ten of millions of our tax dollars on parks, parks and more parks, parking garages, settling an eminent domain case for \$7 million dollars, hosting very expensive festivities around town (for many photo opportunities), landscaping and streetscaping city entryways (did those palm trees really cost \$3,000.00 each); and the latest splurge -- over \$35 million dollars of taxpayer money slated towards building a huge entertainment complex now in the planning stage across from the St. Tropez.

Instilling fear to sway voters may work occasionally. But Sunny Isles Beach voters proved smarter than the Mayor and his supporters gave them credit for. The Mayor's out-of-control spending while begrudging his constituents a small tax break may wind up to be his undoing in November.



A Different Approach

By Jeanette Gatto

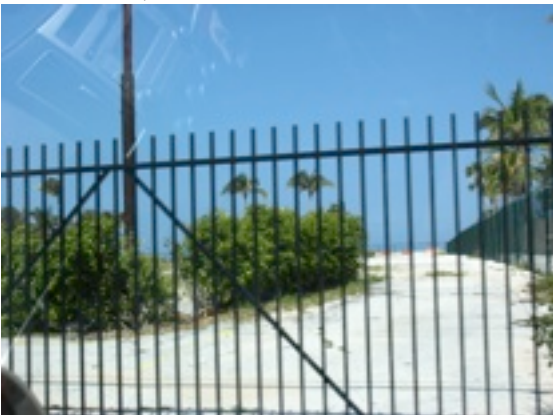
Currently there are several empty beachfront lots situated on Collins Avenue. Wouldn't it be a good idea if the City were to purchase these lots for use by the citizens of Sunny Isles Beach? That would not only limit more high-rise buildings from being built but it would also alleviate the overcrowding occurring at Samson Oceanfront Park at 174th St.

The new \$2.5 million public parking lot located behind Walgreens sits empty from Monday to Friday (which means locals aren't using it) but on the weekends it's attracting the overflow from Haulover Beach. This is causing overcrowding at Samson Beach to the point where it's becoming impossible to find a spot to lay a beach blanket. Local citizens have to walk long distances in both directions just to find a place to sit. The addition of one or more oceanfront parks would help to evenly distribute beachgoers along the beach by providing more than one option where they can use the facilities, take showers, etc.

The ratio of public oceanfront space to high-rise condominiums is vastly disproportionate. It would be sad to see the few remaining empty oceanfront lots convert to high-rise condominium developments. Once that occurs it cannot be reversed.

I think it's time that a new fiscally conservative administration is elected this November, including the Mayor and Commissioners, who will listen to the citizens of Sunny Isles Beach before taking steps to develop parks/recreational areas both off and on the beach.

Right now the citizens of Sunny Isles Beach really don't have a say when it comes to these kinds of decisions. Unless the citizens are given the opportunity to vote for issues such as these, my guess is that the pattern will continue. In that case, then it will be the wealthy developers, not the citizens, who will ultimately prevail.





Still Underwater

by Michael Schnitzer

Did you know that the City of Sunny Isles Beach is planning to build an AQUARIUM? Funny but it seems like we already have one pretty much every time it rains. Many streets and sidewalks are completely under water. Pedestrians must wade through almost knee-deep puddles to get from one location to another. Vehicles must slowly navigate the mini lakes which form throughout sections of the City.

Over the past two years the Sunny Isles Beach Local Government had worked to replace the antiquated drainage pipes that lined our streets, and which have been the cause of all that massive flooding. Many citizens were elated when former City Manager John Szerlag initiated this project and made it one of his priorities for the City. However, the project was delayed when he and the City parted ways (although the City will continue to pay his salary for the next 18 months). As a result the project ended up taking a lot longer to complete. Once completed, however, we were all very excited over the prospect of never having to wade through the water again.

That was, until the rains came in February.

As shown in the photo taken during the rain storms in February, the streets and sidewalks continue to be under water, and we are once again scratching our heads wondering why there seems to be no measurable results after two years worth of time and millions of dollars

spent tearing up the streets to replace the drains. We keep hearing about progress but it seems that when the City takes one step forward, that is followed by three steps backwards.

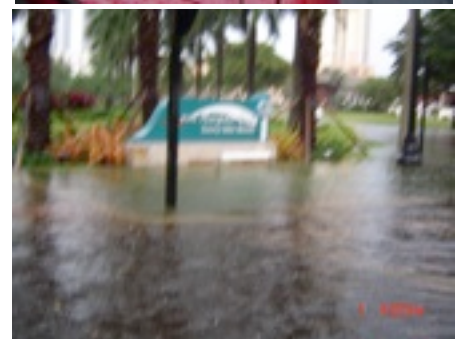
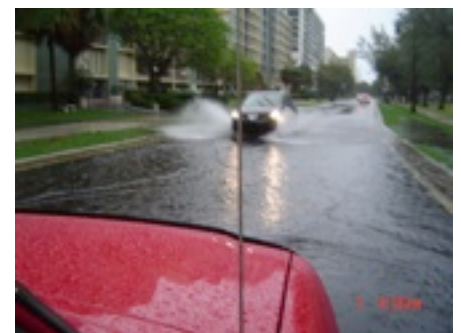
We wonder if there is a reasonable explanation for this. It was well known that the former City Manager felt that his hands were tied by the City Commission in terms of performing his job as mandated. For those of you who may not know, the City Manager's primary responsibility is to oversee the day-to-day operations, to run the city effectively and efficiently, and to do this with the safety and well being of its' citizens in mind.

By the way, for those of you who live in WINSTON TOWERS you may be very interested to know that there never were plans to upgrade the drainage system along 174th Street. WINSTON TOWERS is a complex consisting of seven buildings with over three thousand condos, which makes it the largest concentrated population in Sunny Isles Beach. However, City Hall made the decision to exclude WINSTON TOWERS in their plans for drainage upgrade. When the current City Manager, Rick Connors, was asked why, his response was simply that it was not part of the project. Given the size and scope of the WINSTON TOWERS complex it seems somewhat odd that they would ignore this part of Sunny Isles Beach for a drainage upgrade. There are many residents who don't own cars and who rely on walking to bus stops. There are also a significant number of school children in the area on foot. And let's not forget about the

number of vehicles that pass through on a daily basis. Don't they deserve a safe and floodless environment to live in? Apparently City Hall thinks not!

In a nutshell, if you were lucky enough to live in an area of Sunny Isles Beach where drainage upgrades occurred then you may want to question your city government about how effectively your tax dollars were spent for this project (which produced the same negative results as before). And if you are unlucky enough to live in an area not part of the upgrade plan, you may want to question how priorities are set with your taxpayer dollars (since you're part of a group that funded this project but received no benefit from it whatsoever).

We say no to the new aquarium in Sunny Isles Beach until the City takes care of the one they already have.



J. Milton Throws A Party

by Sharon Elster

Invitations to a cocktail reception were sent to what appeared to be a very select group of well-heeled friends of Mayor Norman Edelcup. This soiree was hosted by none other than J. Milton & Associates and Senator Gwen Margolies to support Mayor Edelcup's campaign for re-election. The fundraiser was held at St. Tropez on March 16, 2010.

If the name sounds familiar it's because J. Milton & Associates is among the biggest condo developers in Sunny Isles Beach and has built Sands Point, The Pinnacle, Intracoastal Yacht Club, Sayan, King David and St. Tropez. Milton is currently backing plans to create a huge entertainment complex and seaquarium.

It is interesting to note that J. Milton has taken such a visible prominent role in Mayor Edelcup's re-election campaign. Since Sunny Isles Beach has already been given the dubious title "Best Managed City If You Are a Developer" (SunPost 7/03/03) Mr. Milton might have considered it more prudent to keep a low profile during this campaign to quell the rumors that City Hall is way too chummy with big developers. But, then again, if the shoe fits.....(and it's a big shoe!).

It's Enough and It's Time

by Stuart Paskow

It's enough that our city government is spending money just because it's there:

- \$2.5 million for a parking lot behind Walgreen's
- \$19 million for land on the north tip of our city for a park, but oops, they need to spend \$20 million more to build over 400 parking spaces for the Ramada.
- How many stores were put out of business for the nightmare on Sunny Isles Blvd. (formerly 163rd Street) called the St. Tropez?
- Tearing up perfectly good sidewalks on Collins Ave. to put in new paving stones with a design. Does anybody care?
- Will Mayor Edelcup ever meet a developer he will not support?
- Build an aquarium across from the St. Tropez. For what reason? To make the traffic worse than it is and help the St. Tropez sell condos? Absolutely!
- Occasionally the City should do something that will have a positive effect on the quality of life for those of us who live in Sunny Isles Beach all year round.
- Purchasing land for \$6 million to build a boardwalk only to discover that the land is

environmentally protected (e.g. where the mangroves are).

- Stop putting important issues they don't want challenged at the very end of the commission meetings, hoping people will get bored and leave or stay away.
- The final insult! Using our money to pay a law firm to depose a committee who wants to support the **Referendum** (and whose right it is to do so according to Florida law). Does Mayor Edelcup think we are complete morons? A registered letter was sent to the law firm stating my unavailability for a deposition and also stating that the deposition was harassment. What followed was a phone call excusing me from appearing. HmMMM!

Bottom line, the time is now for a spending cap in place. Any substantial non-emergency expenditure should be subject to a Referendum.

What's a Referendum? It's a law written into the City Charter that prevents politicians from spending excessively. More on the Referendum in the next issue of the Sunny Isles Beach Reporter.

Edelcup's Edsel

by Helen Goldsmith

How did **you** vote on the proposed \$35 million fish tank that the City fathers, in their avaricious dreams, are planning at the southern end of our city? Oh, you didn't vote! Well, you weren't given the option. Do you think the City should be allowed to spend our taxpayer money in that manner without your approval? After all, it's your home, your city and your money.

Have our illustrious leaders investigated the results of other cities' fish ponds? How many tourists go to Miami, New York or Dubai simply to visit their aquariums? Will this glass menagerie encourage tourists to spend \$500 per night at Aqualina to watch the fish swim nearby? Will another "congregating place" encourage the locals to "come on down" when we already have too many mandated, under-utilized green spots?

With an average annual income of \$39,000 per household, how many of us can afford entry into this Avalon, let alone enjoy a meal there? Have the city father's looked into the "success" of Bayside Park? And how safe of late have these water tanks with their inhabitants proven to be?

Do we really need South Beach and Haulover Beach refugees with their half-clothes bodies, littering our streets spouting their unfamily oriented cacophony, and above all do we need the TRAFFIC? (More about that next time).

J. Milton, the developer of the St. Tropez, has already admitted that this venture should help him in selling his now undersold condo building (only 40% of the units sold as of this writing). Do **you** want to help J. Milton sell his white elephant with your taxpayer dollars? That's what the mayor and his cronies at City Hall want you to do. In fact, they're counting on it as their legacies.

If they are allowed to pursue this folly without your approval, Edelcup's Edsel could meet the same fate as Henry Ford's Edsel -- except old Henry wasn't playing with **YOUR** money. The mayor and his commissioners were not elected to inflict their extravagant and foolhardy projects upon us. Well, it's your home, your city and your money.....and you can do something about it at the next election.



We Want To Hear From You

As citizens and residents of Sunny Isles Beach, the editors welcome your thoughts about this newsletter for the next edition of the Sunny Isles Beach Reporter.

If you would like to contribute an article, please feel free to write us. All articles/letters will be unedited and will be published exactly as submitted. Please include your full name (anonymous letters will not be published).

YOU CAN EMAIL US AT:

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THANK YOU!
