

City Commission

Enid Weisman, Mayor

Enbar Cohen
Teri Holzberg
Denise Landman
Marc Narotsky
Robert Shelley
Howard Weinberg



City Manager

Eric M. Soroka, ICMA-CM

City Clerk

Ellisa L. Horvath, MMC

City Attorney

Weiss Serota Helfman
Cole Bierman & Popok

**CITY COMMISSION MEETING
AGENDA
FEBRUARY 3, 2015 – 6:00 PM**

**Government Center
19200 West Country Club Drive
Aventura, Florida 33180**

1. **CALL TO ORDER\ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **AGENDA: Request for Deletions/Emergency Additions**
4. **SPECIAL PRESENTATIONS: Certificates of Appointment**
 - Arts & Cultural Center Advisory Board Member
 - Community Services Advisory Board Members
5. **CONSENT AGENDA:** Matters included under the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be enacted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and considered separately. If the public wishes to speak on a matter on the consent agenda they must inform the City Clerk prior to the start of the meeting. They will be recognized to speak prior to the approval of the consent agenda.
 - A. **APPROVAL OF MINUTES:**
 - January 6, 2015 Commission Regular Meeting
 - January 15, 2015 Commission Workshop Meeting
 - January 23, 2015 Commission Governing Board Training
 - B. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA ADOPTING THE CITY OF AVENTURA 2015 LEGISLATIVE PROGRAM AND PRIORITIES ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

- C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA DECLARING CERTAIN PROPERTY LISTED UNDER THE ASSETS OF THE CITY AS SURPLUS TO THE NEEDS OF THE CITY; DESCRIBING THE MANNER OF DISPOSAL; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

- D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND OTHERWISE ENTER INTO CHANGE ORDER NUMBER 1 FOR THE NE 185TH STREET CHANNELIZATION MODIFICATION WEST BOUND APPROACH BY AND BETWEEN THE CITY AND WEEKLEY ASPHALT PAVING, INC.; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY AND EXPEDIENT ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR THE APPROPRIATION AND ALLOCATION OF FUNDS FOR SAID CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.

- E. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED MUTUAL AID AGREEMENT BETWEEN THE CITY OF AVENTURA AND THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, MIAMI-DADE SCHOOLS POLICE DEPARTMENT FOR LAW ENFORCEMENT ACTIVITIES; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

- F. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA SUPPORTING A SOUTH FLORIDA SEA LEVEL RISE AND CLIMATE CHANGE CONGRESS THAT WILL INCLUDE LOCAL, STATE, AND FEDERAL ELECTED OFFICIALS MEETING TO PROPOSE CONSTRUCTIVE SOLUTIONS TO SEA LEVEL RISE AND CLIMATE CHANGE.

6. ZONING HEARINGS - QUASI-JUDICIAL PUBLIC HEARINGS: Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon any of these items, please inform the Mayor when she requests public comments. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Further details of the quasi-judicial procedures may be obtained from the Clerk. **None**

7. **ORDINANCES - FIRST READING/PUBLIC INPUT: None**
8. **ORDINANCES - SECOND READING/PUBLIC HEARING: None**
9. **RESOLUTIONS – PUBLIC HEARING: None**
10. **REPORTS**
11. **PUBLIC COMMENTS**
12. **OTHER BUSINESS: None**
13. **ADJOURNMENT**

FUTURE MEETINGS*

**COMMISSION WORKSHOP – FEBRUARY 20, 2015 AT 1 PM
EXECUTIVE CONFERENCE ROOM (5TH FLOOR)**

**COMMISSION MEETING – MARCH 3, 2015 AT 6 PM
COMMISSION CHAMBER**

**COMMISSION WORKSHOP – MARCH 18, 2015 AT 9 AM
EXECUTIVE CONFERENCE ROOM (5TH FLOOR)**

*Meeting dates and times are subject to change. Please check the City’s website for the most current schedule.

This meeting is open to the public. 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 Office of the City Clerk, 305-466-8901, not later than two days prior to such proceeding. One or more members of the City of Aventura Advisory Boards may be in attendance and may participate at the meeting. Anyone wishing to appeal any decision made by the Aventura City Commission 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. Agenda items may be viewed at the Office of the City Clerk, City of Aventura Government Center, 19200 W. Country Club Drive, Aventura, Florida, 33180. Anyone wishing to obtain a copy of any agenda item should contact the City Clerk at 305-466-8901.



**CITY COMMISSION
REGULAR MEETING MINUTES
JANUARY 6, 2015 – 6:00 P.M.**

Aventura Government Center
19200 W. Country Club Drive
Aventura, Florida 33180

1. **CALL TO ORDER/ROLL CALL:** The meeting was called to order by Mayor Enid Weisman at 6:00 p.m. Present were the following: Mayor Enid Weisman, Vice Mayor Teri Holzberg, Commissioner Enbar Cohen, Commissioner Denise Landman, Commissioner Marc Narotsky, Commissioner Robert Shelley, Commissioner Howard Weinberg, City Manager Eric M. Soroka, City Clerk Ellisa L. Horvath, and City Attorney David M. Wolpin. As a quorum was determined to be present, the meeting commenced.
2. **PLEDGE OF ALLEGIANCE:** The Pledge was led by Police Chief Steven Steinberg.
3. **AGENDA: REQUESTS FOR DELETIONS/EMERGENCY ADDITIONS:** None.
4. **SPECIAL PRESENTATIONS:** None.
5. **CONSENT AGENDA:** There were no requests from the public to address the Commission.

A motion to approve the Consent Agenda was offered by Commissioner Narotsky, seconded by Commissioner Landman, and passed unanimously by roll call vote. The following action was taken:

- A.** Minutes were approved as follows:

November 6, 2014 Commission Orientation
November 6, 2014 Commission Inauguration
November 12, 2014 Commission Meeting
November 20, 2014 Workshop Meeting

- B.** **Resolution No. 2015-01** was adopted as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA ACCEPTING AND ADOPTING THE ELECTION RESULTS OF THE NOVEMBER 4, 2014 MUNICIPAL CANDIDATE ELECTION, AS CERTIFIED BY THE CANVASSING BOARD AND ATTACHED HERETO; AND DECLARING THE QUALIFYING UNOPPOSED CANDIDATE ELECTED TO COMMISSION SEAT 4 WITHOUT NECESSITY FOR FURTHER CONDUCT OF ELECTION PROCESS FOR THAT SEAT, AS CERTIFIED BY THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

- C.** **Resolution No. 2015-02** was adopted as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA DEDICATING A TEN (10) FOOT WIDE BY TWO HUNDRED (200) FOOT LONG AND A TWENTY (20) FOOT WIDE BY TWENTY (20) FOOT LONG EASEMENT TO FLORIDA POWER AND LIGHT COMPANY ON THE NE 188TH STREET PARK IMPROVEMENTS SITE; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE.

D. Resolution No. 2015-03 was adopted as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING THE APPOINTMENT OF MEMBERS TO THE CITY OF AVENTURA COMMUNITY SERVICES ADVISORY BOARD; AND PROVIDING AN EFFECTIVE DATE.

E. Resolution No. 2015-04 was adopted as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING THE APPOINTMENT OF A MEMBER TO THE CITY OF AVENTURA ARTS & CULTURAL CENTER ADVISORY BOARD TO FILL A VACANCY; AND PROVIDING AN EFFECTIVE DATE.

F. Resolution No. 2015-05 was adopted as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED MUTUAL AID AGREEMENT BETWEEN THE CITY OF AVENTURA AND THE TOWN OF GOLDEN BEACH FOR LAW ENFORCEMENT ACTIVITIES; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

G. Resolution No. 2015-06 was adopted as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AND OTHERWISE ENTER INTO THAT AGREEMENT BETWEEN THE CITY OF AVENTURA AND THE STATE OF FLORIDA, OFFICE OF THE STATE ATTORNEY FOR THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA TO REIMBURSE THE STATE FOR THE COST OF STATE ATTORNEY PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS OF THE CITY OF AVENTURA CODE; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

H. Resolution No. 2015-07 was adopted as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA DECLARING CERTAIN PROPERTY LISTED UNDER THE ASSETS OF THE CITY AS SURPLUS TO THE NEEDS OF THE CITY; DESCRIBING THE MANNER OF DISPOSAL; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

6. ZONING HEARINGS: QUASI-JUDICIAL PUBLIC HEARINGS:

Mayor Weisman noted that Item 6B would be taken out of order and read the following resolution by title:

- B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING SIGN VARIANCE FOR STEELBRIDGE CONCORDE AVENTURA, LLC, ON PROPERTY LOCATED AT 2999 NE 191 STREET, CITY OF AVENTURA; PROVIDING AN EFFECTIVE DATE.

Mr. Wolpin noted that Mayor Weisman would be abstaining from voting on Item 6A, since she serves on the Board of Trustees for the Applicant of that item, as noted in the staff report.

Mr. Wolpin reviewed the quasi-judicial procedures and Mrs. Horvath administered the oath to all those wishing to offer testimony for Items 6A and 6B.

Community Development Director Joanne Carr addressed the Commission and entered the staff report into the record, which recommended approval, subject to the conditions specified in Section 1 of the resolution.

Mayor Weisman opened the public hearing.

The following individual addressed the Commission representing the Applicant: Michael Manno – Principal at Steelbridge Real Estate Services (1401 Brickell Avenue #570, Miami).

There being no further speakers, the public hearing was closed.

A motion for approval was offered by Commissioner Cohen and seconded by Commissioner Shelley. The motion for approval passed unanimously by roll call vote and **Resolution No. 2014-09** was adopted.

Mayor Weisman recused herself from Item 6A and left the meeting. Vice Mayor Holzberg presided over the meeting. Mr. Wolpin read the following resolution by title:

- A. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL TO ALLOW A HELIPORT ON THE ROOFTOP OF THE NORTH TOWER OF THE AVENTURA HOSPITAL AND MEDICAL CENTER AT 20900 BISCAYNE BOULEVARD, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Joanne Carr addressed the Commission and entered the staff report into the record, which recommended approval with conditions (1-14), as listed in Section 2 of the resolution, as well as the following added condition (#15): The Applicant will re-examine obstacles in the vicinity of the approach/departure paths on an annual basis in accordance with the FAA Advisory Circular 150/5390-2C. Any new obstacles noted will be forwarded to the Airport District Office, Flight Standards District Office or Regional Flight Standards Division. Compliance with the above will be based on FAA requirements. The following additional documents were also entered into the record: letter from the Applicant's Attorney (1/5/2015), FAA determination of landing area proposal (1/5/2015), letter of support from Palm Garden Nursing Home (1/5/2015), and letter of support from Dr. Stewart Shull (1/5/2015). Emails from Aventura resident Varda Goodman were also included in the record.

A motion for approval, including condition #15, was offered by Commissioner Cohen, and seconded by Commissioner Shelley.

The following individual(s) addressed the Commission representing the Applicant: Alex Tachmes – Attorney (Shutts & Bowen LLP, 201 S. Biscayne Blvd. #1500, Miami), Eric Bearden – Architect (Gresham, Smith & Partners, 6030 Hollywood Blvd. #210, Fort Lauderdale), Diane Goldenberg - CEO (Aventura Hospital and Medical Center, 20900 Biscayne Blvd., Aventura), and Kirk Shaffer – Attorney (701 Pennsylvania Avenue NW, Washington D.C.).

The following condition (#16) was offered by the Applicant: In the event that a developer is unable to construct a building in Hallandale Beach to the maximum height allowed under the Hallandale Beach land development regulations, and such inability is caused solely by the FAA-approved flight path for the Aventura Hospital heliport, Aventura Hospital agrees to contact the FAA and use good faith efforts to modify the flight path. The Applicant noted that there was a deadline of April 2015 to submit a completed application to the Department of Health, which would include a built helipad.

A motion to add condition #16, to the existing motion, was offered by Commissioner Weinberg, and seconded by Commissioner Cohen. The motion to add condition #16 to the existing motion passed unanimously by roll call vote, with Mayor Weisman absent.

Vice Mayor Holzberg opened the public hearing.

The following individual(s) addressed the Commission: Renee Miller – Manager and Keven Klopp – Development Services Director (City of Hallandale Beach, 400 S. Federal Highway, Hallandale Beach), Bob Diamond (3000 Island Blvd. #1806, Aventura), and Reverend Will Keyser (unincorporated Dade County).

There being no further speakers, the public hearing was closed.

The motion for approval, including all 16 conditions, passed unanimously by roll call vote, with Mayor Weisman absent, and **Resolution No. 2014-08** was adopted.

Mayor Weisman returned and presided over the meeting.

7. **ORDINANCES - FIRST READING – PUBLIC INPUT:** None

8. **ORDINANCES - SECOND READING/PUBLIC HEARING:** Mr. Wolpin read the following ordinance by title:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2013-09 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2013/2014 FISCAL YEAR BY REVISING THE 2013/2014 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

A motion for approval was offered by Commissioner Weinberg and seconded by Commissioner Shelley.

Mayor Weisman opened the public hearing. There being no speakers, the public hearing was closed.

The motion for approval passed unanimously by roll call vote and **Ordinance No. 2015-01** was enacted.

9. **RESOLUTIONS - PUBLIC HEARING:** None.

10. **REPORTS:** The following reports were presented:

Julien Saka – Dr. Michael Krop Senior High School Representative, provided an update.

Commissioner Landman reported on her attendance to the NALEO Conference and encouraged Commissioners to review the materials she provided.

Mr. Soroka announced that the City would be recognized for its 18th year as a National Tree City USA, by the National Arbor Day Foundation, which would be celebrated on Arbor Day.

11. **PUBLIC COMMENTS:** There were no requests from the public to address the Commission.

12. **OTHER BUSINESS:** None.

13. **ADJOURNMENT:** There being no further business to come before the Commission at this time, a motion to adjourn was offered by Vice Mayor Holzberg, seconded by Commissioner Narotsky, and passed unanimously, thus the meeting was adjourned at 7:27 p.m.

Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on February 3, 2015.



**CITY COMMISSION
WORKSHOP MEETING MINUTES
JANUARY 15, 2015 – 9:30 A.M.**

Aventura Government Center
19200 W. Country Club Drive
Aventura, Florida 33180

CALL TO ORDER/ROLL CALL: The meeting was called to order by Mayor Enid Weisman at 9:32 a.m. The following were present: Mayor Enid Weisman, Vice Mayor Teri Holzberg, Commissioner Enbar Cohen, Commissioner Denise Landman, Commissioner Marc Narotsky, Commissioner Robert Shelley, Commissioner Howard Weinberg, City Manager Eric M. Soroka, City Clerk Ellisa L. Horvath, and City Attorney David M. Wolpin. As a quorum was determined to be present, the meeting commenced.

1. INTERIM COUNTY LIBRARY DIRECTOR REPORT ON NORTHEAST LIBRARY BRANCH: Mr. Soroka introduced Gia Arbogast, to report on the opening of the library in Aventura.

Gia Arbogast, Interim Director and her County staff – Miami-Dade County Public Library System, reported on the library's soft opening in April 2015, and grand opening shortly thereafter. She agreed to see if the library hours could be extended and discussed new marketing to enhance community engagement with the library.

City Manager Summary: It was the consensus of the City Commission for the Administrator to work with the County, to determine if library operating hours can be extended, if possible.

2. REQUEST TO PREPARE RESOLUTION SUPPORTING SOUTH FLORIDA SEA LEVEL RISE AND CLIMATE CHANGE CONGRESS (Commissioner Narotsky): Commissioner Narotsky presented a resolution for consideration, supporting a South Florida Sea Level Rise and Climate Change Congress.

Mr. Wolpin reported that such a resolution would be consistent with goals 1.26 and 1.27 of the City's Comprehensive Plan.

City Manager Summary: It was the consensus to draft a resolution for consideration at the February Commission meeting, but to ensure that the resolution was in sync with the County's plans on involvement of climate change.

3. LEGISLATIVE PROGRAM AND PRIORITIES (City Manager): Mr. Soroka reviewed the proposed list of legislation, for the City to endorse and support for 2015.

Michael Stern, 20730 N.E. 30 Place, Aventura, provided comments.

City Manager Summary: It was the consensus to move forward with a resolution at the February Commission meeting to adopt the 2015 Legislative Program and Priorities with the items listed, as well as the addition of an item to address rising sea levels/climate change. Lobbyist Ron Book will be invited to the next workshop meeting, to discuss the upcoming session.

4. AMENDMENT TO COMMISSION EMAIL POLICY (Commissioner Cohen): Commissioner Cohen suggested that the current email policy be changed, to allow the Commission to receive their emails directly and to provide a copy to the City Clerk.

Mr. Wolpin discussed the City's current policy, which ensured the preservation of public records.

City Manager Summary: It was the consensus of the City Commission for the existing email policy to remain.

5. MIAMI-DADE COUNTY LEAGUE OF CITIES INSTALLATION DINNER – FEBRUARY 7, 2015 (City Manager): Mr. Soroka discussed the invitation for the 61st League Installation Dinner.

City Manager Summary: Consensus to purchase tickets for those Commissioners and their spouses/significant others that wished to attend.

The following additional items were discussed:

Mr. Wolpin requested a series of attorney/client sessions, for the following: Williams Island Property Owners Association v. City of Aventura; Prive LLC, et al v. City of Aventura.

Mr. Soroka reported on a request for the Green Market to be held on Saturdays, in lieu of Sundays, to increase attendance and vendors. It was the consensus to do so.

6. ADJOURNMENT: There being no further business to come before the Commission, the meeting adjourned at 11:40 a.m.

Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on February 3, 2015.



**CITY COMMISSION
CHARTER SCHOOL
GOVERNING BOARD TRAINING
MINUTES
JANUARY 23, 2015 – 1:00 P.M.**

Aventura Government Center
19200 W. Country Club Drive
Aventura, Florida 33180

A Governance Training meeting for newly-elected members of the City Commission was held on January 23, 2015. The meeting was called to order at 1:00 p.m. by City Manager Eric M. Soroka. The following were in attendance: Mayor Enid Weisman, Commissioner Denise Landman, Commissioner Marc Narotsky, and Commissioner Robert Shelley. Also present were City Manager Eric M. Soroka – Governing Board Facilitator, Julie Alm – Principal for Aventura City of Excellence School, Keisha Smith - Charter Schools USA Director of Board Governance, and Gail Birks - CMA Enterprise Incorporated.

Mr. Soroka, Ms. Alm, Ms. Smith, and Ms. Birks reviewed a PowerPoint presentation "Florida Department of Education Charter School Board Governance Training," which was also provided in a handbook format. The presentation included the duties and responsibilities of the Commission, in their role on the Aventura City of Excellence School's Governing Board.

The meeting adjourned at 5:00 p.m.

Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on February 3, 2015.

CITY OF AVENTURA
OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

FROM: Eric M. Soroka, ICMA-CM, City Manager 

DATE: January 20, 2015

SUBJECT: **Resolution Approving Legislative Programs and Priorities for 2015**

February 3, 2015 City Commission Meeting Agenda Item 5B

RECOMMENDATION

It is recommended that the City Commission approve the attached Resolution approving the Legislative Programs and Priorities for 2015. This item was reviewed at the January Workshop Meeting.

If you have any questions, please feel free to contact me.

EMS/act

Attachment

CCO1892-15

CITY OF AVENTURA LEGISLATIVE PROGRAM AND PRIORITIES



2015

**Mayor Enid Weisman
Commissioner Enbar Cohen
Commissioner Teri Holzberg
Commissioner Denise Landman
Commissioner Marc Narotsky
Commissioner Robert Shelley
Commissioner Howard Weinberg
City Manager Eric M. Soroka
City Clerk Ellisa Horvath
City Attorney Weiss Serota Helfman Cole Bierman & Popok, P.L.**

**CITY OF AVENTURA
LEGISLATIVE PROGRAMS AND PRIORITIES
2015**

This document is intended to provide direction to the City Manager, City Attorney and Legislative Lobbyist as to the official City position regarding issues and pending legislation which would affect the operation of local government. This document further provides priorities for the acquisition of supplemental funding (grants) for various programs.

The City of Aventura will endorse and support legislation that will:

1. Provide a dedicated revenue source for Charter School capital improvements at the same levels provided to the local school boards.
2. Increase educational funding levels for Miami-Dade County public schools in order to meet per pupil State Constitutional requirements.
3. Amend State law allowing a more economical method of advertising for a public hearing relating to Comprehensive Plan adoption and/ or amendments.
4. Adopt the 2015 Policy Statement of the Florida League of Cities.
5. Enact a law enabling cities to prohibit smoking at city sponsored events or activities and/ or at city parks and facilities.
6. On a state-wide level, ban the use of handheld phones by persons operating motor vehicles, but allowing hands free phone devices.
7. Provide a dedicated revenue source to cities that are located within 1 mile of a facility that houses legalized gambling to offset police and road impact costs to the community.
8. Preserve municipal authority for red light camera safety programs.
9. Amend Safe Harbor provisions (Fla. Stat. 718.116(1)(b) condos and 720.3085(2)(c) HOAs) to increase the liability of qualified lending institutions to the lesser of twenty four months of past due assessments or two percent of the original mortgage in the event of a foreclosure plus recovery of reasonable attorney fees.
10. Seek an amendment to Sec. 790.065, F.S., to enable municipal police departments to decline to release a firearm to a person who has been Baker Acted, in the absence of a court order entered in a replevin case. The law presently restricts firearms purchases and access to concealed weapons permits by certain Baker Acted persons, but does not bar their possession of firearms.
11. Support initiatives to address the impact of rising seas on the South Florida area.

RESOLUTION NO. 2015-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA ADOPTING THE CITY OF AVENTURA 2015 LEGISLATIVE PROGRAM AND PRIORITIES ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, THAT:

Section 1. The City of Aventura 2015 Legislative Program and Priorities, attached hereto, is hereby adopted.

Section 2. The City Manager is authorized to take all action necessary to implement the purpose of this Resolution.

Section 3. This Resolution shall be effective immediately upon adoption hereof.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Enbar Cohen	_____
Commissioner Denise Landman	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Vice Mayor Teri Holzberg	_____
Mayor Enid Weisman	_____

PASSED AND ADOPTED this 3rd day of February, 2015.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

FROM: Eric M. Soroka, ICMA-CM, City Manager

DATE: January 23, 2015

SUBJECT: **Resolution Declaring Equipment Surplus**



February 3, 2015 Commission Meeting Agenda Item 5C

RECOMMENDATION

It is recommended that the City Commission adopt the attached Resolution declaring certain equipment as surplus to the needs of the City.

BACKGROUND

Section 2-258 of the City Code of Ordinances provides that any property owned by the City which has become obsolete or which has outlived its usefulness may be disposed of in accordance with procedures established by the City Manager, so long as the property has been declared surplus by a resolution of the City Commission.

If you have any questions, please feel free to contact me.

EMS/act

Attachment

**CITY OF AVENTURA
POLICE DEPARTMENT
INTER OFFICE MEMORANDUM**

TO: Eric M. Soroka, City Manager

FROM: ~~Steven Steinberg, Chief of Police~~

DATE: 23 January 2015

SUBJECT: Surplus Property

I would like to have the attached listed items, owned by the City of Aventura, declared Surplus Property as per City of Aventura APDP, Chapter 6, Subsection 5, Page 1, as these items have become inadequate for public purposes:

2008	Chevrolet Impala	2G1WB58K381239817	
2007	Ford Crown Vic	2FAFP71W87X136847	
2007	Ford Crown Vic	2FAFP71W27X136844	
2004	Ford Crown Vic	2FAFP71W24X124737	

1 – HP Smart 912 Camera
Serial # 6091869

CITY OF AVENTURA

COMMUNITY SERVICES DEPARTMENT

MEMORANDUM

TO: Eric M. Soroka, ICMA-CM, City Manager

FROM: Robert M. Sherman, Director of Community Services

DATE: January 30, 2015

SUBJECT: **Surplus Property: CRC Exercise Equipment**



Please have the City property listed below declared as Surplus Property as these items have become unusable and inadequate for department purposes.

- True CSX Elliptical COA Tag number 3007
- True CSX Elliptical COA Tag number 3008

RMS/gf

RMS15001

RESOLUTION NO. 2015-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA DECLARING CERTAIN PROPERTY LISTED UNDER THE ASSETS OF THE CITY AS SURPLUS TO THE NEEDS OF THE CITY; DESCRIBING THE MANNER OF DISPOSAL; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager desires to declare certain property as surplus to the needs of the City; and

WHEREAS, Ordinance No. 2000-09 provides that all City-owned property that has been declared surplus cannot be disposed of prior to the preparation and formal approval of a resolution by the City Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, THAT:

Section 1. Recitals Adopted. The above recitals are hereby confirmed and adopted herein.

Section 2. The property listed on Exhibit "A" has been declared surplus and is hereby approved for disposal.

Section 3. The City Manager is authorized to dispose of the property listed on Exhibit "A" through a public auction, sale, trade-in, transfer to other governmental agency or, if of no value, discarded.

Section 4. The City Manager is hereby authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Enbar Cohen	_____
Commissioner Denise Landman	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Vice Mayor Teri Holzberg	_____
Mayor Enid Weisman	_____

PASSED AND ADOPTED this 3rd day of February, 2015.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

FROM: Eric M. Soroka, ICMA-CM, City Manager

DATE: January 26, 2015

SUBJECT: **Resolution Authorizing Execution of Change Order No. 1 to Extend N.E. 185th Street Southbound Turning Lane With Weekley Asphalt Paving, Inc.**



February 3, 2015 City Commission Meeting Agenda Item 5D

RECOMMENDATION

It is recommended that the City Commission adopt the attached Resolution authorizing execution of the attached Change Order No. 1 to extend the N.E. 185th Street (Miami Gardens Drive) southbound turning lane in the amount of \$157,278.84 with Weekley Asphalt Paving, Inc.

BACKGROUND

In fiscal year 2014/15 a contract was awarded to Weekley Asphalt Paving, Inc. to perform channelization modifications at the intersection of N.E. 185th Street and Biscayne Boulevard in the amount of \$38,714.40 in accordance with Bid No. 14-11-22-2 and Resolution No. 2014-03, City of Aventura Maintenance and Repair for City Roads and Streets contract. The modifications would provide a concrete separator to deter illegal U-turns at that location.

The project was placed on hold to allow the City to study alternatives to address the severe traffic backup and congestion that occurred at the intersection of westbound N.E. 185th Street and its approach to Biscayne Boulevard. After studying the traffic issues and consulting with the County, our Traffic Engineering Consultants recommended that the left turn lane be extended to relieve congestion at the intersection. This project involves lengthening the turning lane to provide for more traffic flow by reducing the existing median and relocating landscaping.

The project has been designed and permitted with the regulatory agencies. The project is scheduled to start February 9, 2015 and be complete by April 9, 2015.

Memo to City Commission
January 26, 2015
Page 2

The attached Change Order increases the original contract from \$38,714.40 to \$195,993.20 for Weekley Asphalt Paving, Inc. to perform the required work. A complete breakdown of the project costs is attached.

A Budget Amendment will be prepared for the March Commission Meeting that will include the funding for this project from the Transportation, Street Maintenance Fund reserves.

If you have any questions, please feel free to contact me.

EMS/act

Attachment

CCO1893-15

RESOLUTION NO. 2015-___

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND OTHERWISE ENTER INTO CHANGE ORDER NUMBER 1 FOR THE NE 185TH STREET CHANNELIZATION MODIFICATION WEST BOUND APPROACH BY AND BETWEEN THE CITY AND WEEKLEY ASPHALT PAVING, INC.; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY AND EXPEDIENT ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR THE APPROPRIATION AND ALLOCATION OF FUNDS FOR SAID CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA:

Section 1. The City Manager is hereby authorized to execute and otherwise enter into attached Change Order Number 1 between the City and Weekley Asphalt Paving, Inc. for the NE 185th Street Channelization Modification West Bound Approach construction project and incorporated herein as specifically as is set forth at length herein. Said Change Order amount is \$157,278.84.

Section 2. The City Manager is hereby authorized and requested to do all things necessary to carry out the aims of this Resolution.

Section 3. That the funds to be allocated and appropriated pursuant hereto and for the purpose of carrying out the tenets of this Resolution shall be from Budget Line Item Number 120-5001-541-6341.

Section 4. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Enbar Cohen	_____
Commissioner Denise Landman	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Vice Mayor Teri Holzberg	_____
Mayor Enid Weisman	_____

PASSED AND ADOPTED this 3rd day of February, 2015.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY



**CITY OF AVENTURA
CHANGE ORDER FORM
CHANGE ORDER NO. 1**

CONTRACT NUMBER: 14-11-22-2

DATE: January 26, 2015

PROJECT TITLE: NE 185th ST Channelization Modification WB

PROJECT CONTRACTOR: Weekley Asphalt Paving, Inc.

COST: \$157,278.84

BUDGET LINE ITEM: 120-5001-541-6341

DESCRIPTION OF CHANGES: Addition of left turn lane extension west bound on NE 185th ST accessing south bound Biscayne Boulevard.

Original Contract:	\$ 38,714.40
Total Previous Change Orders:	\$ 0
This Change Order:	\$157,278.84

Revised Contract Amount: \$195,993.20

Total Change Orders to Date: 0
Contract Amount Before This Change: \$38,714.40

Total Change in Contract Period: 28 Calendar Days

The sum of \$157,278.84 is hereby added to the Contract price, and the total adjusted Contract price to date thereby is \$195,993.20. The time provided for completion of the Contract increases by twenty eight (28) calendar days. This document shall become an amendment to the Contract and all provisions of the Contract will apply thereto.

Recommended by _____
Consultant

Date

Recommended by Antonio F. Jomei
Capital Projects Manager

1/26/15
Date

Recommended for Budgetary Purposes:

Finance Support Services Director

Date

Approved by _____
City Manager

Date

Accepted by _____
Contractor

Date

CITY OF AVENTURA
Maintenance and Repair for City Roads, Streets, and Facilities
Bid Tabulation for Bid No. 14-11-22-2

NE 185th STREET WESTBOUND LEFT TURN LANE EXTENSION

The proposed improvement involves:

Extending the westbound shared left-through lane eastward to NE 27th Avenue.

Relocating the existing crosswalk at NE 27th Avenue to the east side of the intersection.

Weekley Asphalt Paving, Inc. Quote

Item	Estimated Quantity	Description	Unit	Percentage of Total Project
GENERAL CONDITIONS AND MOBILIZATION				
4		General Conditions and Mobilization Costs For Jobs Totaling \$25,000 or More	LS	20%

Item	Estimated Quantity	Description	Unit	Unit Price	Extended Price
MAINTENANCE OF TRAFFIC					
10	43	Type II Barricade per FDOT Standard Index No. 600 – Provide for Project Duration - Up to 30 Days	EA	\$ 30.00	\$ 1,290.00
STORM WATER POLLUTION PREVENTION					
20	40	Furnish and Install Silt Fence	LF	\$ 2.50	\$ 100.00
21	8	Furnish and Install Inlet Sediment Control Device	EA	\$ 150.00	\$ 1,200.00
EARTHWORK AND SITE RESTORATION					
23	0.1	Clearing and Grubbing	AC	\$ 20,000.00	\$ 2,000.00
24	142	Remove and dispose of unsuitable material	CY	\$ 28.00	\$ 3,976.00
PAVING AND CONCRETE					
29	268	12" Stabilized Subgrade (min. LBR of 40)	SY	\$ 3.80	\$ 1,018.40
30	268	6" Limerock Base (min. LBR of 100), Including Prime Coat	SY	\$ 21.50	\$ 5,762.00
31	268	Each Additional 2" Limerock Base (min. LBR of 100), Including Prime Coat	SY	\$ 4.25	\$ 1,139.00
32	860	1" Asphalt Type SP-9.5, Including Tack Coat	SY	\$ 8.00	\$ 6,880.00
33	536	Each Additional 1/2" Asphalt Type SP-9.5, Including Tack Coat	SY	\$ 4.00	\$ 2,144.00
36	592	Mill Existing Pavement (1" Average Depth)	SY	\$ 5.50	\$ 3,256.00
43	13	Remove and Dispose of Existing Concrete (up to 6")	SY	\$ 28.00	\$ 364.00
44	453	Remove and Dispose of Existing Type "D" Concrete Curb	LF	\$ 8.50	\$ 3,850.50
45	18	Remove and Dispose of Existing Type "F" Concrete Curb and Gutter or Concrete Valley Gutter	LF	\$ 8.50	\$ 153.00
48	99	Type "D" Curb	LF	\$ 51.00	\$ 5,049.00
57	1	Accessible Ramps (Concrete) with Embedded Detectable Warning Surface	EA	\$ 3,800.00	\$ 3,800.00

01-0103-X866

01-0103-173

01-0103-184

CITY OF AVENTURA
Maintenance and Repair for City Roads, Streets, and Facilities
Bid Tabulation for Bid No. 14-11-22-2

Item	Estimated Quantity	Description	Unit	Unit Price	Extended Price
<u>PAVEMENT MARKINGS AND SIGNAGE</u>					
134	4	Single Post Sign (up to 30" x 30")	EA	\$ 380.00	\$ 1,520.00
136	1454	6" Solid Striping (Thermoplastic)	LF	\$ 4.00	\$ 5,816.00
143	1454	6" Solid Striping (Paint)	LF	\$ 2.90	\$ 4,216.60
149	2	Arrow (Thermoplastic)	EA	\$ 140.00	\$ 280.00
150	2	Arrow (Paint)	EA	\$ 90.00	\$ 180.00
151	0	Lettering per Letter (Thermoplastic)	EA	\$ 80.00	\$ -
154	102	Reflective Pavement Marker (RPM)	EA	\$ 7.00	\$ 714.00
155	1258	Remove Existing Thermoplastic Pavement Markings (Hydroblast)	LF	\$ 16.00	\$ 20,128.00
157	339	Furnish & Install Qwick Curb Delineator	LF	\$ 102.80	\$ 34,849.20
<u>MISCELLANEOUS</u>					
158	1	Cut and cap Existing Irrigation System	LS	\$ 560.00	\$ 560.00
160	1	Remove, Furnish and Install New Irrigation Meter and Backflow Device, Complete	LS	\$ 5,700.00	\$ 5,700.00
161	1	Remove Drainage Well Frame and Bricks, Furnish & Install Manhole Rings & Cover	LS	\$ 400.00	\$ 400.00
162	2	Furnish & Install Detectable Warning Surface	EA	\$ 480.00	\$ 960.00
163	320	Allowance for City of Aventura Police (overtime rate)	Hr	\$ 43.00	\$ 13,760.00

* Weekley's Bid Unit Price was \$40.00 per hour. The correct rate is \$43.00 per hour.

(Including Item 163)

Subtotal	\$	131,065.70
General Conditions	\$	26,213.14
Total	\$	157,278.84

(Not including Item 163 in General Conditions)

Subtotal	\$	131,065.70
General Conditions	\$	23,461.14
Total	\$	154,526.84

CITY OF AVENTURA
OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

FROM: Eric M. Soroka, ICMA-CM, City Manager 

DATE: January 27, 2015

SUBJECT: **Law Enforcement Mutual Aid Agreement Between the City and the School Board of Miami-Dade County, Florida Miami-Dade Schools Police Department**

February 3, 2015 City Commission Meeting Agenda Item 5E

RECOMMENDATION

It is recommended that the City Commission adopt the attached Resolution authorizing execution of the Law Enforcement Mutual Aid Agreement with the School Board of Miami-Dade County, Florida Miami-Dade Schools Police Department.

BACKGROUND

In order to improve cooperative relationships between law enforcement agencies and provide a mechanism to share police resources in the event of emergencies or certain demanding situations, Chapter 23, Florida Statutes, Florida Mutual Aid Act allows agencies to enter into Police Services Mutual Aid Agreements. The various departments use a basic Mutual Aid Agreement.

The following list comprises the circumstances and conditions under which mutual aid may be requested:

1. The joint multijurisdictional criminal investigations.
2. Civil affray or disobedience, disturbances, riots, large protest demonstrations, controversial trials, political conventions, labor disputes and strikes.
3. Any natural disaster.
4. Incidents which require rescue operations and crowd and traffic control measures including, but not limited to, large-scale evacuations, aircraft and shipping disasters, fires explosions, gas line leaks, radiological

- incidents, train wrecks and derailments, chemical or hazardous waste spills, and electrical power failures.
5. Terrorist activities including, but not limited to, acts of sabotage.
 6. Escapes from disturbances within detention facilities.
 7. Hostage and barricade subject situations, and aircraft piracy.
 8. Control of major crime scenes, area searches, perimeter control, back-ups to emergency and in-process calls, pursuits, and missing person calls.
 9. Enemy attack.
 10. Transportation of evidence requiring security.
 11. Major events, e.g., sporting events, concerts, parades fairs, festivals and conventions.
 12. Security and escort duties for dignitaries.
 13. Emergency situations in which one agency cannot perform its functional objective.
 14. Incidents requiring utilization for specialized units, e.g., underwater recovery, aircraft, canine motorcycle, bomb, crime scene, marine patrol, and police information.
 15. Joint training in areas of mutual need.

The Agreement is beneficial in our mission to protect the safety and quality of life of our residents.

If you have any questions, please feel free to contact me.

EMS/act

Attachment

CCO1894-15

RESOLUTION NO. 2015-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED MUTUAL AID AGREEMENT BETWEEN THE CITY OF AVENTURA AND THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, MIAMI-DADE SCHOOLS POLICE DEPARTMENT FOR LAW ENFORCEMENT ACTIVITIES; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, THAT:

Section 1. The City Manager is hereby authorized on behalf of the City of Aventura to execute and otherwise enter into that certain Mutual Aid Agreement between the City of Aventura and the School Board of Miami-Dade County, Florida, Miami-Dade Schools Police Department for law enforcement activities in substantially the form as attached hereto.

Section 2. The City Manager is hereby authorized to do all things necessary and expedient in order to effectuate the execution of the attached Agreement described in Section 1 above, and to carry out the aims of this Resolution.

Section 3. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Enbar Cohen	_____
Commissioner Denise Landman	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Vice Mayor Teri Holzberg	_____
Mayor Enid Weisman	_____

PASSED AND ADOPTED this 3rd day of February, 2015.

MAYOR ENID WEISMAN

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

**A LAW ENFORCEMENT MUTUAL AID AGREEMENT FOR VOLUNTARY
COOPERATION AND OPERATIONAL ASSISTANCE BETWEEN
THE CITY OF AVENTURA, FLORIDA
AND THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA MIAMI-DADE
SCHOOLS POLICE DEPARTMENT**

This Mutual Aid Agreement is entered into by and between THE CITY OF AVENTURA, FLORIDA, , a Florida municipality (the " CITY") on behalf of the City of Aventura Police Department (the " APD") and The School Board of Miami-Dade County, Florida by and through The School Police, a political subdivision of the State of Florida hereinafter referred to as the Miami-Dade Schools Police Department.

WHEREAS, the jurisdictions of CITY and the Miami-Dade County School are so located in relation to each other that it is to the advantage of each to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to: (1) intensive situations including but not limited to emergencies as defined under Section 252.34(3), F.S., and (2) continuing, multi-jurisdictional law enforcement problems of a routine law enforcement nature, so as to protect the public peace and safety, and preserve the lives and property of the people; and

WHEREAS the APD and the Miami-Dade Schools Police Department have the authority under Part I of Chapter 23, F.S., the Florida Mutual Aid Act, to: (1) enter into a requested operational assistance Agreement for the purpose of requesting and rendering of assistance in law enforcement intensive situations and emergencies, and (2) enter into a voluntary cooperation Agreement of a routine law enforcement nature that crosses jurisdictional lines; and

WHEREAS APD and the Miami-Dade Schools Police Department intend this Agreement to be the underlying and governing Agreement in all future Memorandum of Understanding's entered into by both parties;

NOW, THEREFORE, the parties agree as follows:

I. PROVISIONS FOR OPERATIONAL ASSISTANCE

The aforesaid law enforcement agencies hereby approve and enter into this Agreement whereby each of the agencies may request and render law enforcement assistance to the other to include but not necessarily be limited to dealing with civil disturbances, large protest demonstrations, aircraft disasters, fires, natural or manmade disasters, sporting events, concerts, parades, escapes from detention facilities, and incidents requiring utilization of specialized units. A deputy sheriff or police officer of either of the participating law enforcement agencies shall be considered to be operating under the provision of this Agreement when participating in law enforcement activities that are preplanned and approved by each respective agency head, or appropriately dispatched in response to a request for assistance from the other law enforcement

agency.

The agency heads of the participating law enforcement agencies, or their designees, shall establish procedures for giving control of the mission definition to the requesting agency, and for giving tactical control over accomplishing any such assigned mission and supervisory control over all personnel or equipment provided pursuant to this Agreement to the providing agency.

II. PROVISIONS FOR VOLUNTARY COOPERATION

In addition, each of the aforesaid law enforcement agencies hereby approves and enters into this Agreement whereby each may request and render law enforcement assistance to the other in dealing with any violation of Florida Statutes to include, but not limited to, investigating sexual misconduct, robberies, assaults, burglaries, larcenies, gambling, motor vehicle thefts, drug violations pursuant to Chapter 893, F.S., accidents involving motor vehicles, and violations of the Florida Uniform Traffic Control Law, providing backup services during patrol activities, and participating in inter-agency task forces and/or joint investigations.

III. POLICY AND PROCEDURE

- A. If a party to this Agreement needs assistance as set forth above, it shall notify the agency head or designee of the agency from which such assistance is required. The agency head or designee shall evaluate the situation and the agency's available resources, consult with his or her supervisors if necessary and respond in a manner deemed appropriate. The agency head's or designee's decision in this regard shall be final.
- B. Immediate Response for Assistance – In the event of a 315 (Emergency-Assist Other Officer) Dispatch call, officers may respond to assist and provide necessary law enforcement actions unless a supervisor from the responding agency cancels the response.
- C. Specific reporting instructions for personnel rendering mutual aid will be included in the request for mutual aid. In the absence of such reporting instructions, personnel will report to the ranking on-duty supervisor at the scene.
- D. Communications instructions will be included in each request for mutual aid and each agency's communications centers will maintain radio contact with each other until the mutual aid situation has ended.
- E. Incidents requiring mass processing of arrestees, transporting prisoners, and operating temporary detention facilities will be handled per established procedures of the requesting agency or the Chief of Police that is involved.

IV. COMMAND AND SUPERVISORY RESPONSIBILITY

- A. The resources or facilities that are assigned by the assisting agency shall be under the immediate command of a supervising officer designated by the assisting agency head or designee. Such supervising officer shall be under the direct supervision and command of the agency head or designee of the agency requesting assistance.
- B. Whenever an officer is rendering assistance pursuant to this Agreement, the officer shall abide by and be subject to the rules and regulations, personnel policies, general orders, and standard operating procedures of his or her own employer.
- C. Whenever there is cause to believe that a complaint has arisen as a result of a cooperative effort as it may pertain to this Agreement, the Chief of Police or his or her designee of the agency employing the officer who is subject to the complaint shall be responsible for the investigation of the complaint. The Chief of Police or designee of the requesting agency should ascertain as a minimum: 1) the identity of the complainant; 2) an address where the complaining party can be contacted; 3) the specific allegations; and 4) the identity of the employees accused without regard as to the agency affiliation. If it is determined during the investigation of a complaint that the accused is an employee of the assisting agency, the above information with all pertinent documentation gathered during the receipt and processing of the complaint shall be forwarded without delay to the agency for administrative review. The requesting agency may conduct a review of the complaint to determine if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

V. AUTHORITY, PRIVILEGES, IMMUNITIES, AND COSTS

- A. Authority of law enforcement officers operating pursuant to this Agreement:
 - 1 Members of the APD actually engaging in mutual cooperation and assistance outside of the jurisdictional limits of their agency under the terms of this Agreement, shall, pursuant to the provisions of Section 23.127, F.S. have the same powers, duties, rights, responsibilities, privileges and immunities as if they were performing their duties in the jurisdiction in which they are normally employed.
 - 2 Members of the Miami-Dade Schools Police Department actually engaging in mutual cooperation and assistance outside of the jurisdictional limits of their agency under the terms of this Agreement, shall, pursuant to the provisions of Section 23.127, F.S. have the same powers, duties, rights, responsibilities, privileges and immunities as if they were performing their duties in the jurisdiction in which they are normally employed.
 - 3 If a violation of Florida Statutes occurs in the presence of said officers representing their respective agencies in furtherance of this Agreement, they shall be empowered to take appropriate enforcement action

including, but not limited to, arrest or citation of the suspect(s).

- 4 If a felony, misdemeanor, criminal traffic, or other violations of law occurs in the presence of an officer of the APD, and within the jurisdiction of the Miami-Dade County School, said officer shall be empowered to take appropriate enforcement action including, but not limited to, arrest or citation of the suspect(s).
- 5 If a felony, misdemeanor, or criminal traffic violation occurs in the presence of an officer of the Miami-Dade County School, while outside his or her jurisdiction but within the APD jurisdiction, said officer shall be empowered to take appropriate action including, but not limited to, arrest or citation of a suspect, if the officer is engaged in a close and continuous pursuit or has been contemporaneously requested to render aid or assistance by an APD officer.
- 6 If an officer of the Miami-Dade Schools Police Department is investigating a felony which has occurred within his or her jurisdiction and has probable cause to arrest a suspect for a felony and the suspect is now located outside the officer's jurisdiction, but within APD jurisdiction, the officer shall request an APD officer for assistance.
- 7 If an APD officer is investigating a felony which has occurred within his or her jurisdiction and has probable cause to arrest a suspect for a felony and the suspect is now located outside the officer's jurisdiction, but within the jurisdiction of the Miami-Dade County School, the officer shall request a Miami-Dade County School Police officer for assistance.
- 8 Nothing shall prevent an officer of the APD from stopping and detaining a person who commits an observed motor vehicle violation or misdemeanor on School Board property for the purpose of issuing a citation or summons if the suspect is stopped immediately upon exiting the campus. If a custodial arrest off campus grounds is required and is within the Miami-Dade County School, the Miami-Dade Schools Police Department shall be contacted as soon as possible for assistance.

- B. Each party agrees to furnish necessary equipment, resources and facilities, and to render services to the other as set forth above; however, no party shall be required to deplete unreasonably its own equipment, resources, facilities, and services in furnishing mutual aid.
- C. The agency furnishing any equipment pursuant to this Agreement shall bear the loss or damage to such equipment and shall pay any expenses incurred in the operation and maintenance thereof.
- D. The agency furnishing aid pursuant to this Agreement shall compensate its

employees during the time such aid is rendered and shall defray the actual travel and maintenance expenses of such employees while they are rendering such aid, including any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid. The requesting agency may voluntarily reimburse the assisting agency during the time of the rendering of such aid and may defray the actual travel and maintenance expenses of such employees while they are rendering such aid, including any amounts paid or due for compensation as a result of personal injury or death while such employees are rendering such aid as pertains to Section I of this Agreement, but the requesting agency is not required to do so .

- E. All provision and immunities from liability, exemption from laws, ordinances and rules, and all pension, insurance, relief, disability, workers' compensation, salary, death, and other benefits which apply to the activity of such officers, agents, or employees of any such agency when performing their respective functions within the territorial limits of their respective public agency shall apply to them to the same degree, manner, and extent while engaged in the performance of any of their functions and duties extra-territorially under the provisions of this mutual aid Agreement. The provisions of this section shall apply with equal effect to paid, volunteer, and reserve employees.

VI. LIABILITY

Each party engaging in any mutual cooperation and assistance pursuant to this Agreement, shall be responsible for the actions of its own employees in the manner and extent provided by Sec. 768.28, F.S. Nothing in this Agreement shall waive or impair the sovereign immunity of the parties.

VII. FORFEITURES

It is recognized that, during the course of the operation of this Agreement, property subject to forfeiture under Sections 932.701-932.707, Florida Statutes (the Florida Contraband Forfeiture Act) may be seized. The property shall be seized, forfeited, and equitably distributed among the participating agencies in proportion to the amount of investigation and participation performed by each agency pursuant to the Florida Contraband Forfeiture Act, less the costs associated with the forfeiture action. The participating agencies must request sharing, in writing, before the entry of a Final Order of Forfeiture, or they will be barred from claiming any portion of the property forfeited. The agency pursuing the forfeiture action shall have the exclusive right to control and the responsibility to maintain the property, including, but not limited to, the complete discretion to bring the action, or to dismiss the action, or settlement. This shall occur pursuant to the Florida Contraband Forfeiture Act.

VIII. SCHOOL CRITICAL INCIDENT RESPONSE PLAN

It is recognized that, during the course of the operation of this Agreement, should a critical incident arise, the parties shall adopt the Miami-Dade County School Critical Incident Response Plan, Joint Roundtable on Youth Safety, dated August 13, 2013. This plan promotes cooperation, consistency and a cohesive unified response by law enforcement and emergency service personnel within Miami-Dade County with an intended purpose to successfully resolve a school crisis and prevent injury or loss of life.

IX. INSURANCE

Each party shall maintain insurance coverage or maintain an ongoing self-insurance program in sufficient amounts for the performance of this Agreement including public liability, automobile liability, police professional liability and workers' compensation. If requested, each party shall provide satisfactory proof of the required insurance or ongoing self-insurance program.

X. CONCURRENT JURISDICTION

Should a sworn law enforcement officer be in another subscribed agency's jurisdiction for matters of a routine nature, such as traveling through the area on routine business, attending a meeting or going to or from work, and a violation of Florida statutes occurs in the presence of said party, representing his/her respective agency, he/she shall be empowered to render enforcement assistance and act in accordance with law. Should enforcement action be taken, said party shall notify the agency having normal jurisdiction and upon the latter's arrival, turn the situation over to them and offer any assistance requested including but not limited to a follow-up written report documenting the event and the actions taken. This provision so prescribed in this paragraph is not intended to grant general authority to conduct investigations, serve warrants, and/or subpoenas or to respond without request to emergencies already being addressed by the agency of normal jurisdiction, but is intended to address critical life-threatening or public safety situations, prevent bodily injury to citizens, or secure apprehension of criminals whom the law enforcement officer may encounter.

XI. EFFECTIVE DATE

This Agreement shall take effect upon execution and approval by the hereinafter named officials and shall continue in full force and effect until five (5) years from the effective date of this Agreement unless terminated prior thereto by any or all of the parties herein. Under no circumstances may this Agreement be renewed, amended, or extended except in writing and executed by both parties. This Agreement shall be effective retroactively from and after January 1, 2015.

XII. CANCELLATION

This Agreement may be canceled by either party upon delivery or written notice to the other party and such Agreement shall be terminated thirty (30) days after receipt of this notice. Any notice required or permitted under this Agreement, including any notice of cancellation or termination, shall be effective when personally delivered or sent by first-class mail, return receipt requested as follows:

City Of Aventura , Florida
Eric M. Soroka , City Manager
19200 W.Country Club Drive,
Aventura , Fl 33180

With a copy to:

Steve Steinberg, Police Chief
Aventura Police Department
19200 W. Country Club Drive
Aventura, Fl. 33180

AS TO THE SCHOOL BOARD:

The School Board of Miami-Dade County, Florida
Attn: Alberto M. Carvalho, Superintendent
1450 N.E. Second Avenue, Suite 912
Miami, Florida 33132

With a copy to:

The Miami Dade County School Police Department
Attn: Chief Ian Moffett
Address: 6100 NW 2nd Avenue
Miami, Fl 33127

And a copy to:

The School Board of Miami-Dade County, Florida
Attn: Walter J. Harvey, School Board Attorney
1450 N.E. Second Avenue, Suite 430
Miami, Florida 33132
Miami-Dade Schools Police Department

WHEREFORE, the parties hereto cause these Agreements to be signed on the
____ day of _____, 20__.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

(as to the School Board):

**THE SCHOOL BOARD OF MIAMI-DADE COUNTY,
FLORIDA**

BY: _____ Signature

(Superintendent of Schools or Designee)

School Board Attorney - Signature

Date

(Name Typed)

Date: _____

SUBMITTED BY:

CITY OF AVENTURA, FLORIDA

Chief Ian Moffett

BY: _____
Signature

Name: Eric M. Soroka

Attest: _____

Address: _____

F.E.I.N. (If organization) _____

School Board Employee: Yes No

M-DCPS Employee No. _____

Risk Management Signature Date

RESOLUTION NO. 2015-___

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA SUPPORTING A SOUTH FLORIDA SEA LEVEL RISE AND CLIMATE CHANGE CONGRESS THAT WILL INCLUDE LOCAL, STATE, AND FEDERAL ELECTED OFFICIALS MEETING TO PROPOSE CONSTRUCTIVE SOLUTIONS TO SEA LEVEL RISE AND CLIMATE CHANGE.

WHEREAS, numerous studies have established that South Florida is comprised of some of the world's most vulnerable areas to the impacts of climate change as the warming Earth's melting ice caps push the sea level higher; and

WHEREAS, scientists believe that the rising sea level will threaten some of the region's most vital facilities; and

WHEREAS, South Florida's sea level rose about eight inches during the past century, and is projected to increase by as much as two feet as early as 2048 and could go up to three feet by 2063; and

WHEREAS, South Florida is exceptionally vulnerable to climate change due to its unique geology that is built on porous limestone which is slowly filling up as the sea level rises, making the land, streets and neighborhoods more likely to flood and cause sewer systems to back up into homes and gardens; and

WHEREAS, southeast Florida's roads, bridges, and businesses already are facing flooding because of higher sea levels, and the water is only expected to rise higher during the next 50 years; and

WHEREAS, rising sea level threatens all of South Florida's popular coastal areas and could alter the freshwater supply that feeds our cities and agriculture; and

WHEREAS, potential threats include more saltwater seeping in and fouling drinking water supplies, and stronger, more frequent hurricanes; and

WHEREAS, with sea level rise of only three to nine inches, southeast Florida could lose 70 percent of its drainage capacity in the 28 control structures that protect the region from flooding and saltwater intrusion; and

WHEREAS, future warming will only increase the risk of more frequent and severe impacts to the area's economy, infrastructure, and communities; and

WHEREAS, a Southeast Regional Climate Compact exists to address climate change in Miami-Dade, Monroe, Broward, and Palm Beach counties; and

WHEREAS, in moments of crisis special congresses have been convened to address serious problems; and

WHEREAS, South Florida's coastal communities need all levels of government – local elected officials, state elected officials, and the state's full Congressional delegation – to mobilize resources for wide-ranging adaptation and mitigation measures. By acting as leaders on climate action, Florida's decision-makers can not only protect the State's vulnerable citizens from the dangers of climate change – they can inspire communities across the United States to follow suit; and

WHEREAS, we call for a South Florida Sea Level Rise and Climate Change Congress to address these issues specifically including the mobilization of resources for wide-ranging adaptation and mitigation measures. This special Congress would include all local, state, and federal elected officials in the four Southeast Florida counties (Miami-Dade, Monroe, Broward, and Palm Beach); and

WHEREAS, the southeast Florida climate change plan seeks to help local communities take a regional approach to preparing for everything from sea level rise to protecting drinking water supplies.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, THAT:

Section 1. The City Commission hereby supports a South Florida Sea Level Rise and Climate Change Congress that will include local, state, and federal elected officials meeting to propose constructive solutions to sea level rise and climate change. The City Commission encourages such a conference to be held which should necessarily include: all local elected officials of all the 108 municipalities of Miami-Dade, Monroe, Broward, and Palm Beach counties; the Mayor of Miami-Dade County and all local elected officials at the county level in Miami-Dade, Monroe, Broward, and Palm Beach counties; the Governor of Florida and all elected Florida Legislature representatives in the Miami-Dade, Monroe, Broward, and Palm Beach counties; and all members of the U.S. Congressional delegation that represent Miami-Dade, Monroe, Broward, and Palm Beach counties. A Sea Level Rise and Climate Change Congress should address these issues specifically including the mobilization of resources for wide-ranging adaptation and mitigation measures.

Section 2. Participation in regional sea level impact discussions is in accordance with the City of Aventura’s Comprehensive Plan as follows: (a) Policy 1.26 - *The City shall support and coordinate with local, county, regional, State, and Federal initiatives on climate change, sustainability and resilient communities* and (b) Policy 1.27 – *The City shall assess, jointly with local, county, regional, State, and Federal initiatives, planning tools to implement climate change adaptation strategies, sustainability and resiliency.*

Section 3. The City Clerk is hereby directed to forward this Resolution to all of the elected officials listed in Section 1, above.

Section 4. Severability. If any section clause, sentence, or phrase of this Resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Resolution.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption by vote of the City Commission.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Enbar Cohen	_____
Commissioner Denise Landman	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Vice Mayor Teri Holzberg	_____
Mayor Enid Weisman	_____

PASSED AND ADOPTED this 3rd day of February, 2015.

MAYOR ENID WEISMAN

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY